**PARK CITY COUNCIL WORK SESSION NOTES**
**SUMMIT COUNTY, UTAH**
**JUNE 29, 2006**

**Present:** **Mayor Dana Williams; Council members, Marianne Cone; Candace Erickson; Roger Harlan; Jim Hier; and Joe Kernan**

**Tom Bakaly, City Manager; Mark Harrington, City Attorney; Alison Butz, Consultant**

**Bridgette Stephan, Utah Clean Energy**

1. **Alternative energy – Park City Ice Arena.** Mayor Williams introduced engineer Bridgette Stephan from Utah Clean Energy. Alison Butz explained that the initial concept contemplated using wind power to fuel the Zamboni at the rink but it was discovered that it requires the level of power needed for two households. Additionally, in order to move forward, a Land Management Code amendment is recommended to provide for a conditional use permit process to allow installation of turbines in the City. She relayed that this was always considered a demonstration project or a working symbol promoting renewable energy alternatives.

Mayor Williams strongly believed that the turbine should be placed in an area with the highest wind potential rather than installing it next to the building as a demonstration which would be more like a public art project. If it is functionally ineffective, he suggested locating the wind turbine between the two hills below the ridge line. The Mayor pointed out that thirty 50 foot high light standards in the parking lots will create significant visual impacts compared to a wind turbine between two hills; the view shed is from SR248. Jim Hier asked where else in the City the Mayor anticipates installations if this turbine is successful and recommended promoting the use of solar power which would not require amendments to the Code. The Mayor voiced his support of exploring all renewable energy sources.

In response to a question from Candace Erickson regarding the span of the blades on a larger turbine, Bridgette Stephan explained the variety of sizes and the cost savings associated with being selected as a beta test location. She pointed out that the equipment can be returned to the manufacturer if it is determined that the turbines don't work in Park City,. Ms. Butz interjected that the City would cover the costs of installation like conduit work. Ms. Erickson continued that both she and Mr. Hier spoke about solar power at the last work session on renewable energy and Alison Butz indicated that staff is still exploring this option. Council member Erickson felt that a desired result would be encouraging the resorts to utilize wind power for their operations and Jim Hier agreed and stated that he could support promoting this technology on the mountain. Joe Kernan preferred using the wind turbine as an educational tool that people can easily see. Roger Harlan felt it most prudent to install a turbine with the capacity to effectively power the Zamboni rather than just providing an educational tool for the public. He believed the City should also look at other options like solar. The

Mayor again referred to impacts of thirty 50 foot high lighting standards in the parking lots. Joe Kernan added that the project doesn't need to be tied to the Zamboni and could relate with the overall reduction in kilowatts usage.

Mayor Williams stated that if Park City is chosen as a test site, cots will be minimal and probably under $10,000. Alison Butz reiterated that conduit work that will need to be completed by the City before installation of the equipment occurs. There was discussion about wind *tunnel* technology. Jim Hier stated that he understands the interest in the promotion of renewable energy to reduce reliance on fossil fuels but felt the test should be specific to Park City. Ms. Butz discussed Park City Mountain Resort's efforts in using wind. Park City has the potential of being chosen as a beta test site; the next step could be testing wind at the rink which hasn't been accomplished yet. The Mayor suggested moving ahead with the project rather than conducting a wind test because the equipment can be removed in a year. In response to a question from Jim Hier, it was pointed out that the conditional use process is suggested for the ROS District only. If the goal is demonstration, Roger Harlan suggested building a *fake* one.

Discussion ensued on the reduced cost of $2,500 per turbine if Park City is chosen as a beta test site and there would be some discounted rate for the purchase of multiple turbines. Ms. Stephan added that turbines can be placed on multi-use poles like light standards. The majority of Council members were comfortable with a turbine being located higher on the hill with the caveat that solar continues to be explored. Ms. Butz indicated that she will return with information on the turbine model, associated costs and staff will move ahead on amendments to the LMC. Candace Erickson suggested that before proceeding with preparing the site, Council should have information on the option of installing turbines on the light standards. Tom Bakaly understood direction to be to proceed with amendments to the Code, return with location options including light poles, and continue to explore other renewable energy sources.

**2. Interviews for Planning Commission and Historic Preservation Board.** The Mayor and City Council conducted the following discussion and interviews:

| | |
|---|---|
| 3:15 p.m. | Interview process |
| 3:30 p.m. | Gary Kimball - HPB |
| 3:45 p.m. | Puggy Holmgren - HPB |
| 4:00 p.m. | Nancie Putnam – HPB (no show) |
| 4:15 p.m. | Todd Ford - HPB |
| 4:30 p.m. | Doug Stephens - PC |
| 4:45 p.m. | Mark Huber – HPB (no show) |
| 5:00 p.m. | Ken Martz - HPB |
| 5:15 p.m. | Laura Suesser - PC |
| 5:30 p.m. | Julia Pettit – PC |

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING**
**SUMMIT COUNTY, UTAH**
**JUNE 29, 2006**

## I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 29, 2006. Members in attendance were Dana Williams, Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Lloyd Evans, Chief of Police; Patrick Putt, Planning Director; Ray Milliner, Planner, and Pace Erickson, Streets Manager.

## II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Swearing-in of Police Officer Jeremy Eaton – Police Chief Lloyd Evans introduced Jeremy Eaton and the Mayor administered the Oath of Office.

2. Council questions and comments – Roger Harlan commended staff on an informational mailing and expressed that the primary election went smoothly with the new electronic voting machines. He spoke about the School Superintendent's unexpected resignation. Jim Hier reported on a number of events or meetings he attended during the week including the UBC Commission, HMBA, Chamber, golf tournament, IHC task force, interagency task force, Summit County Assessor, and the transit plan committee. He relayed that he asked members of the HMBA to render a position on motorcycle parking on Main Street and noted that the Chamber Board of Directors adopted its annual budget which focuses on marketing Park City. Marianne Cone updated the group on Ski Utah business and commented on an unfortunate accident at the Intersection of SR224 and Landmark Road. UDOT has been notified about the confusing pedestrian signaling. Candace Erickson stated that she attended a ULCT meeting where upcoming potential legislation was discussed and the City shared its Citizen's Budget with other cities. She commented on the meeting with the County Assessor and the plans to meet with Park City's new state representatives. She invited the public to Friends of the Farm activities. Ms. Erickson discussed the excellent trail system in Sun Valley and her interest in improving the City's trails. Joe Kernan stated that he attended the School District meeting where he commented on possibly covering the District's $2 million shortfall with projected property tax surpluses from exclusive developments coming on line. He spoke about installing better signage from Deer Valley Drive to cross Poison Creek and disclosed that with regard to the Silver Strike Subdivision, Royal Street and Talisker Corporation are his customers. Council member Kernan added his regrets in losing David Ure as a state representative during last week's primary election.

Mayor Williams announced that Tom Bakaly has been elected to the Utah Managers Association's Board. He attended a Mosquito Abatement meeting, National

Cooperative Soil Survey Convention, and an Environmental Conference and thanked everyone involved in the success of our bio-fuel program for our bus fleet.

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

1. *Car-Free Friday* – Carol Potter of Mountain Trails Foundation reminded the public to participate by walking, biking, or riding the bus to work tomorrow.

2. Motorcycle parking spaces on Main Street – Kate Dordan, Crosby Collection, 419 Main Street, stated that the designated motorcycle parking in front of their front door is in the wrong place. She understood it was chosen because it is only 2.5 parking spaces in size, but feels three cars can park there. It's not a good idea to park motorcycles on an angle on Main Street. It's confusing for riders whether they are required to pay for parking. Ms. Dordan understood that this is a trial for the duration of the summer, but would like motorcycle parking removed as soon as possible. Personally, she felt that motorcycles should not be treated preferentially and the only people that should are the handicapped.

3. Electronic voting audits – Kathy Dopp, election reform enthusiast, discussed information published by the Brennan Center Task Force on protecting electronic voting and explained in detail credentials of various prestigious participants on the board. The U.S. League of Women Voters passed a resolution in favor of voter verifiable paper ballots and audits with every voting system. She stated that the Diebold voting system does not utilize basic security measures and asked Council to request an opinion from the Utah State Attorney General's Office on conducting routine independent audits acknowledging that the Summit County Attorney rendered a position. There have been four scientific reports in the last week that have been widely reported nationally, but not here in Utah.

Roger Harlan expressed his interest in raising awareness to vote. Tom Bakaly suggested that the ULCT take a look at this issue, which will involve all cities. Candace Erickson stated that she will bring this up at a meeting tomorrow at the ULCT and report back. Jim Hier expressed that any major switch in equipment warrants an audit.

Sharon Christiansen complained that the Park Record did not publish a list of candidates and voters were uninformed. Ms. Dopp recommended that an independent advisory board be formed; there are a number of PhDs, mathematicians, and computer scientists who live in Summit County.

With no further comments, the public input session was closed.

## IV WORK SESSION NOTES AND MINUTES OF MEETING OF JUNE 8 AND JUNE 15, 2006

Roger Harlan, "I move approval of the work session notes and minutes of the meetings of June 8 and 15". Marianne Cone seconded. Jim Hier disclosed that he will be abstaining on the minutes of July 8th since he was not in attendance. Motion carried.

| | |
|---|---|
| Marianne Cone | Aye |
| Candace Erickson | Aye |
| Roger Harlan | Aye |
| Jim Hier | Aye, abstention on 6/8/06 Minutes |
| Joe Kernan | Aye |

## V RESIGNATIONS AND APPOINTMENTS

Library Appointments of Christopher Cerniak, Bill Jahsmn, and Laurie Smith for terms expiring July 1, 2009 and Kris Weis for a term expiring July 1, 2008 – Candace Erickson, "I move we appoint Christopher Cerniak, Bill Jahsmn, and Laurie Smith for terms expiring July 1, 2009 and Kris Weis for a term expiring July 1, 2008". Jim Hier seconded. Motion unanimously carried.

## VI CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving a condominium plat vacation and subdivision for 259-263 Norfolk Avenue **(motion to continue to July 27)** – The Mayor requested a motion to continue. Jim Hier, "I so move". Marianne Cone seconded. Motion unanimously carried.

2. Ordnance approving the Silver Strike Subdivision located on Silver Strike Trail, Pod A, Village at Empire Pass, Park City, Utah – Patrick Putt, Planning Director, explained that the subdivision would create two lots of record for eleven PUD-style units on Lot 1 and seven units on Lot 2. The units are reviewed under an administrative conditional use permit process and the Planning Commission forwarded a positive recommendation based on the attached ordinance. The Mayor opened the public hearing and with no comments, closed the hearing.

3. Ordinance approving the Park City Fire District Station No. 38 Subdivision located at 1798 Deer Valley Drive North, Park City, Utah – Ray Milliner explained that this is a one lot subdivision of a metes and bounds parcel to accommodate a fire station at 1798 Deer Valley Drive North. The Planning Commission approved a CUP in January and staff recommends approval pursuant to the conditions, conclusions and findings outlined in the staff report. The Mayor opened the public hearing.

Mike Sweeney asked if this project will trigger the closure of the Park Avenue station. Jim Hier believes that he is confusing this with the fire station planned for the old sewer treatment plant site. The subdivision plat has been approved but the real estate purchase contract will be discussed at an upcoming public meeting. Marianne Cone added that the Park Avenue station will not be eliminated until the two new stations are operational. With no further comments, the public hearing was closed.

4. Ordinance approving a six month extension to the plat amendment to combine all of Lots 12, 13, 14 and portions of Lots 11, 15, and 16, located at 147 and 151 Main Street, of the Park City Survey into one lot – Ray Milliner explained that an extension is warranted. Joe Kernan disclosed that the owner is a business client of his. The Mayor opened the public hearing, and with no comments, closed the hearing.

5. Ordinance establishing compensation for the Mayor, City Council and Statutory Officers for Fiscal Year 2006-2007, Park City, Utah – Mayor Williams opened the public hearing and with no comments from the audience, closed the public hearing.

**VII CONSENT AGENDA**

Jim Hier, "I move we approve Consent Agenda Items 1 through 6". Roger Harlan seconded. Motion unanimously carried.

1. Ordnance approving the Silver Strike Subdivision located on Silver Strike Trail, Pod A, Village at Empire Pass, Park City, Utah – See staff report and public hearing.

2. Ordinance approving the Park City Fire District Station No. 38 Subdivision located at 1798 Deer Valley Drive North, Park City, Utah - See staff report and public hearing.

3. Ordinance approving a six month extension to the plat amendment to combine all of Lots 12, 13, 14 and portions of Lots 11, 15, and 16, located at 147 and 151 Main Street, of the Park City Survey into one lot - See staff report and public hearing.

4. Ordinance establishing compensation for the Mayor, City Council and Statutory Officers for Fiscal Year 2006-2007, Park City, Utah - See staff report and public hearing.

5. Resolution authorizing the City Manager of Park City, Utah to execute, file and accept applications, certifications, assurances, and agreements required for financial assistance from the United States Department of Transportation and the Utah Department of Transportation – See staff report.

6. Outdoor dining lease with Main Street Deli, located at 525 Main Street – See staff report.

## VIII NEW BUSINESS

1. Award of the 2006 Pavement management contract to and authorization to the City Manager to enter into a Construction Contract, in a form approved by the City Attorney, with Staker & Parsons Company in an amount not to exceed $671,830 – Pace Erickson explained that a portion of the pavement management program was approved but this scope was removed because of minor bidding technicalities. With the advice of the Legal Department, staff will waive the discrepancies and award the contact to the lowest responsible bidder, Staker. Oil prices have significantly driven the cost of asphalt, which is being rationed to projects. The patching program, for instance, is progressing, but slower than in the past. He stated that this represents about a 49% increase in asphalt costs from last year and the number of street repairs escalated this year because of last year's winter storms. In response to a question from Roger Harlan about anticipated completion dates, Mr. Erickson felt the October date is feasible and detailed improvements for Candace Erickson. Staff plans to broadcast PSAs to better inform residents about neighborhood street projects. Candace Erickson, "I move we award the the 2006 Pavement management contract to and authorization to the City Manager to enter into a Construction Contract, in a form approved by the City Attorney, with Staker & Parsons Company in an amount not to exceed $671,830". Marianne Cone seconded. Motion unanimously carried.

2. Ordinance amending Title 15 of the Park City Municipal Code, Land Management Code, establishing Section 15-2-23, Community Transition District and Section 15-6-8, a unit equivalent multiplier for I-Occupancy Uses – Patrick Putt explained that amendments include the creation of a zoning district and modifications to the master planned development chapter associated with unit equivalents. *I-Occupancy Uses* include hospitals. On July 14, 2005, the City Council adopted a resolution creating the IHC/USSA/Burbidge annexation task force who conducted a review and provided recommendations on the annexation petition as it relates to the proposed zoning, land use, affordable housing, transportation and economic impacts associated with the project. The work was completed in October 2005 and the task force unanimously recommended that a new zoning district be created, intended to implement the City's General Plan as well and the Quinns Junction Joint Planning Principles. The purpose of the new Community Transition District is to preserve the character of the area's existing open space, recreation, and institutional land uses, by clustering low density development in a manner that respects the entry corridor, sensitive lands and the existing open space. He added that low density public, quasi-public, institutional uses relating to community open space, recreation, sports training, tourism and health are encouraged uses in the CT Zone. Highway services and/or big box commercial

land uses are prohibited. Limited residential development may be considered in the CT District through a master planned development and conditional use permit process. The permitted density is 1:20 acres, consistent with the base County zoning and density bonuses are allowed up to a maximum of 3:1 acre may be approved based on increased open space, trails, setbacks in the frontage protection zone, and affordable housing; and the incorporation of tiered parking, additional transit improvements, and green building designs.

Mr. Putt explained that the Planning Commission also made a recommendation that the master planned development chapter in the LMC as it relates to unit equivalents be modified to address the distinct differences between institutional and commercial buildings. Staff studied the net to gross square footages associated with different types of uses. For example, in order to achieve approximately 1,000 square feet of functional space for commercial-retail, approximately 1,200 square feet is recommended to be constructed while *I-Occupancy buildings* require somewhere between 1,850 to 2,000 square feet. This is based on IBC standards which require wider corridors, mechanical and building support space, etc. and the recommendation forwarded by the task force is to create a specific unit equivalent multiplier for I-Occupancy buildings of 1,666 square feet. These recommendations were unanimously approved by the Planning Commission. The Mayor opened the public hearing.

Mike Sweeney, developer, asked for clarification on the timing of awarding the bonus density. Pat Putt responded that final action on the density is determined during the master plan development process when criteria is applied to features of a project. Mr. Sweeny pointed out significant design costs and the value to developers of receiving a decision sooner in the review. Density bonus requests are addressed in the pre-application but an entitlement occurs when the Planning Commission approves a master plan development. Mike Sweeney reiterated his concerns and financing challenges when the density is unknown. Mr. Putt disagreed. The task force arrived at a series of standards that are easy to measure, i.e., open space or setback calculations. Mr. Sweeney interjected that although they can be measured, the developer is not guaranteed that the bonus will be granted. City Attorney Mark Harrington stated that criteria are all inter-related. Applications may meet some of the standards, for instance, but the traffic can't be mitigated. The process is much like a conditional use permit and the burden would be on the Planning Commission to demonstrate denial of the bonus when the standards are met. There is a fair amount of protection for the developer and the task force did a good job of specifying measurable standards as opposed to subjective language adopted by other communities. Mike Sweeney repeated his concerns about expending money on planning for density and felt there should be assurances to the developer. Ms. Erickson asked if the word *shall* will prompt disputes on meeting standards resulting in potential legal issues for the City and Mr. Harrington explained the requirement to comply with mandatory provisions. This is a transition zone where there has not been much planning to this point and this should be recognized, however, in his opinion, the verbiage is clear.

Jim Hier, "I move we approve the Ordinance adopting the CT Zone as presented in the staff report". Marianne Cone seconded. Motion unanimously carried.

3. Ordinance annexing approximately 157 acres of property located at the northwest corner of the State Route 248/US40 Interchange in the Quinns Junction Area known as the Intermountain Healthcare/USSA/Burbidge Annexation into the corporate limits of Park City, Utah – Planning Director Pat Putt stated that on November 3, 2005, IHC, USSA, and Burbs LLC submitted a petition to annex 157 acres of ground into Park City and referred to a vicinity map. The annexation petition was accepted by the City Council on November 18, 2005 which triggered a protest period; none were filed. The property is currently vacant and is zoned in Summit County as developable lands with a base density of 1:20 acres or 1:40 acres depending on sensitive lands and topography. The site is adjacent to the newly annexed City recreation complex and within our annexation expansion area. He continued that the proposed zoning is CT-MPD and the proposal is to create four lots. One lot is for a hospital and medical campus, and one five-acre lot for USSA's headquarters and training facility, which is limited to USSA's administrative athletic training and other national governing body uses. With conveyance of this land, the City would have the right of first-refusal to purchase the property from USSA in the event it should sell and/or relocate. Any change in use would require City approval of a master planned development conditional use permit and compliance with affordable housing requirements. The third lot is a 13 acre lot for future expansion of the recreation complex and the fourth lot is a five-acre lot for a possible affordable housing site. The land uses proposed in the CT District include a community hospital and medical facility, support medical offices, public and quasi-public institutional uses, USSA headquarters and sports training complexes, public recreation uses, possible affordable employee housing and open space. The total proposed gross density at build-out is 535,000 square feet which equates to 2.64 units per acre and assigns the following square footages: 300,000 for the IHC; 85,000 USSA, and 150,000 for support medial office. He explained that the 50,000 of the 150,000 square feet may be developed within and in addition to the 300,000 square foot hospital. The first phase contemplates an 118,000 square foot hospital 13,000 square feet of shelled space for associated uses and 18,000 square feet of medical offices integrated into the building. The total first phase is 149,000 square feet. The second phase anticipates adding 90,000 square feet and 85,000 square feet in the third phase. The free-standing medical support space would be constructed in approximately four phases and consist of a maximum of 100,000 square feet (50,000 to be integrated into the hospital building). On July 14, 2005, Council established the annexation task force who forwarded positive recommendations on the CT District, the annexation's economic impact and fiscal analysis, mitigation of traffic and transportation impacts. On May 10,

2006, the Planning Commission reviewed and unanimously forwarded a positive recommendation on compliance with the General Plan, the Quinns Junction Planning Principles, and all required annexation standards.

Mr. Putt stated that this annexation is subject to affordable housing requirements as set forth in the Resolution No. 17-99, based on the time of application. These are not the newly adopted standards. The base employee affordable housing requirement for the development associated with the hospital is 44.78 affordable unit equivalents. The base employee affordable housing requirement is 10.71 unit equivalents for USSA; and 34.98 for medical support offices, for a total of 90.47 units. The applicant received a reduction of a little over 20 unit equivalents for the hospital's portion, recognizing the non-commercial, non-residential nature of hospital operations. The task force recommended a deferral of the 10.71 affordable unit equivalents in recognition for the donation of the five acres of land to USSA, a community-based non-profit organization. The deferral is contingent on continued ownership and occupancy by USSA or another community-based non-profit entity approved by the City. Any change in use will require an amendment to the MPD and CUP and full compliance with affordable housing requirements in effect the change was requested. The applicants have agreed to convey five acres of land for the possible construction of affordable housing units and the 44.78 affordable unit equivalent requirements associated with the hospital may be built on-site.

The task force based its recommendation on traffic issues in part on an access study provided by Horracks Engineers and felt it is reasonable for all developers within the annexation boundary area to pay for or offset the cost of all of the roadway and other necessary traffic mitigation improvements. It was also determined that access from SR248 be required for the proposed medical campus, offices, and athletic training complex. The current design and anticipated traffic associated with the field complex currently does not warrant an upgrade in the signalization. The applicants are responsible for providing all necessary access to the property from SR248 and all necessary intersection improvements, including one signalized intersection at the new entry road and SR248. He continued that they are also responsible for the coordination and costs associated with providing primary and secondary access to the development area and improvements to intersections and road connections to the City's recreation complex, which would be finalized during the MPD process.

The applicants will proportionately share in all future costs for necessary road improvements to SR248 and the task force also recommended that the costs associated with installing the traffic signal at the annexation property be credited toward the applicants' proportional share of the overall SR248 improvements. The applicants have also agreed to provide mitigation to the City for any potential loss of playing fields at the recreation complex that may possibly occur with the construction of the access.

Mr. Putt stated that the final approved and detailed transportation mitigation and any associated cost-sharing will be approved at the MPD review stage as part of a technical report approved by the Planning Commission.

He referred to the ordinance and annexation agreement included in the meeting packet. The annexation agreement is in substantial compliance and form with the recommended action to approve, but it is possible that minor edits are necessary The City Attorney will review the document prior to the Mayor signing it.

Roger Harlan commended the work of the task force. He discussed the failed FHP hospital in Salt Lake and although he supports the proposal, voiced concerns about the long-term success of IHC. Marianne Cone requested a commitment about accepting other types of health insurance and Morgan Bush explained that the principle reason the hospital in Salt Lake failed was because of its restrictive health insurance policies. The insurance issue was a focus from the beginning and IHC has made a commitment that this facility will be a community hospital with a policy of contracting with all insurance companies on the same terms and conditions. He emphasized that they can't ensure that all insurance companies will enroll.

Candace Erickson asked the location of the five acres and Patrick Putt clarified that the annexation plat creates the boundary of the new property and the four lots will be created through the MPD and subdivision processes. Through illustration of a preliminary site plan, he showed the contemplated area for affordable housing. Ms. Erickson expressed concerns about building anything on those five acres because of visible impacts. Mr. Putt noted that this is not finalized and the five acre parcel could come from another lot. There was discussion of minor wording amendments that need to be made to the draft. Jim Hier requested that the housing language be finalized before the annexation agreement is adopted tonight. The Mayor opened the public hearing.

John Bergen, Mayor of Francis, Chair of COG, and Executive Board of Mountainlands, relayed the support of the Summit County Commission and the five mayors for the proposed hospital.

Shauna Hoppersted, resident, stated that she has worked with the Summit Community Healthcare Foundation since 2001. She is very proud and excited to see the project evolve and it has been a privilege to be a part of it. It will be a wonderful benefit for residents and visitors alike. She urged Council to approve the annexation.

Dr. Joe Ferriter, IHC Board, President of Park City Healthcare, past-Medical Director of the People's Health Center, stated his support of the project because it will assist him in taking better care of his patients. He briefly discussed the demise of the FHP hospital and assured Mr. Harlan that this is a very different situation.

Dr. John Holtsen, radiologist, felt that IHC is the key to the hospital's success. In 1999, he volunteered to serve on the original foundation committee to explore a hospital. The committee was designed to protect the interests of residents and physicians and to avoid profiteering. Over a period of months, IHC convinced the foundation of its commitment to the community. IHC's integrity will guarantees long-term success.

Mark Wink, business manager Rosenberg-Coolie-Metcalf Clinic, relayed that their physicians have been practicing in Park City for about nine years. Surgical procedures are done in both Salt Lake City and Heber City and a facility in Park City will better serve their patients.

Roger Harlan asked if there will be a negative impact on the Heber Hospital and Mr. Bush responded that Heber is continuing to grow and it is a balancing act. He felt the hospital will realize a decrease in volume but will still be viable.

Joanne Charnes, foundation member, stated that the seniors are very much in support of the project. She noted that the word *hospital* has a negative connotation and this is a medical center which will provide preventative and other health programs.

Mike Sweeney asked the definition of an affordable housing unit. Jim Hier advised that it is in the LMC and is described as 800 square feet.

With no further comments, the public hearing was closed.

In response to Councilmember's Hier's earlier request for final language on housing, Putt read language to replace subparagraph (a). *"The petitioner has agreed to convey a five acre parcel to Park City Municipal Corporation for the expressed purpose of the petitioner providing affordable housing on that site. The petitioner's 44.7 affordable unit equivalent requirement associated with the IHC hospital's 300,000 square feet shall be constructed on this site. Additional affordable unit equivalents may be included on the site and shall be applied toward the 34.98 affordable unit equivalents required by the support medical office. The petitioner must receive all necessary legislative approvals before proceeding with the on-site development of affordable housing. Fulfillment of the remainder of the applicant's employee affordable housing requirement shall conform with the Affordable Housing Guidelines and Standards, Resolution No. 17-99".* The Mayor recalled discussions on density transfers which is contrary to this verbiage. Patrick Putt recommended that the City Attorney author language that would allow that flexibility. Marianne Cone felt that Council can approve the agreement with modifications, but asked for a list of changes. Mark Harrington assured members that all other corrections are minor, i.e., grammatical errors and/or signature blocks.

Marianne Cone, "I move that we approve an Ordinance annexing approximately 157 acres of property located at the northwest corner of the State Route 248/US40 Interchange in the Quinns Junction Area known as the Intermountain Healthcare/USSA/Burbidge Annexation into the corporate limits of Park City, Utah (subject to final revision and modifications by the City Attorney)". Joe Kernan seconded. Motion unanimously carried. The Mayor thanked the task force and the many residents and professionals who participated in the process.

4. Ordinance amending the Official Zoning Map of Park City, Utah – The Planning Director explained that the Official Zoning Map must be adopted by the City Council and he detailed zone changes and annexations that have occurred over the last year and a half. He relayed that the IT staff was very helpful in getting this technology on board which allows staff to zoom in on neighborhood areas to see streets and zoning boundaries. There is also an ability to create and move mass and the map will be launched on our website once it is approved. The Mayor opened the public hearing and hearing no comments, closed the hearing.

Roger Harlan,"I move approval Ordinance amending the Official Zoning Map of Park City, Utah". Jim Hier seconded. Motion unanimously carried.

## IX ADJOURNMENT

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

## MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2 p.m. Members in attendance were Mayor Dana Williams, Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier, and Joe Kernan. Staff present were Tom Bakaly, City Manager; Tom Daley, Assistant City Attorney and Mark Harrington, City Attorney. Jim Hier, "I move to close the meeting to discuss property and litigation". Candace Erickson seconded. Motion carried unanimously. The meeting opened at approximately 2:50 p.m.

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

Prepared by Janet M. Scott

Janet M. Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE SEAL MARCH 1, 1884

## City Council Staff Report

**Author:** Alison Butz

**Subject:** Alternative Energy – Park City Ice Arena

**Date:** June 29, 2006

**Type of Item:** Informational

PARK CITY 1884

Special Events and Facilities Department

**Summary Recommendations:**
Discuss the proposed placement of wind turbine and provide Staff with direction on whether to proceed with Land Management Code modifications needed to implement the project.

**Description:**
**Topic:**
City Council review of potential alternative energy project.

**Background:**
In October 2005, the City Council reviewed potential alternative energy demonstration projects at the Park City Ice Arena. At that meeting Council was generally supportive of the placement of a wind turbine at the complex with the stipulation that the tower placement did not break the ridgeline and include an analysis of the potential energy production.

In March 2006, the City Council specifically outlined their Goals, Policies and Strategies with regards to the City's environmental initiatives. As part of that resolution Council listed "Pursue model environmental sustainability projects that are working symbols of the city's commitment" as part of their Policies and Strategies. Placement of a wind turbine at the Park City Ice Arena is consistent with parts of this policy.

**Analysis:**
Taking into consideration Council's comments on the proposed siting of the wind turbine Staff discussed the types and size of the turbines with Tai Robinson with Intergalactic Hydrogen and Sarah Wright with Utah Clean Energy. The Storm 1.8 was selected due to its silent operation and minimum wind speed needed to generate power.

The higher the wind generator is positioned, and the less interference it has, the better its operation will be. However, based on Council's concern regarding the ridgeline, the proposed location takes the tower off of the ridgeline and places it at the front façade of the Ice Arena. The location provides visibility to the public and can include information for the public regarding the system. Since this is a demonstration project, a location close and visible to the public was selected to help bring awareness and education of alternate energy sources. As seen on the attached rendering, the wind turbine would still be seen above the ridgeline from certain viewing locations.

The storm 1.8 has a 35 foot high guy-wireless pole and is made of galvanized steel and at the base would look similar to a flag pole. The pole can be painted a dark color to blend in with the vegetation in the background or match the finish of the future field lighting poles. Its estimated minimum production capacity is 5kwh/day with a potential of 16kwh/day depending on wind speeds. A desire to be able to minimally power the zamboni has been expressed. The zamboni requires daily charging and based on a normal day use it would require 48kwh of electricity. The wind turbine, even at the highest projected production of 16kwh/day, would not yearly meet the demand of charging the zamboni even for the 10 months of operation of the Ice Arena. For perspective, the average Utah household uses 23kwh/day.

Staff does not propose placing an anemometer at the site to determine wind speeds. Due to the low start up speed of the Storm, it is an ideal machine for the site and will produce some power. If Council desires, Staff can contact the State for use of their anemometer loan program to get a tower erected to more accurately determine the power that could be generated.

The cost of the unit is $7,500 which includes the foundation and connection to the Ice Arena's electrical panel. The estimated total cost for the project is $11,000 due to needed trenching and conduit. Staff may need to return to Council for formal approval prior to purchasing. If Council is interested in looking at a taller tower, poles are available for an additional cost. One additional option is to replace an existing parking lot light pole and install the wind turbine at that location and attach a light to the pole. The minimum height of the wind turbine would still be 35'. Staff did not pursue this option due to an increase in cost in replacement of the light pole and potential longer conduit line needed to reach the electrical panel at the Ice Rink.

There is a potential for Park City to be a part of the beta test program for the storm which would reduce the purchase price to $2,500. If the program is still available once all applicable approvals are received, Staff may opt to participate in the program.

One option proposed by Tai Robinson was the potential of a small wind park at the facility which would contain 10 to 20 units. Utah Power has an RFP out to purchase wind power and with the increased number of units Utah Power would purchase the green tags for the blue sky's program. Staff did not investigate this option but can receive the information if Council directs Staff. There is also a possibility of assistance through federal funds available for small wind projects and Staff can research that further if so directed by Council.

Process

The next step, if Council directs Staff to proceed with the placement of the wind turbine, is to begin working with the Planning Department. The City's Ice Arena is zoned Recreation Open Space-MPD. Since Wind turbines are not addressed in the Code, Section 15-2.7-2(D) states any use not listed as an Allowed or Conditional Use is a prohibited use. Staff did not determine the proposed wind turbine as an "Essential Municipal Public Utility Structure". Staff suggests a modification to the Land Management Code specifically addressing this use. The Planning Department suggests that it be added as a Conditional Use. The maximum height of structures in the ROS zone is 28' and there are exceptions which allow for an additional 5' above. With the modification to LMC staff also suggests language allowing for additional height exceptions above 33' subject to a visual analysis.

Once the Land Management Code modifications are approved by both the Planning Commission and City Council, staff would pursue the Conditional Use Permit and acquisition of the windmill.

**Significant Impacts:**

The placement of the wind turbine at the Park City Ice Arena meets parts of Council's Environmental Policy and Strategy to pursue model environmental sustainability projects that are working symbols of the city's commitment to the environment. The modest energy production of the wind turbine does not meet Council's goal to power the zamboni. Staff is unclear whether that finding would be inconsistent with Council's policy stating the pursuit of "working symbols" of the City's commitment to the environment.

Continuing with this project, the Planning Department would proceed with writing and presenting the Land Management Code revisions for the Planning Commission and City Council review and then return with a Conditional Use Permit for the Planning Commission's review.

At this time, no budget line has been identified for this project; Staff would evaluate current projects and funding to determine funding.

**Department Review:**

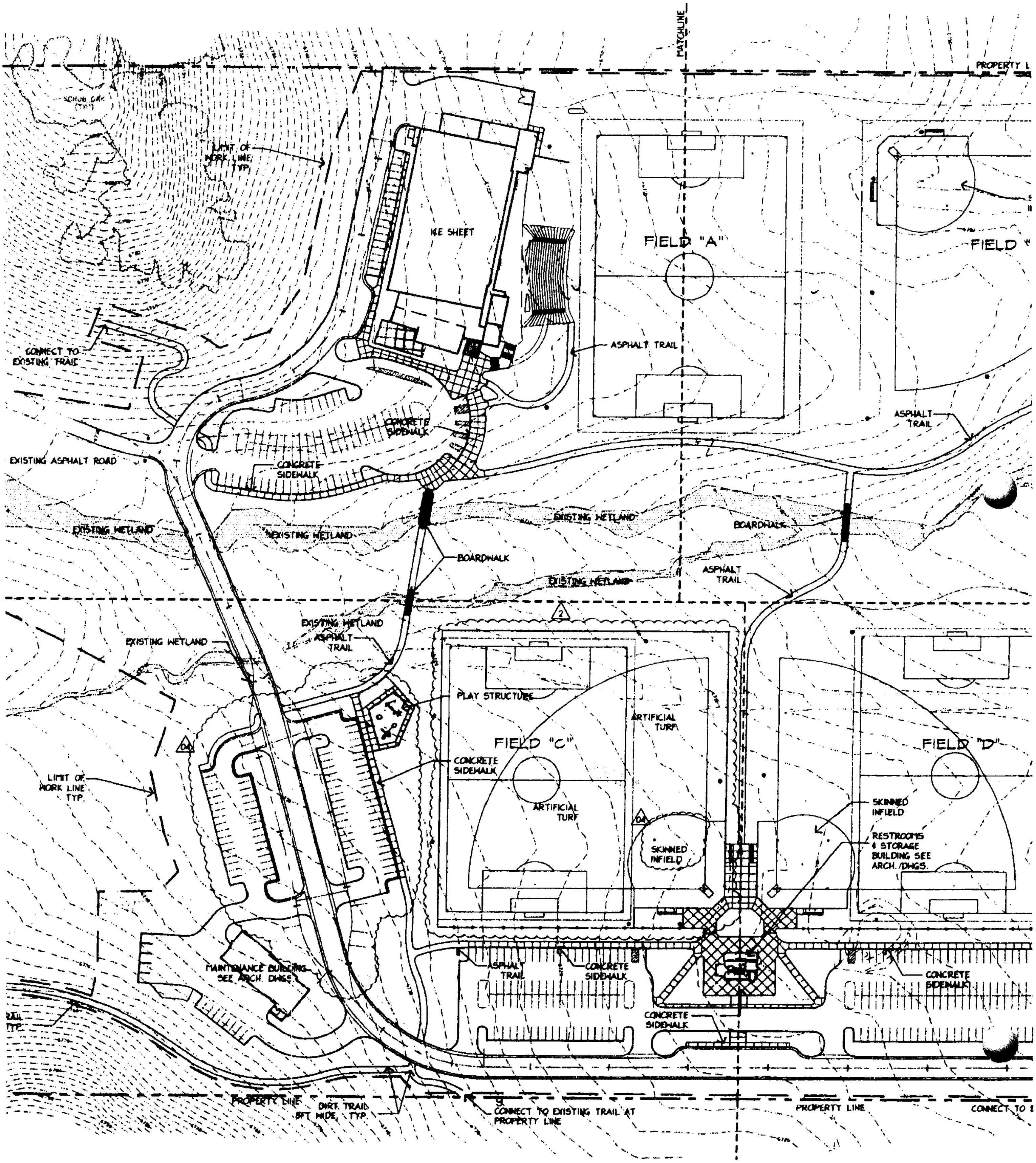
All applicable departments have reviewed the proposed wind turbine and their comments have been incorporated within the report.

**Recommendation:**

Review the proposed placement of wind turbine and provide Staff with direction on how to proceed.

**Attachments:**

Exhibit A – Site Plan of proposed location
Exhibit B – Rendering of height of turbine at the site
Exhibit C – Council's adopted Environmental Strategic Plan
Exhibit D – Minutes from October 29th City Council Meeting


MATCHLINE
PROPERTY L
LIMIT OF WORK LINE, TYP.
ICE SHEET
FIELD "A"
FIELD "
ASPHALT TRAIL
CONNECT TO EXISTING TRAIL
CONCRETE SIDEWALK
EXISTING ASPHALT ROAD
EXISTING WETLAND
BOARDWALK
ASPHALT TRAIL
EXISTING WETLAND
ASPHALT TRAIL
PLAY STRUCTURE
ARTIFICIAL TURF
FIELD "C"
FIELD "D"
LIMIT OF WORK LINE TYP.
SKINNED INFIELD
RESTROOMS & STORAGE BUILDING SEE ARCH./DWGS.
MAINTENANCE BUILDING SEE ARCH. DWGS.
PROPERTY LINE
DIRT TRAIL 6FT WIDE, TYP.
CONNECT TO EXISTING TRAIL AT PROPERTY LINE
PROPERTY LINE

## ENVIRONMENT

While staff is asking Council to broaden their definition of Sustainability, Staff does not want to lose focus on the importance of environmental initiatives for the community. Many of our current programs have come about due to other needs, such as the City's transit system and other have been brought to our attention through various community groups, such as the green building initiative.

In 2004, the City gathered a group of community leaders in environmental initiatives and began discussions on what is currently being done in the community. By facilitating those discussions, the City encouraged those efforts.

Staff proposes working with Council to develop an overall vision for the City's environmental initiatives. With that vision, the City would proceed with developing goals and strategies to achieve the goals.

The next step for the City Council is to clearly outline its vision for environmental initiatives. Staff has prepared a draft vision and initial goals and strategies.

### ENVIRONMENTAL VISION

To provide long-term environmental health for the Park City region through efficient use of resources, protection of the quality and diversity of the local environment upon which the community depends. As a guiding principle, all environmental initiatives will consistently strive to sustain a vibrant multi-seasonal destination resort community.

### ENVIRONMENTAL GOALS

- Encourage best available green building practices for city and private development
- Balance cost of environmental initiatives with other funding priorities
- Promote transportation options such as bicycle trails, commute trip reduction programs, incentives for car pooling and public transit;
- Increase recycling levels in City operations and in the community
- Continually improve the efficient use of all energy resources in order to ensure a future with a secure and sustainable energy supply
- Look to increase the amount of clean and renewable energy purchased and utilized
- Enforce existing land-use policies that reduce sprawl, preserve open space, and create compact, walkable urban communities
- Mitigate historic mining impacts in a manner that facilitates local stakeholder decision-making and achieves regulatory compliance
- Improving surface water quality to the East Canyon Creek watershed and Silver Creek watershed

### ENVIRONMENTAL POLICIES AND STRATEGIES

- Continue to educate ourselves on concepts and best practices in environmental initiatives through conferences & seminars
- Co-sponsor & promote educational programs
- Support Recycle Utah in their effort to obtain 5 tub grinders for construction and yard waste

- Encourage increased transit use, with new service in the County
- Support discussions for transit options between Park City and surrounding areas.
- Target a location for a Park and Ride lot and investigate alternative transportation options from the lot
- Review and discuss bio-diesel program for City Fleet Vehicles
- Initiate discussions with local suppliers to provide bio-diesel fuel to the Park City community
- Promote use of bio-diesel fuel to other businesses with fleet vehicles
- Launch an employee education program including anti-idling messages
- Continue to fund and administer the Environmental Management System
- Encourage property owner use of the top soil assistance program
- Improve City input to watersheds
- Meet regulatory requirements for the conservation reserve program and storm water management program
- Comply with federal and state environmental laws
- Support Leadership Class as they encourage developers, builders, and all stakeholders to become more aware of the positive aspects of "Green Building
- Encourage & monitor the sustainable activities of other non-profit, business and governmental organizations
- Pursue model environmental sustainability projects that are working symbols of the city's commitment
- Encourage year-round community water conservation programs
- Pursue open space protection opportunities
- Enhance current trail system and identify new trail opportunities

## ACTION PLAN

The next step for the City Council is to clearly outline its vision with regards to the environmental initiatives

- Adoption of an Environmental Strategic Plan – March 2, 2006
- Develop Environmental Action Plan
- Set Environmental Benchmarks and Indicators

special events to minimize negative impacts. There will be annual transportation reports to assist in evaluating the transportation network. Once the plan is adopted, the widening of SR224 from Kimball Junction to Bear Hollow will appear on UDOT's project list. Constructing another freeway interchange is a Phase 3 project. Traffic projections are based on the development of vacant property in the Synderville Basin but there is no accounting for the development of Wasatch County. He invited input from Council and advised that a letter of intent will be presented to Council for review and approval. Mountainlands Association of Governments may be of assistance in creating a regional model and there is benefit in including Wasatch County to obtain a clearer idea of future demands.

Kay Calvert commented on the high accident rate on SR224 and UDOT's position that there isn't a problem. Mr. Callahan stated that he has never heard that from the state and it may be that the numbers are within an acceptable technical range. The County has entered into a cooperative corridor agreement with UDOT identifying where signals are planned to be installed. Bob Richer added that over the past several years, UDOT's attitude has changed with regard to the statistics and it has been a good partner in exploring safety measures. Ms. Calvert referred to increased traffic attributable to PRI's development and Mr. Callahan referred to the traffic impact fee. Commissioner Richer clarified that this report reflects what PRI has requested, but its application has not been through a formal approval process. He continued that this summer, median work will begin on SR224 from Silver Springs to White Pine Canyon Road and there will be a recommendation to reduce the speed limit to 45 mph with the narrowing of the road. The design of the median was discussed as well as the tolerance levels of motorists, associated with time delays caused by congestion. Mr. Richer emphasized that project densities have already been approved and will be coming on line rapidly if the market remains lucrative; he referred to the potential build-out of The Canyons and Flagstaff. For the benefit of Marianne Cone, conducting counts of local Park City traffic was explained.

Kent Cashel advised that Council will be asked to review a letter of intent outlining the City's level of commitment with regard to the next steps. Ms. Cone recommended express service from Kimball Junction to the Transit Center and Mr. Callahan believed this will be considered next year. The extended service could cost as much as $250,000 but ridership has increased substantially.

**4. Sports Complex alternative energy options.** Colin Hilton explained that in 2003, sustainability became a goal of the City Council. If Council is interested in pursuing alternative energy options at the Sports Complex, he asked what criteria should be considered, i.e., demonstration of sustainable practices, promotion of community awareness, efficiencies, visual impacts, etc. There is currently no budget earmarked for these types of projects, but funding will be explored upon direction from Council.

Jim Hier stated that he does not envision the City becoming an energy producer, but rather a strong advocate for energy conservation and the Wind Power Program, championed by the Mayor, is a good example. He fears the precedent of the City installing wind turbines within the City limits for practical and aesthetic reasons. Marianne Cone felt that the City's role is being a leader and was surprised to learn that energy alternatives are costly with minimal long-term savings. For instance, installing a $45,000 solar panel reflects a savings of $1.60 per day. Colin Hilton agreed that he also anticipated a more beneficial return, but pointed out the low rate for power in the state. In California, for instance, the cost of power to customers is in the $.15 to $.20 per kilowatt hour where Utah consumers pay $.07 to $.08. If Park City where to proceed with an energy alternative, it would truly be a "*demonstration*".

Council member Cone recommended promoting passive solar options. Council member Calvert inquired about the availability of grants to offset the cost of the initial investment. Mr. Hilton advised that the state has a grant program and is in the process of prioritizing energy policies, and federal grants are a possibility. Typically, the offset represents about 50% of the initial capital cost which is achievable and staff has not explored grants, pending Council direction. Ms. Calvert stated that the lack of economic incentive is why these energy options are not pursued. The commitment is philosophical and hopefully the technology will continue to improve.

Candace Erickson stated that she is opposed to installing a 35 foot wind turbine on the ridge at the Sports Complex, but can support solar if the City is able to obtain grants. Jim Hier felt that solar panels could be applied throughout town, while the wind towers can not. He pointed out that the new police facility may be a better building to demonstrate solar power than the Sports Complex. If the City proceeds, it should have a stated objective and it is not necessary to tie it to the Ice Arena which may potentially delay construction. Joe Kernan supported supplementing our power sources with 5% to 10% alternative energy. It should be visible to the community; however, a windmill at Quinns Junction is not appropriate. He agreed with Mr. Hier about looking at other facilities. In response to a question from Mr. Kernan, Stacey Noonan advised that power at the ice facility will average $8,500 per month. She acknowledged the importance of spending taxpayer dollars prudently, and using alternative sources of energy is more of a philosophical statement. She personally felt that using renewable energy sources at some level is the responsible thing do to, but until it is mandatory, it won't grow. Park City has an opportunity to be a leader by going this direction.

Colin Hilton explained that he learned that most applications identify a percentage of the total cost of a project to allocate toward renewable energy. He explained that solar applications have been improved so they can be incorporated into the membrane of the roof and are not visible. However, if applications are not visible, he asked if the demonstration effort is compromised. He again encouraged identifying a goal so direction is clear. Kay Calvert stated that she supports continuing to explore wind power because it is much more efficient than solar, but Mr. Hilton clarified that they are equal. Mayor Williams acknowledged that the placement of towers is critical and a manufacturer has offered a wind turbine for $2,500 and it is likely the City could be awarded a grant. He felt it important to send a message to citizens about protecting the environment and efficiency is not his priority. The initial idea for wind at Quinns derived from conservations about the feasibility of charging the Zamboni with wind power. He didn't feel that the turbine would be visually intrusive but understands everyone's position. However, there is an opportunity to try this on a trial basis. Ms. Cone encouraged a broader sustainable goal discussion and supported exploring solar at the new police facility where the application makes more sense. Jim Hier agreed and added that even if the wind turbine was screened behind the building, it is not an effective statement because it is not an option for others and he favors promoting solar. Mayor Williams believed that technology will improve with utilization. There was discussion about the necessity to amend the Land Management Code to allow a wind turbine in Round Valley.

Colin Hilton believed Council direction to be that staff explores alternative energy options for Quinns, but only after review of potential grant monies to offset up to 50%. The Mayor and Joe Kernan supported looking at both wind and solar and Jim Hier and Marianne Cone indicated their preference of only solar. The City Manager requested clarification on Ms. Erickson's position. She explained that she is willing to consider wind power if the turbine can be screened by the building, and/or it is the same height as the structure. Jim Hier asked if the objective is to install a windmill or conserve power. Ms. Erickson stated that her goal is conservation and other members expressed mixed opinions. Mr. Hier felt it is better to conserve power with solar. Tom Bakaly understood direction to be to consider solar alternatives and wind power balancing visual impacts and energy generation. Jim Hier suggested that Council establish a budget for demonstration of alternative energy concepts in the upcoming budget. Council concurred.

**5. Meeting questions/comments.** There was no discussion; see regular meeting minutes.

Prepared by Janet M. Scott, City Recorder

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

**From:** **Jan Scott, City Recorder**

**Interview schedule – June 29, 2006.**

Below is a schedule of applicants for the Planning Commission and the Historic Preservation Board. Police Board and RAB interviews are scheduled on July 6. One police board applicant will be out of town on the July date and may be accommodated this Thursday if possible.

Under separate cover, Council members will find sample interview questions written for the Planning Commission but also applicable to HPB candidates. There is some time scheduled to discuss the interview process. The interviews can be held in the back of the City Council Chambers if Council so desires. The board applications have already been distributed to you and you may want to bring them to the meeting.

Thursday, June 29, 2006

| | |
|---|---|
| 3:15 p.m. | Interview process |
| 3:30 p.m. | Gary Kimall - HPB |
| 3:45 p.m. | Puggy Holmgren - HPB |
| 4:00 p.m. | Nancie Putnam - HPB |
| 4:15 p.m. | Todd Ford - HPB |
| 4:30 p.m. | Doug Stephens - PC |
| 4:45 p.m. | Mark Huber - HPB |
| 5:00 p.m. | Ken Martz - HPB |
| 5:15 p.m. | Laura Suesser - PC |
| 5:30 p.m. | Julia Pettit – PC |

**DATE:** June 20, 2006
**DEPARTMENT:** Recreation Library
**AUTHOR:** Linda Tillson, Library Director
**TITLE:** Library Board Appointments

**SUMMARY RECOMMENDATIONS:** Appoint Christopher Cherniak, Bill Jahsman, Laurie Smith to each fill a three year term and Kris Weiss to fill a two year term on the Library Board.

**DESCRIPTION:**

**Topic:** Library Board vacancies.

**Background:** Utah Code requires municipal library board appointments to be made effective July 1 each year. Currently, the Park City Library Board has four vacancies. Three are due to board members finishing terms. The fourth is due to a board member resigning.

In accordance with City policy, ads for the Library Board vacancies ran in the Park Record and were aired on KPCW. Applications for Board positions were available at the Library and at the Mayor's office. A total of four applications were received.

**Analysis:** The Library Board has interviewed the candidates and is recommending the addition of four new members. See attached letter from Library Board Chair. This brings the total of voting board members to eight. According to Utah State Code, the Board must have five members and may have as many as nine. Existing members may serve up to two consecutive terms.

| Name | Expiration | Term |
|---|---|---|
| Christopher Cherniak | 3 years<br>July 1st, 2009 | 1st |
| Bill Jahsmn | 3 years<br>July 1st, 2009 | 1st |
| Laurie Smith | 3 years<br>July 1st, 2009 | 1st |
| Kris Weiss | 2 years<br>July 1st, 2008 | 1st |

**Department Review:** The Library Board and the Library Director agree with this recommendation.

**ALTERNATIVES:**
**A. Approve the Request:** Make the appointments to ensure a fully staffed and legally

constituted Library Board. Four applications are attached for your consideration.

**B. Deny the Request:** Make alternative appointments or reopen the recruitment process.

**C. Continue the Item:** Starting in July the Library Board could not function by law with four members.

**Do Nothing:** Not an option. Code requirements stipulate timely appointments.

**SIGNIFICANT IMPACTS:**

**CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:** In the short term, the Library Board would not be able to function. State law requires a minimum of five voting members.

**RECOMMENDATION:** Make the Library Board appointments as recommended.

# City Council Staff Report

**Author:** Brooks T. Robinson
**Subject:** Silver Strike Subdivision
**Date:** June 29, 2006
**Type of Item:** Legislative – Subdivision

PARK CITY 1884

**PLANNING DEPARTMENT**

## Summary Recommendations

Staff recommends the City Council hold a public hearing and approve the Silver Strike Subdivision based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

## Topic

| | |
|---|---|
| Applicant: | Mountain Developments I, Inc |
| Location: | Pod A of the Village at Empire Pass |
| Zoning: | Residential Development (RD) as part of the Flagstaff Master Planned Development (RD-MPD) |
| Adjacent Land Uses: | Residential development within Pod A and ski runs for Deer Valley resort. |
| Reason for Review: | Subdivisions require Planning Commission review and City Council approval |

## Background

On March 23, 2006, the City received a completed application for the two-lot Silver Strike Subdivision. The property is located in Pod A of the Village at Empire Pass. The zoning is Residential Development (RD) in the Flagstaff Master Planned Development (RD-MPD). The proposed subdivision creates two lots of record on either side of Silver Strike Trail. Silver Strike Trail is a long cul de sac that starts just east of the Grand Lodge and terminates in the Bannerwood single family subdivision.

On June 24, 1999, Council adopted Ordinance 99-30 approving the annexation and development agreement for the 1,655 acre Flagstaff Mountain area. Ordinance 99-30 granted the equivalent of a "large-scale" master planned development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions and amenities for each parcel.

The Development Agreement (DA) specifies that only 147 acres of the 1,655-acre annexation may be developed. The remainder of the annexation area is to be retained as passive and recreational open space.

Ordinance 99-30 also required that the applicant submit 14 specific technical reports for review and approval by the City. The 14 studies, along with the Land Management Code and the Development Agreement (99-30) form the standards under which any MPD and preliminary/final plat will be reviewed.

On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A. The MPD identified the area of this proposed subdivision as the location for 18 PUD-style detached single family homes, similar to the Paintbrush units currently under construction in other parts of Empire Pass. The homes will be platted as condominiums.

The Planning Commission heard this application on June 14, 2006, and forwards a positive recommendation.

**Analysis**
The proposed subdivision creates two lots of record. Lot 1 is 4.37 acres in size while lot 2 contains 1.99 acres. The zoning for the subdivision is Residential Development subject to the following criteria:

| | Permitted | Proposed |
|---|---|---|
| Height | 28' (+5' for pitched roof) | No height exception proposed. |
| Front setback | 20', 25' to front facing garage | No setback reductions proposed. |
| Rear setback | 15' | |
| Side setbacks | 12' | |
| Parking | Two spaces required | |

The Master Plan for Pod A identifies 11 PUD-style units on Lot 1 and 7 PUD-style units on Lot 2. Each of these units may be approved by staff through an Administrative Conditional Use Permit as stated in the MPD. Each unit will need to meet setbacks from the lot boundaries, including the private Silver Strike Trail road.

Staff finds good cause as this subdivision is consistent with the development pattern envisioned in the MPD and the 14 Technical Reports.

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

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

**Public Input**
No public input has been received by the time of this report. There was no public comment at the Planning Commission hearing.

**Alternatives**

- The City Council may approve the Silver Strike Subdivision as conditioned or amended, or
- The City Council may deny the Silver Strike Subdivision and direct staff to make Findings for this decision, or
- The City Council may continue the discussion on the Silver Strike Subdivision.

**Significant Impacts**
There are no significant fiscal or environmental impacts from this application.

**Consequences of not taking the Suggested Recommendation**
The area would remain unplatted and units could not be constructed and sold.

**Recommendation**
Staff recommends the City Council hold a public hearing and approve the Silver Strike Subdivision based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

**Ordinance No. 06-**

**AN ORDINANCE APPROVING THE SILVER STRIKE SUBDIVISON LOCATED ON SILVER STRIKE TRAIL, POD A, VILLAGE AT EMPIRE PASS, PARK CITY, UTAH.**

WHEREAS, the owners of the property located on Silver Strike Trail in Pod A of the Village at Empire Pass have petitioned the City Council for approval of the Silver Strike Subdivision; 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 14, 2006, to receive input on the Silver Strike Subdivision;

WHEREAS, the Planning Commission, on June 14, 2006, forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 29, 2006, the City Council approved Silver Strike Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Silver Strike Subdivision.

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

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. The Silver Strike Subdivision as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:
1. The property is in Pod A of the Village at Empire Pass.
2. The zoning is Residential Development (RD) in the Flagstaff Master Planned Development (RD-MPD).
3. The proposed subdivision creates two lots of record on either side of Silver Strike Trail. Silver Strike Trail is a long cul de sac that starts just east of the Grand Lodge and terminates in the Bannerwood single family subdivision.
4. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.

5. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A. The MPD identified the area of this proposed subdivision as the location for PUD-style detached single family homes similar to the Paintbrush units currently under construction in the Village. The homes will be platted as condominiums.
6. The proposed subdivision creates two lots of record. Lot 1 is 4.37 acres in size while lot 2 contains 1.99 acres. Lot 1 is approved for 11 units through the MPD while Lot 2 is approved for 7 units.
7. No setback or height exceptions are proposed and construction will meet the requirements of the RD zone.

Conclusions of Law:

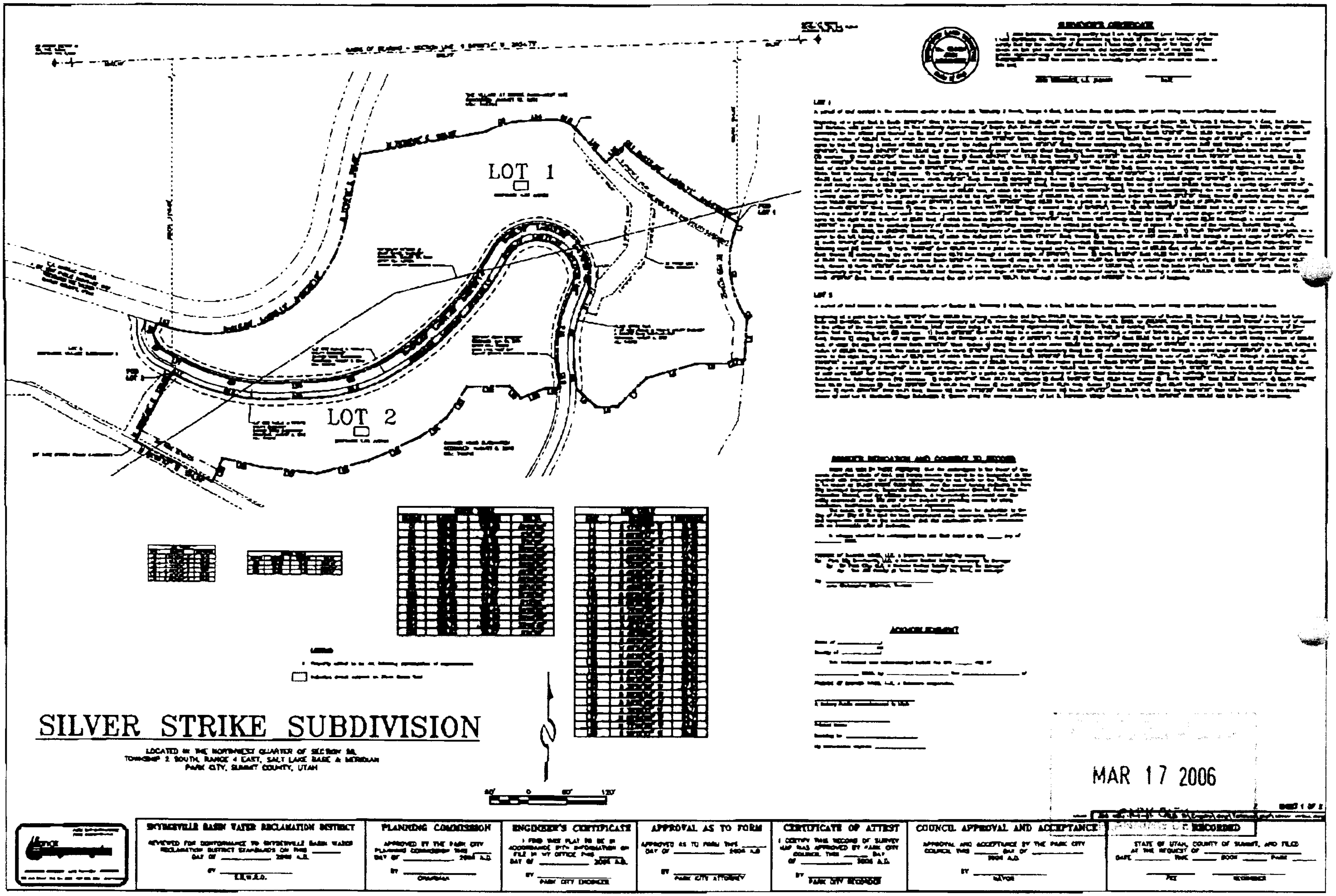
1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law regarding subdivisions, the Park City General Plan, and the Empire Pass Master Planned Development.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. Approval of the subdivision, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the subdivision for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the subdivision at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. All conditions of approval of the Empire Pass Master Planned Development shall continue to apply.

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

PASSED AND ADOPTED this 29th day of June, 2006.


LOT 1
LOT 2
SILVER STRIKE SUBDIVISION
LOCATED IN THE NORTHWEST QUARTER OF SECTION 36,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH
MAR 17 2006
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
PLANNING COMMISSION
ENGINEER'S CERTIFICATE
APPROVAL AS TO FORM
CERTIFICATE OF ATTEST
COUNCIL APPROVAL AND ACCEPTANCE
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
PARK CITY ATTORNEY
PARK CITY ENGINEER
PARK CITY RECORDER
MAYOR
CHAIRMAN

# CITY COUNCIL
# Staff Report

**PLANNING DEPARTMENT**

| | |
|---|---|
| **Author:** | **Ray Milliner** |
| **Subject:** | **PCFD Station No. 38 Subdivision** |
| **Date:** | **June 29, 2006** |
| **Type of Item:** | **Subdivision** |

**SUMMARY RECOMMENDATIONS**
Staffs recommends the City Council hold a public hearing for the Park City Fire District Station No. 38 Subdivision and approve it based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

**TOPIC**

| | |
|---|---|
| Applicant: | Park City Fire District |
| Location: | 1798 Deer Valley Drive North |
| Zoning: | Residential Development (RD) |
| Adjacent Land Uses: | Residential, Multi-family (Bristlecone Condominiums) |

**BACKGROUND**
On June 1, 2006, the City received a complete application for the PCFD Station No. 38 Subdivision. The property is located at 1798 Deer Valley Drive North in the Residential Development (RD) zoning district. The proposed will subdivide a metes and bounds parcel into one lot of record. The proposed new lot will be approximately one half acre in size. Currently the property is vacant.

The applicant wishes to subdivide the property in order to build a fire station that will serve the Old Town and Deer Valley areas of Park City. A building permit cannot be issued for construction on a lot that is not subdivided.

The Planning Commission reviewed and approved a Conditional Use Permit for the fire station on January 11, 2006.

**ANALYSIS**
Staff finds good cause for this subdivision as it will enable a fire station, which is an essential municipal facility that will promote the health safety and welfare of the Deer Valley and Old Town neighborhoods. The lot size is consistent with the pattern of development in the neighborhood.

**Land Management Code Compliance**

| | Permitted | Proposed |
|---|---|---|
| Height | 28' (+5' for pitched roof) | 28' with pitched roof |
| Front setback | 20' | Greater than 20' |
| Rear setback | 15' | 20' |
| Side setbacks | 12' both sides | 12' both sides |
| Lot size | N/A | .5 acre |
| Parking | 4 | 10 |

**DEPARTMENT REVIEW**
The Planning Department has reviewed this request. The City Attorney and City Engineer will review the subdivision for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on June 13, 2006, where representatives from local utilities and City Staff were in attendance.

**NOTICE**
The property was posted and notice was mailed to property owners within 300 feet on June 14, 2006. Legal notice was also put in the Park Record.

**PUBLIC INPUT**
No public input has been received by the time of this report.

**ALTERNATIVES**
1. The City Council may approve the PCFD Station No. 38 Subdivision as conditioned or amended, or
2. The City Council may deny the PCFD Station No. 38 Subdivision and direct staff to make Findings for this decision, or
3. The City Council may continue the discussion on PCFD Station No. 38 Subdivision.

**SIGNIFICANT IMPACTS**
There are no significant fiscal or environmental impacts from this application.

**CONSEQUENCES OF NOT TAKING ACTION**
The property would remain as is and the Fire District would not be able to construct the new fire station.

**RECOMMENDATION**
Staffs recommends the City Council hold a public hearing for the Park City Fire District Station No. 38 Subdivision and approve it based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

**EXHIBITS**
Exhibit A – Proposed Ordinance
Exhibit B – Proposed Plat Amendment

Ordinance No. 06-

## AN ORDINANCE APPROVING THE PARK CITY FIRE DISTRICT STATION NO. 38 SUBDIVISION LOCATED AT 1798 DEER VALLEY DRIVE NORTH, PARK CITY, UTAH

**WHEREAS**, the owner of the property known as 1798 Deer Valley Drive North, has petitioned the City Council for approval of the PCFD Station No. 38 Subdivision; and

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

**WHEREAS**, on June 28, 2006 the Planning Commission held a public hearing to receive public input on the proposed Subdivision and forwarded a positive recommendation of approval to the City Council; and

**WHEREAS**, on June 29, 2006 the City Council held a public hearing on the proposed subdivision; and

**WHEREAS**, the proposed plat amendment allows the property owner to subdivide a metes and bounds parcel into one lot of record; and

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

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

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

1. The property is located in the Residential Density (RD) zone.
2. The RD zone is a residential zone characterized by a mix of contemporary residences and multi-family condominium projects.
3. The amendment will subdivide a metes and bounds parcel into one lot of record.
4. On January 11, 2006 the Planning Commission approved a CUP to allow a Fire Station on the property.
5. A condition of the January 11, 2006 CUP approval required the applicant to subdivide the property into a lot of record prior to the issue of a building permit.
6. Access to the property is from Deer Valley Drive North.
7. The proposed lot is 21,780 square feet in size (one half acre).
8. The fire station will serve the Old Town and Deer Valley areas of Park City
9. The maximum height limit in the RD zone is 33 feet above existing grade for a

building with a pitched roof.

10. The applicant is proposing that the fire station have a maximum height of 28 feet above existing grade.
11. Required setbacks for the fire station are 12' on the sides, 20' in the front and 15' in the rear.
12. The proposed fire station will have 12' side yard setbacks, 30' front yard setback and a 20' rear yard setback.

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

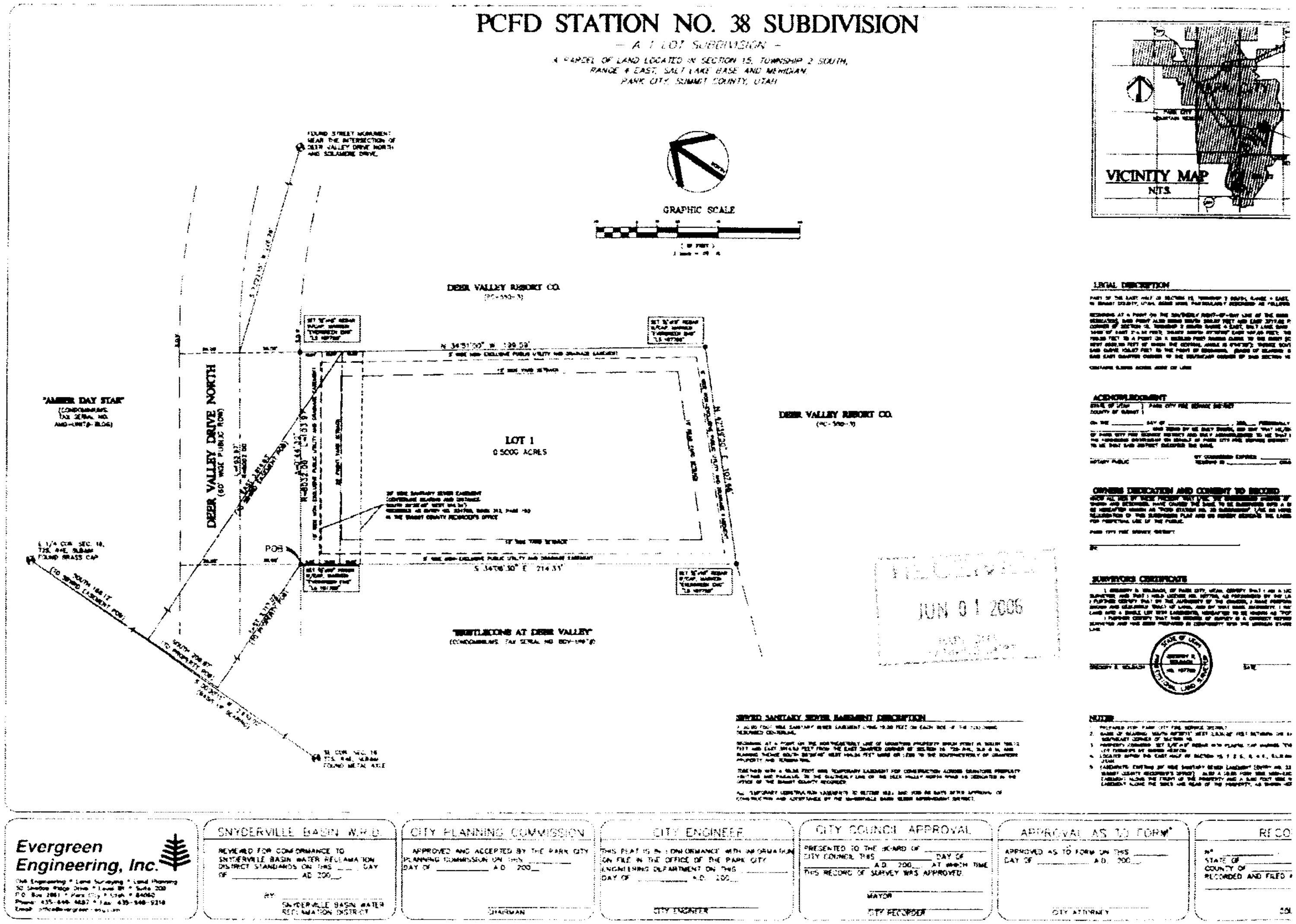
1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City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

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

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

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

PASSED AND ADOPTED this 29$^{th}$ day of June 2006.


PCFD STATION NO. 38 SUBDIVISION
— A 1 LOT SUBDIVISION —
A PARCEL OF LAND LOCATED IN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH
GRAPHIC SCALE
DEER VALLEY RESORT CO.
DEER VALLEY DRIVE NORTH
(60' WIDE PUBLIC ROW)
"AMBER DAY STAR"
LOT 1
0.5000 ACRES
POB
N 34°51'00" W 139.59'
S 34°06'30" E 214.33'
"BRISTLECONE AT DEER VALLEY"
JUN 01 2006
VICINITY MAP
N.T.S.
LEGAL DESCRIPTION
ACKNOWLEDGEMENT
OWNERS DEDICATION AND CONSENT TO RECORD
SURVEYORS CERTIFICATE
NOTES
Evergreen Engineering, Inc.
SNYDERVILLE BASIN W.R.D.
CITY PLANNING COMMISSION
CITY ENGINEER
CITY COUNCIL APPROVAL
APPROVAL AS TO FORM
RECO

# City Council
# Staff Report

**PLANNING DEPARTMENT**

| | |
|---|---|
| **Author:** | **Jonathan Weidenhamer** |
| **Subject:** | **151 MAIN STREET SUBDIVISION EXTENSION** |
| **Date:** | **June 29, 2006** |
| **Type of Item:** | **Administrative** |

**Summary Recommendation**: Staff recommends that the City Council Approve the request for a six month extension to the May 19, 2005 plat amendment approval for the property located at 151 Main Street according to the Findings of Fact, Conclusions of Law and Conditions of Approval in the attached ordinance.

**TOPIC**

| | |
|---|---|
| Owners: | Bill White for 151 Main Street L.C. |
| Location: | 151 Main Street |
| Zoning: | Historic Commercial Business (HCB) and Historic Residential (HR-1) |
| Adjacent Land Uses: | Pocket Park, residential, 2nd Street stair |
| Date of Application: | May 10, 2006 |

**BACKGROUND**

On May 19, 2005 the applicant received approval from the City Council to combine their properties into one lot of record. The applicant was unable to record the plat prior to the expiration of the subdivision approval on May 19, 2006 and is therefore requesting that the City Council grant a six month extension to allow the approval to expire on November 19, 2006.

The project site is located at 151 Main Street. A historic building exists on the property which currently is operated as the restaurant Grappa. The applicant proposes to combine the two lots under existing building and patio area (lots 13&14) with the adjacent $1^{1/2}$ lots to the south (11&12) and 2 adjacent quarter lots (15&16) to the west (Exhibit B). The applicant intends to expand the existing commercial use by installing a kitchen addition on the lots to the South (lots 11 & 12), site of the City's temporary landscaping improvements.

The lots in this application are zoned HCB, Historic Commercial Business and HR-2, Historic Residential - 2 (Exhibit C). The proposed plat creates a 7,166 square foot (s.f.)

lot, 5,916 s.f. of which is zoned HCB, 1,250 s.f. of which is HR-2. No addition/expansion will be permitted on the HR-2 zoned portion of the property.

**RECOMMENDATION**
Staff recommends that the City Council Approve the request for a six month extension to the plat amendment approval for the property located at 819 Empire to November 19, 2006 according to the Findings of Fact, Conclusions of Law and Conditions of Approval in the attached ordinance.

**EXHIBITS**
Draft Ordinance
Exhibit A – Proposed Plat Amendment
Exhibit B – Existing Conditions
Exhibit C – Park City Survey
Exhibit D – Extension request from Applicant

**Ordinance No. 06-**

**AN ORDINANCE APPROVING A SIX MONTH EXTENTION TO A PLAT AMENDMENT TO COMBINE ALL OF LOTS 12, 13, 14, AND PORTIONS OF LOTS 11, 15, AND 16 OF BLOCK 13 OF THE PARK CITY SURVEY INTO ONE LOT.**

**WHEREAS**, owners of the property known as 147 and 151 Main Street, have petitioned the City Council for approval of An extension to a subdivision plat; and

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

**WHEREAS**, on May 19, 2005 the City Council held a public hearing to receive public input on the proposal and approved the plat amendment; and

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

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

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

1. Plat amendments expire one year from the date of City Council approval.
2. The applicant is requesting a six month time extension to the expiration of the plat amendment approval.
3. No changes to the existing approval are proposed at this time.
4. Because no changes are proposed, no change in circumstance has occurred since the previous approval that would result in an unmitigated impact to the community as a result of the extension.
5. This application re-submits a lot combination plat that originally was reviewed and approved by City Council on June 6, 2002. The plat was never recorded, and the approval has expired, necessitating this new submission.
6. The Planning Commission reviewed this item at the May 12, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.
7. The project site is located at 151 Main Street. A historic building exists on the property which currently is operated as the restaurant Grappa.
8. The applicant proposes to combine the two lots under the existing building and patio area (lots 13&14) with the adjacent 11/2 lots to the south (11&12) and 2 adjacent1/4 lots (15&16) to the west.
9. The applicant intends to expand the existing commercial use by installing a kitchen addition on the lots to the South, site of the temporary pocket park.
10. Lots 11, 12, 13 and 14 are zoned HCB, Historic Commercial Business. Lots 15 and 16 are zoned and HR-2, Historic Residential - 2.
11. The proposed plat creates a 7,166 square foot (s.f.) lot, 5,916 s.f. of which is zoned HCB, 1,250 s.f. of which is HR-2.
12. The lots in this application are zoned HCB, Historic Commercial Business and

HR-2, Historic Residential - 2 (Exhibit C). The proposed plat creates a 7,166 square foot (s.f.) lot, 5,916 s.f. of which is zoned HCB, 1,250 s.f. of which is HR-2. No addition/expansion will be permitted on the HR-2 zoned portion of the property.

13. The LMC limits building area to a Floor Area Ratio (FAR) of 4.0 in the HCB District. Development of a FAR up to 1.5 is exempt from meeting a parking requirement if fees have been paid into the Main Street Special Improvement District (MSSID).
14. City records indicate that fees have been paid into the MSSID for lot 12, but not lot 11. The addition on lot 12 is exempt from any parking requirement, provided the proposed FAR does not exceed1.5.
15. Development on lot 11, as well as any proposed addition that exceeds a FAR of 1.5 for the entire project will be required to provide parking on site or pay by fee in lieu of.
16. This project will undergo a Historic District Design Review process prior to any building permits being issued.
17. The easterly 25' of lots 15 and 16 are undeveloped except for only partially at grade decks and landscaping. They are used by Grappa for outdoor dining.
18. A Conditional Use Permit (CUP) was approved for Outdoor Dining at this location in 1991. In 1993, the applicant received an expansion to the existing CUP that allowed for expansion of the use from the second deck to the third and fourth decks at the rear of the building.
19. Outdoor Dining is prohibited in the HR-2 Zone. The use continues as an Existing, Non-Conforming Use. Section 15-9-5(B) of the LMC allows for exterior or interior improvements to a structure containing a non-conforming use to be allowed provided there is no expansion of the area of the non-conforming use.
20. Section 6-3-9(K) of the Park City Municipal Code incorporates regulations on noise. The existing CUP also has conditions regulating noise from outdoor speakers. Any complaints in regards to noise will be responded to on a complaint basis by the Park City Police Department.
21. In August 1998 the Redevelopment Agency of Park City (RDA) and Bill White entered into a 5 year renewable Public Recreation License Agreement to install a pocket park on portions of Mr. White's land. The applicant has exercised his right to terminate the agreement by providing notice to the RDA. As required by the agreement, the RDA anticipates removal of the existing landscaping improvements upon approval of a building permit application.

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

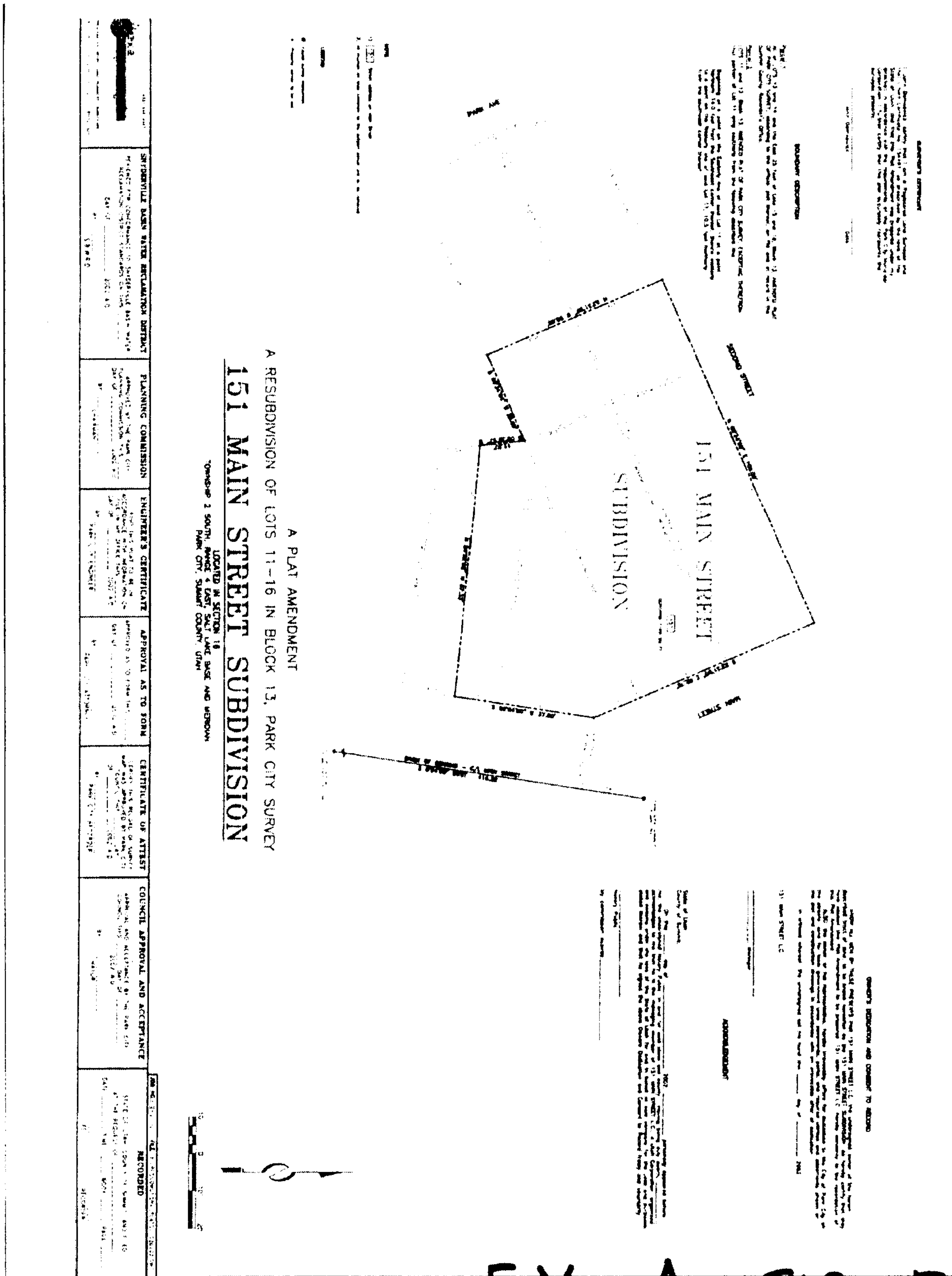
1. There is good cause for this extension.
2. The extension is consistent with the Park City Land Management Code and applicable State law regarding plat amendments.
3. Neither the public nor any person will be materially injured by the proposed plat extension.

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

1. The City Attorney and City Engineer review and approve the final form and content of the plat for compliance with the Land Management Code and conditions of approval prior to recordation.
2. The applicant will record the plat amendment at the County within six months from the date of City Council approval. If recordation has not occurred within six months time, this approval and the plat will be void.
3. No addition/expansion will be permitted on the HR-2 zoned portion of the property.
4. No building permit will be issued prior to recordation of the Plat Amendment.

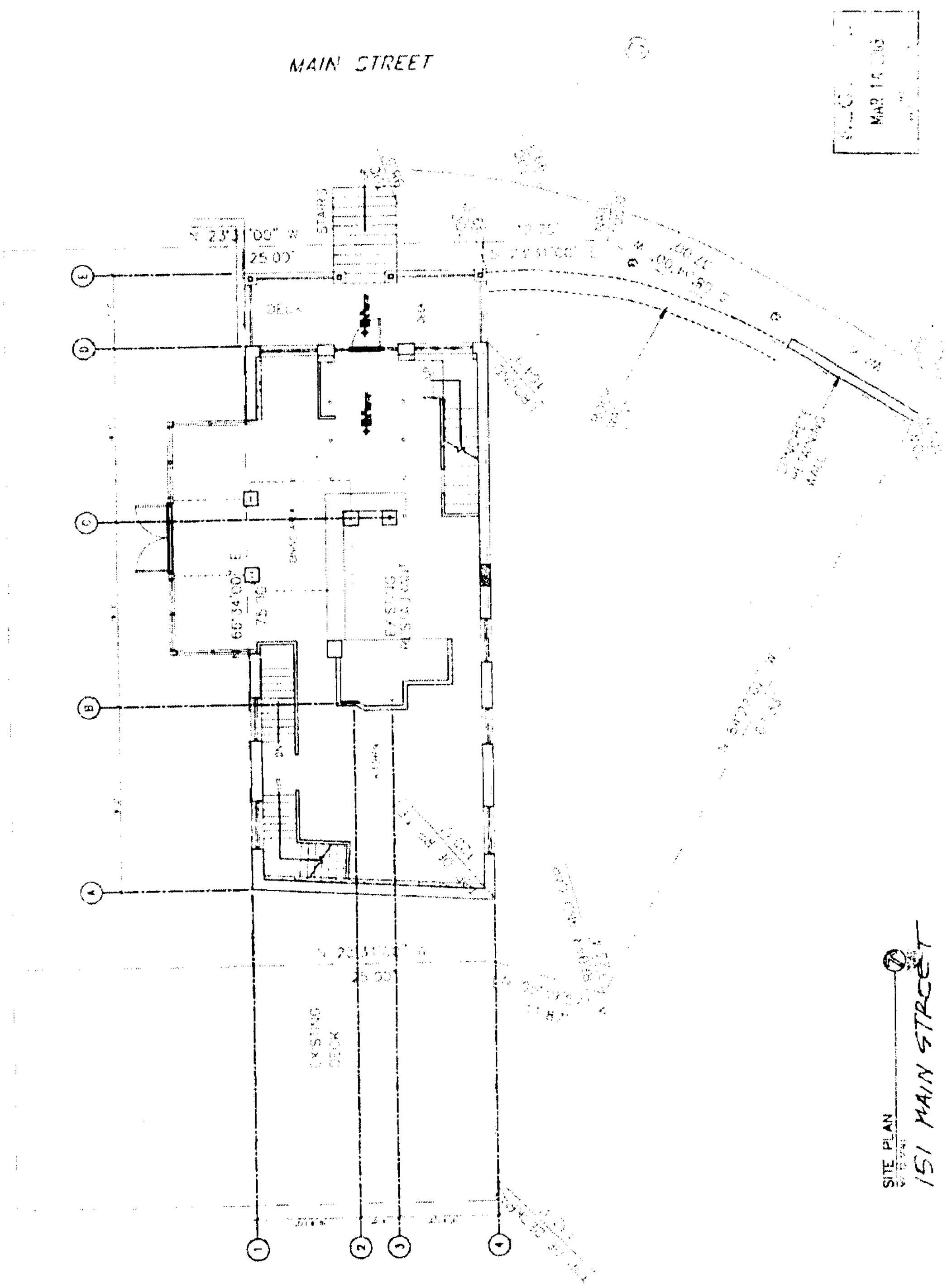
**SECTION 4. EFFECTIVE DATE**. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 29th day of June, 2006.



151 MAIN STREET SUBDIVISION
A PLAT AMENDMENT
A RESUBDIVISION OF LOTS 11-16 IN BLOCK 13, PARK CITY SURVEY
151 MAIN STREET SUBDIVISION
LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH
SECOND STREET
MAIN STREET
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
PLANNING COMMISSION
ENGINEER'S CERTIFICATE
APPROVAL AS TO FORM
CERTIFICATE OF ATTEST
COUNCIL APPROVAL AND ACCEPTANCE
RECORDED


EX. A - SUB. PLAT

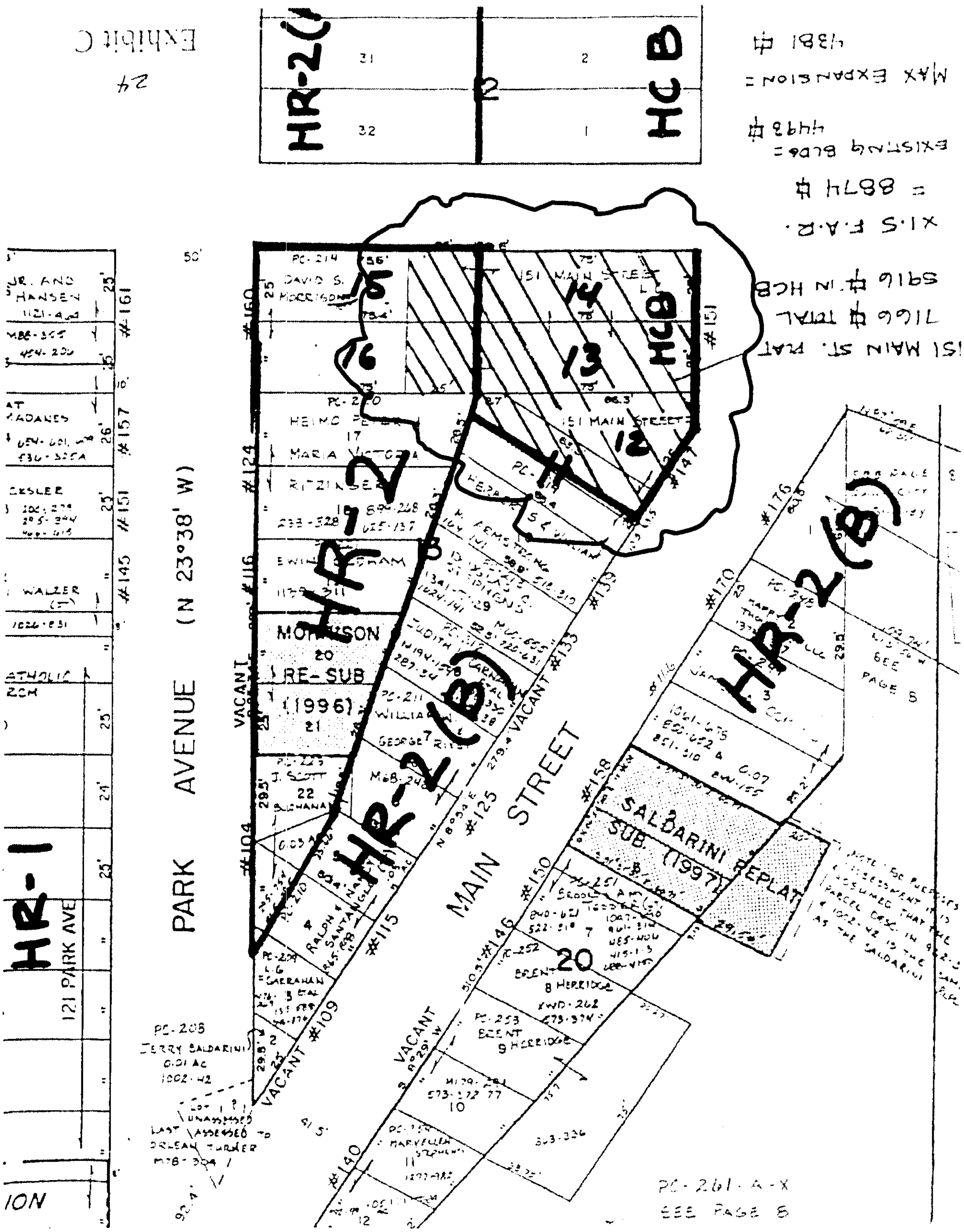



EX. B - EXISTING CONDITIONS

54

Exhibit C

24



MAY 10 2006

Bill White Enterprises
P.O. Box [illegible]
Park City, UT 84060

May 10, 2006

Jonathan Weidenhamer
Project Planner
C/o Park City Planning
PO Box 1480
Park City, UT 84060-1480

Dear Jonathan,

I left a message for you this afternoon requesting an extension for the plat amendment process at 151 Main Street, Park City, Utah. We have run into some complications with the Sewer District regarding an errant sewer line crossing the back lot. While I investigate the implications of this, I respectfully request a 180-day extension to the process.

I understand and apologize that the project has languished, but I would not like to lose the opportunity to amend the plat or to start the process from the beginning because of this surprising issue.

I appreciate the patience of the Planning Department and assure you this issue will be resolved in a timely manner. It is my hope you will extend me the time to deal with this new wrinkle. Please contact me at your convenience and we can discuss this matter further should you desire.

Sincerely,
Bill White
Bill White
435.640.3060

## Exhibit D – Request for extension

# City Council
# Staff Report

PARK CITY
1884

Budget, Debt, and Grants

| | |
|---|---|
| **Author:** | **Seth Atkinson** |
| **Subject:** | **COMPENSATION FOR MAYOR, CITY COUNCIL, AND STATUTORY OFFICERS** |
| **Date:** | **June 29, 2006** |
| **Type of Item:** | **Legislative** |

**Summary Recommendation:** Conduct a public hearing on June 29th and adopt an ordinance establishing compensation for the Mayor, City Council, and statutory officers for FY 2007.

**Description:**
**Topic:** Compensation for the Mayor, City Council members, and statutory officers.

**Background:** State law requires cities to set compensation schedules for the Mayor, City Council members, and statutory officers by ordinance. This is typically done during the budget process. In 2004, City Council adopted a method for determining compensation for the Mayor and City Council which is based on a comparison with other resort cities and communities along the Wasatch Front. Consistent with the staff Pay Plan, this comparison is conducted every two years. During the "off" year, compensation is increased 2% to keep up with changes in the comparison group.

**Analysis:** Attachment A is an ordinance that establishes compensation for the Mayor, City Council members, and statutory officers for FY 2007. Statutory officers include the City Manager, City Attorney, City Treasurer, City Engineer, and City Recorder. The statutory officers listed on the ordinance are those included in the Park City Municipal Code Title 2 Chapter 4. Consistent with the Council-approved policy, Mayoral and Council compensation has received a 2% increase from the FY 2006 Budget. Also consistent with Council action, the pay grades for statutory officers reflect a 2% increase from the FY 2006 Budget.

| | Y 2006-2007 |
|---|---|
| Mayor | $1,879.67 per month |
| City Council | $ 950.42 per month |
| | |
| City Manager | $105,070 - $120,360 per year |
| City Attorney | $91,692 - $107,100 per year |

| | |
|---|---|
| City Treasurer | $55,080 - $79,508 per year |
| City Engineer | $66,300 - $87,394 per year |
| City Recorder | $25,459 - $39,059 per year |

These schedules represent salary ranges. Annual salaries for the City Manager and City Attorney are determined by City Council during annual performance evaluations. The others are approved by the City Manager pursuant to performance evaluations.

**Department Review:** City Manager, Legal, Budget, Debt, and Grants

**Alternatives:**

A. **Approve the Request:** Council could hold a public hearing on Council compensation and adopt the ordinance for Mayor, City Council member, and statutory officer compensation for Fiscal Year 2007.
B. **Continue the Item:** If additional information is requested, Council could continue the item until a later date.
C. **Modify the Request:** Council could request changes to the ordinance and staff would return at a future date for adoption of the ordinance.

**Significant Impacts:** Funds are currently budgeted in the FY 2007 Budget.

**Consequences of not taking the recommended action:** The current ranges would remain in effect until such time as Council adopts new ones.

**Recommendation:** Staff recommends the adoption of the ordinance which establishes Mayoral, Council, and statutory officer compensation for FY 2007.

**Attachment A** – Ordinance for establishing compensation amounts for the Mayor, City Council, and statutory officers for FY 2007.

**Ordinance No.**

**ORDINANCE ESTABLISHING COMPENSATION FOR THE MAYOR, CITY COUNCIL, AND STATUTORY OFFICERS FOR FISCAL YEAR 2006 – 2007 IN PARK CITY, UTAH**

WHEREAS, the City Council has the power to establish compensation schedules pursuant to UCA Section 10-3-818; and

WHEREAS, the number of duties for the Mayor and City Council is significant and each elected officer is required to devote considerable time and expense to public service and community affairs; and

WHEREAS, a public hearing was duly advertised and held on June 29, 2006;

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

SECTION 1. REPEALER: All previous compensation ordinances regarding elected and statutory officers hereby are repealed.

SECTION 2. COMPENSATION FOR MAYOR, CITY COUNCIL, AND STATUTORY OFFICERS ADOPTED: The following salary levels are hereby adopted:

| | FY 2006-2007 |
|---|---|
| Mayor | $1,879.67 per month |
| City Council | $ 950.42 per month |
| | |
| City Manager | $105,070 - $120,360 per year |
| City Attorney | $91,692 - $107,100 per year |
| City Treasurer | $55,080 - $79,508 per year |
| City Engineer | $66,300 - $87,394 per year |
| City Recorder | $25,459 - $39,059 per year |

SECTION 3. BENEFITS: The Mayor and each member of the City Council shall receive family medical insurance. This benefit may be received as cash in lieu of the insurance coverage. The Mayor shall also receive $250 per month in car allowance. In addition, the Mayor and Mayor Pro-Term shall receive $100 per wedding performed. Statutory officers are eligible for all benefits available to regular FTE, unless otherwise determined by the Mayor and City Council.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective on July 1, 2006.

PASSED AND ADOPTED this 29th day of June, 2006.

## City Council Staff Report

PARK CITY 1884

Budget, Debt, & Grants

**Author:** Bret Howser

**Subject:** Federal Transit Authority Authorizing Resolution

**Date:** June 23, 2006

**Type of Item:** Legislative

**Summary Recommendation:**
The City Council should adopt the attached resolution that authorizes the City Manager to execute, file, and accept FTA applications.

**Description:**
**Topic:**
FTA Authorizing Resolution

**Background:**
The City regularly receives grant funding from the Federal Transit Administration (FTA) and the Utah Department of Transportation (UDOT). FTA requires the Chief Administrative Officer to have authority to file grant applications, certifications and assurances, and execute all grant agreements on behalf of the City. Currently, Resolution No. 4-99 gives this power to the "Director of Capital Programs and Budget" of Park City.

**Analysis:**
FTA is requesting that a new Authorizing Resolution be completed, signed, and sent to their office. The one they presently have states that the Director of Capital Programs and Budget is authorized to file all applications, certifications and assurances, and execute all grant agreements on behalf of the Park City Municipal Corporation, but their procedures require that that authority be granted by resolution to the City Manager. It is staff's practice to inform and discuss grant applications with the City Council.

**Department Review:**
Budget, Debt, & Grants, Legal, and City Manager departments reviewed this report.

**Alternatives:**

**A. Approve the Request:**

Staff recommends that Council adopt the accompanying resolution granting the City Manager the authorization to carry out administrative grant matters with FTA and UDOT.

**B. Deny the Request:**
Continuing to operate with the current FTA Authorizing Resolution could result in the suspension of access to federal transit funding for Park City at some future point.

**C. Continue the Item:**
Similar impact as Option B.

**D. Do Nothing:**
Same impact as Option B.

**Significant Impacts:**
Park City receives millions of dollars in FTA grant funding for bus replacement, other capital, and some operations related to transit. Failure to comply with FTA's requests may impact Park City's ability to secure such grants in the future.

**Recommendation:**
Staff recommends that Council consider the attached resolution and adopt it.

**Attachment: FTA Authorizing Resolution**

Attachment A

**A RESOLUTION AUTHORIZING THE CITY MANAGER OF PARK CITY, UTAH TO EXECUTE, FILE, AND ACCEPT APPLICATIONS, CERTIFICATIONS, ASSURANCES, AND AGREEMENTS REQUIRED FOR FINANCIAL ASSISTANCE FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION AND THE UTAH DEPARTMENT OF TRANSPORTATION.**

WHEREAS, it is in the best interest of park City Municipal Corporation to authorize the filing of all applications with the Department of Transportation, United States of America and the Utah Department of Transportation for planning, capital, training, demonstration, research and development, and/or operating assistance grants under the Federal Transit Act of 3.964 , as amended; and

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects and the Utah Department of Transportation administers several types of these grants; and

WHEREAS, Park City Municipal Corporation is a duly created political municipality of the state of Utah, having the authority to accept grants from the federal and state government and to enter into contracts in order to obtain aid, assistance, and cooperation under federal legislation and state regulations; and

WHEREAS, contracts for financial assistance will impose certain obligations upon Park City Municipal Corporation, including the provision by it of local share of the project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accord with the provision of Title VI of the Civil Rights Act of 1964, that in connection with the filing of all applications for financial assistance, under the Federal Transit Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and other pertinent directives and the U.S. Department of transportation requirements thereunder; and

WHEREAS, it is the goal of Park City Municipal Corporation that minority business enterprise (disadvantaged business enterprises and women business enterprises) be utilized to the fullest extent possible in connection with all projects, and definitive procedures shall be established and administered to ensure that minority business enterprises shall have the maximum feasible opportunity to compete for construction contracts, supplies and equipment contracts and to provide consultant and other services;

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

1. The City Manager of Park City Municipal Corporation is authorized to execute and file all applications on behalf of Park City, Utah with the U.S. Department of Transportation and the Utah Department of Transportation, to aid in the financing of all planning, capital, training, research and development, demonstration, and/or operating assistance projects.

2. The City Manager is authorized to execute and file such applications, certifications, and assurances or any other document required by the U.S. Department of Transportation and the Utah Department of Transportation effectuating the purposes of the proposed projects.

3. The City Manager is designated to furnish such additional information as the U.S. Department of Transportation and the Utah Department of Transportation may require in connection with all applications.

4. The City Manager is authorized to set forth and execute minority business enterprises (disadvantaged enterprise business and women business enterprise) policies and procedures in connection with procurement needs or all projects.

5. The City Manager is authorized to accept and execute all grant agreements on behalf of Park City Municipal Corporation with the U.S. Department of Transportation and the Utah Department of Transportation to aid in the financing of all planning, capital, training, research and development, demonstration, and/or operating assistance projects. City Council approval must be received in conformance with the City budget policies and all contracts must be approved to form by the City Attorney's Office.

PASSED AND ADOPTED this 29th day of June, 2006.

**City Council**
**Staff Report**

PARK CITY 1884

PLANNING DEPARTMENT

**Author:** **Jonathan Weidenhamer**

**Subject:** **Sidewalk Dining Lease**
**525 Main Street – Main Street Deli**

**Date:** **June 29, 2006**

**Type of Item:** **Administrative**

**Summary Recommendations:**
Consider approving a lease for Main Street Deli, located at 525 Main Street to conduct sidewalk dining on City property.

**Background:**
Section 15-2.6-12 of the Land Management Code allows Outdoor Dining on "leased public property" as an Administrative Conditional Use Permit. On May 24, 2004, the City Council provided direction that they would like to continue sidewalk dining, but preferred to continue to sign only annual leases. The lease under consideration is consistent with the direction provided by City Council on May 24, 2004. The Council in April of 2005 provided favorable consideration to extend the sidewalk dining season from the 3rd weekend of April through the end of October.

**Analysis:**
The City did not receive any complaints regarding the sidewalk dining program conducted in 2004 or 2005. Any seasonal lease the City enters would: regulate the time and duration of the use, provide for consistency in look and materials, ensure the aesthetic value of the Historic District by preventing visual clutter, prevent conflicts with Special Events/MFL's, mitigate for conflicting uses in the public right-of-way, ensure for cleanly sidewalks, and provide an ongoing monitoring mechanism and revocation provision for failure to comply with regulation.

Staff has prepared a draft lease template that would be executed prior to approving any Outdoor Dining on City Sidewalks (Exhibit A). At this time staff has made a preliminary determination that application submitted by the Main Street Deli, located at 525 Main Street, meets the standards for outdoor dining provided at LMC Section 15-2.6-12 as well as the proposed operational restrictions (Exhibit C):

The Main Street Deli has an approved Administrative Conditional Use Permit for Outdoor Dining on City Sidewalks (conditioned upon a current, approved lease). Their

Administrative Conditional Use Permit does not have an expiration date, and runs with the land, or until City Council provides direction to not allow use of City-side walks for outdoor dining. The site plan the application is attached as Exhibit B.

**Alternatives:**

A) Provide direction to continue Outdoor Dining on City sidewalks; and approve the lease for sidewalk dining for the Main Street Deli as presented; or

B) Provide direction to not continue Outdoor Dining on City sidewalks; or

C) Provide direction to continue Outdoor Dining on City sidewalks, but modify the lease language or operational restrictions and then provide direction to approve the lease(s) as amended; or

D) Continue the hearing for more information or discussion.

**Recommendation:**
Staff recommends Alternative A.

**Exhibits**
Exhibit A – Lease
Exhibit B – Site Plan
Exhibit C – Operational Restrictions

**Exhibit A**

MAIN STREET SIDEWALK
OUTDOOR DINING LEASE
Main Street Deli – 525 Main Street

This LEASE AGREEMENT is made and executed this 29th day of June, 2006, by and between Park City Municipal Corporation, a municipal corporation and political subdivision of the state of Utah ("Park City") and the Main Street Deli, a Utah LLC, located at 525 Main Street, Park City, Utah ("Tenant")

The Parties agree as follows:

1. PROPERTY. The property affected by this lease is generally described as the sidewalk area directly fronting Tenant's restaurant located at 525 Main Street, and more specifically described via site plan at Exhibit A, attached hereto and incorporated herein by reference (hereinafter referred to as the "Premises").

2. RENT. Tenant shall be solely responsible for payment of any and all costs associated with Tenant's performance under this lease, including but not limited to City additional business licensing fees, insurance, sales taxes and other expenses.

3. TERM. The term of this Agreement shall commence on June 29, 2006 and shall terminate on October 30, 2006, unless terminated earlier as provided herein.

4. USE OF PREMISES. Tenant may use the Premises only for the provision of outdoor dining services in a manner consistent with Section 15-2.6-12(B)(1) of the Park City Land Management Code and the terms of this Agreement. Additional operational restrictions are attached hereto at Exhibit C, if applicable. Park City makes no representations regarding the premises and tenant accepts the premises "as is".

5. IMPROVEMENTS TO THE PREMISES. Tenant shall not make any improvements to the Premises without first obtaining Park City's written consent. Any improvements approved by Park City shall be completed at Tenant's sole expense and removed at Tenant's sole expense upon expiration of this Agreement.

6. SIGNS. No signs shall be permitted on the Premises except as specifically approved pursuant to the Park City Sign Code and/or Tenant's Master Sign Plan.

7. INSURANCE. Tenant shall, at Tenant's sole expense, carry a policy of general liability insurance in an amount of at least One Million Dollars ($1,000,000) per person and One Million Dollars ($1,000,000.00) per incident or occurrence. Park City shall be named as an additional insured by endorsement on each policy. Tenant's insurance is to be primary to Park City's and Park City's insurance shall be non-contributory. A certificate of insurance with a thirty (30) day cancellation notice provision shall be provided to Park City on or before the lease commencement date, and maintained continuously during the term of the lease. Tenant may carry whatever other insurance Tenant deems appropriate. The parties agree that Tenant's sole remedy in the event of business interruptions,

fire, windstorm, or other loss from hazard shall be its own insurance and Tenant will have no action against Park City. Park City is protected by the Utah Governmental Immunity Act, and nothing herein is intended to waive or limit the protection of the Act in behalf of either entity, but to the extent it is consistent with this intent, it is the purpose of this provision to protect Park City for liability or allegations arising out of the Tenant's use of the Premises.

8. HOLD HARMLESS. Tenant covenants and agrees to defend, indemnify, hold Park City harmless from all claims, loss damage, injury or liability (hereafter "Liability") resulting from Tenant' use and occupancy of the Premises to the full extent permitted by law and/or the Utah Governmental Immunity Act, including. reasonable attorney's fees, but excluding any Liability resulting from acts or omissions of Park City, its officers, employees or agents. Nothing herein shall be construed as a waiver of any of the rights or defenses under the Utah Governmental Immunity Act (Utah Code Ann. Sections 63-30-1, et seq), as amended. The obligations hereunder shall be determined under principles of tort law including, but not limited to, the Governmental Immunity Act.

9. ASSIGNABILITY. Tenant shall not assign or transfer any interest in this Agreement without the prior written consent of Park City. Any assignment or transfer without written approval is void.

10. PROFESSIONAL PERFORMANCE. Tenant agrees to perform services under this contract at the highest professional standards, and to the satisfaction of Park City.

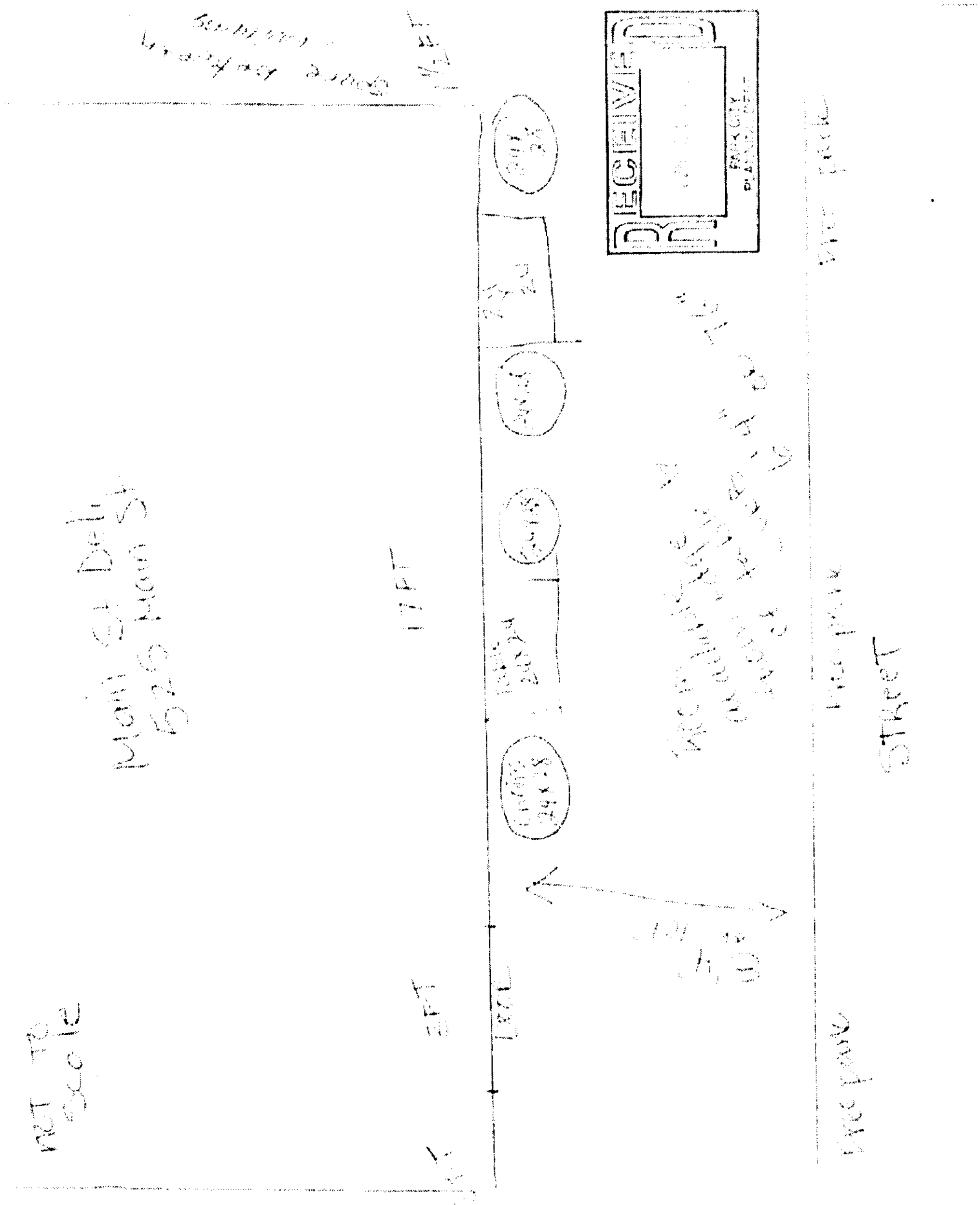
11. APPLICABLE LAW. This Agreement shall be governed by the laws of the state of Utah.

12. FORCE MAJEURE. Any delay or failure of either Party to perform its obligations under this Agreement shall be excused to the extent that it is caused by an event or occurrence beyond its reasonable control, including act of nature, terrorism or war.

13. ENTIRE AGREEMENT. This Agreement constitutes the entire and only agreement between parties and it cannot be altered or amended except by written instrument, signed by both parties.

Executed the day and year first above written.

## Exihibit B




525 Main Street
Main Street Deli
(2 tables) 67

**Exhibit C**

## SIDEWALK DINING
## OPERATIONAL RESTRICTIONS

The following operational restrictions shall apply to all leases for outdoor dining on Main Street sidewalks:

1. Site Plan - This plan shall be to scale and indicate: the proprietors' building as it relates to the exact locations of chairs, tables, stanchions, umbrellas, heaters, curb (width of sidewalk), and any other existing public improvements (light fixtures, fire department connections, parking meters, utility covers, etc.).
2. Details/ Spec Sheets – Shall be submitted for each piece of equipment proposed with this application. This will include all tables, chairs, umbrellas, heaters, lighting sources, and crowd barricades, etc.
3. Parameters of Permit - Sidewalk Dining is allowed from May 1until October 30, from 8:00 am until 10:00 pm.
4. Violations - Ongoing Monitoring will be provided to ensure compliance with lease parameters. A revocation provision will be included for lessee's failure to comply.

**Design Standards**

1. SIZE. Sidewalk dining area shall be limited to the linear frontage a building has on Main Street.
2. ADVERTISING. Additional signing or advertising is prohibited beyond what is allowed by the Sign Code. Umbrellas, table tents, or any other equipment must be free of branding or other promotion.
3. FURNITURE. All tables and chairs shall be metal and be either black or gray, and have a powder coated finish.
4. STANCHIONS. Any necessary crowd control barricades must be equivalent to the Crowd Controller TensaBarrier & Tape - Model 890 Standard, or T-Max, which has been approved by the Preservation Planner and chosen for its minimal visual intrusion, durability, and functionality. TensaBarrier poles shall be black and powder coated, and the tape shall be black also.
5. UMBRELLAS. Umbrellas are prohibited from having any advertising or signing and shall be in solid, primary colors. Umbrellas must be free standing and are prohibited from extending beyond the dining area. Any umbrellas must meet international building code and standards and shall not create any public hazard.
6. HEATERS. Any proposed heaters shall be reviewed at the time of initial application. In most cases, additional heating elements may require additional building permits.
7. LIGHTING. No additional electric lighting is permitted, including exterior building lighting.
8. LANDSCAPING/ ATMOSPHERE. Any proposed landscaping or atmosphere pieces shall be reviewed at the time of initial application, and shall not create any public hazard or unnecessary clutter.

9. ADDITIONAL EQUIPMENT. To prevent unnecessary visual clutter, additional equipment beyond those outlined in this section is prohibited. This includes server or bus-stations, garbage receptacles, podiums, pedestals, etc.
10. LICENSING. The additional square footage of the dining area must be added to the existing licensed area for the restaurant. The Applicant shall also adhere to other applicable City and State licensing ordinances.
11. HEALTH & SAFETY. The Use shall not violate the Summit County Health Code, the Fire Code, or International Building Code.
12. MUSIC. The use of outdoor speakers and music is prohibited unless expressly allowed by Park City Municipal Corporation Special Events Director.
13. SPECIAL EVENTS. Operation of Sidewalk Dining during Special Events and Master Festival Licenses is prohibited when the boundary of that Special Event includes Main Street unless expressly allowed by Park City Special Events Director.
14. MAINTENANCE. The dining area shall be cleanly and maintained in a neat and orderly fashion.
15. STORAGE. All equipment and other associated materials must be removed from the sidewalk and stored on private property overnight and during prohibited times.

**DATE:** June 29, 2006
**DEPARTMENT:** Public Works
**AUTHOR:** Pace Erickson, Operations Manager
**TITLE:** 2006 Pavement Management Overlay Program
**TYPE OF ITEM:** Administrative- Contract

---

**SUMMARY RECOMMENDATIONS**: Award the 2006 Pavement Management Contract to and authorize staff to enter into a Construction Contract in a form approved by the City Attorney with Staker & Parsons Company in the amount of $671,829.80.

**DESCRIPTION**:

**Topic**. Pavement Management Program 2006

**Background**. Pavement management is a program that maximizes pavement life and minimizes pavement costs by identifying the time frame for carrying out appropriate maintenance or rehabilitation. The benefit of this practice is to extend pavement life and reduce the overall life cycle cost. Pavements typically deteriorate in a non-linear fashion. Twenty-five percent of the deterioration occurs during the first seventy-five percent of pavement life. The more cost-effective maintenance should occur when the pavement is still in fair condition. Pavement repairs can be done inexpensively using sealing and overlay techniques. Proper pavement management should minimize the need for costly pavement reconstruction.

Staff bid all elements of the pavement management program together but culled out the overlay portion pending a review by the Legal department regarding minor discrepancies in the bids submitted.

**Analysis**.

**Overlays**
The following streets have been identified within the pavement management program as having a rating of 40 to 79 and are slated to receive a total of 7,517 tons of asphalt in the form of overlays as part of the overall pavement management strategy:

**Overlays 2006**

**Section/ Street Name**
Belle Star Ct: Sidewinder Dr to end of CDS
Swede Alley: Heber Ave to 5th Street *
Mellow Mountain Rd: Aerie Dr to April Mountain Dr
Sunny Slopes Dr: Meadows Dr to 1250 Ft
Deer Valley Dr: Round a bout to 1100 Ft

Oakwood Dr: Oakwood Ct to Sunridge Dr
Crestline Dr: Meadows Dr to American Saddler Dr
Meadows Dr: Evening Star Dr to Lake View Ct +200
Royal Ct: Royal St to end of CDS
Royal St: Silver Lake Dr up to 1150 Ft
Evening Star Dr: Little Kate Rd to Meadows Dr
Empire Ave: Manor Way to 15th St
Empire Ave: 15th St to Park Ave

* Full Mill

**Overlays Bike Paths 2006**
**Path Section**

South side HWY 248 From Sidewinder to Cooke Dr
North side HWY 248 from Monitor to end
City Park trail from Iron Horse to Transit Center
High School Athletic Field Trails

**Asphalt forecast**

Staff has seen significant increases in asphalt costs. This is due to the volatile oil prices the world has experienced. From last year, delivered asphalt prices have increased 49% to $71.00 per ton. Staff believes costs will not fall below $70.00 per ton in the near future. If costs maintain their current level a budget adjustment that reflects market prices is anticipated. Our original estimate for all elements of the pavement management program was $368,343.71.

**Bid Results**

There were two sealed bids received for street overlays:

**Street Overlays**

| | |
|---|---|
| **Staker Paving recommended** | **$671,830** |
| Granite Construction | $770,806 |

Staff analyzed both bids and determined that Staker is the lowest responsive bidder. Staff first had to review the bids with Legal to determine if the low bid complied with the specifications. Both bids had minor problems. Staker did not attend a "mandatory" pre-bid meeting, while Granite failed to attach an equipment list. Both bids are otherwise responsive. Staker has previously been awarded the contract, so there was no material consequence to missing the pre-bid meeting, which occurred due to a schedule conflict. Similarly, staff is generally aware that Granite has the equipment necessary to complete the work. Therefore, Staff recommends that the City waive both technicalities and award the bid to Staker Paving as the lowest responsive bidder. The bid and RFP notification/process was advertised in the Park Record and Salt Lake Tribune.

**Department Review**. Bids were reviewed by the Public Works and Legal Departments. Funds are designated in the CIP fund and are appropriated under line items 31-43311 in the amount of $939,188, 31-43318 in the amount of $47,686 for the year 2006. Any unspent funds prior to June 30, 2006 will be "carried over" to next year as per City policy.

**ALTERNATIVES**:

**A. Approve awarding and authorize staff to enter into an agreement with the lowest responsive bid.**
Staker & Parsons Company for asphalt street overlays in the amount of $596,409.80 and path overlays in the amount of $75,420.00 for a total of $671,829.80.

**B. Change scope and re-bid the 2006 pavement management program.**
(Staff does not recommend this alternative).

**C. Reject all bids and direct staff to re-bid the project.**
(Staff does not recommend this alternative).

**SIGNIFICANT IMPACTS**:

The pavement management plan is designed to maintain and improve Park City pavement quality. Approval of less than the recommended program will cause a decline of pavement quality.

**CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION**: Failure to maintain an adequate pavement management program will increase maintenance dollars in subsequent years and lower overall pavement quality. Given the market, most costs continue to increase and re-bidding the project would additionally cause adverse delay in an already short summer construction season.

**RECOMMENDATION**: Alternative A: Approve awarding and authorize staff to enter into an agreement with the lowest responsive bidder - Staker & Parsons Company in the amount of $671,829.80.

**City Council**
**STAFF REPORT**

PARK CITY 1884

**Author:** **Patrick Putt**

**Subject:** **Land Management Code Amendments-- Community Transition District (CT) District**

**Planning Department**

**Date:** **June 29, 2006**
**Type of Item:** **Legislative**

**Summary Recommendations:** Staff recommends that City Council hold a public hearing and approve the ordinance adopting the Community Transition (CT) District and amending Land Management Code Section 15-6-8: Master Planned Developments--Unit Equivalents establishing a unit equivalent multiplier for I-Occupancy structures.

## Background

On July 14, 2005, City Council adopted Resolution No. 21-05 forming the IHC/USSA/Burbidge Annexation Task Force. The purpose of the Task Force was to conduct a review and provide a recommendation on the annexation petition elements relating to the proposed zoning, land uses, affordable housing, transportation, and community economic/fiscal impacts.

## Analysis

On October 27, 2005, the IHC/USSA/Burbidge AnnexationTask Force unanimously recommended a new zoning district for the annexation area intended to implement the goals and objectives of the City's General Plan and the Quinns Junction Joint Planning Principles (attached). The name of the proposed zoning district is the Community Transition (CT) District. A copy of the draft CT District is attached to this memorandum.

Purpose of the CT District is to preserve the character of the area's existing open space, recreation, and institutional land uses by clustering low-density development in a manner that respects the entry corridor, sensitive lands, and existing open space area. Low-density public, quasi-public, and/or institutional uses relating to community open space, recreation, sport training and development, tourism, and community heath are encouraged land uses in the CT District. Highway service commercial and regional/big-box commercial is prohibited. Limited residential development may be considered through a Master Planned Development/Conditional Use Permit process.

Permitted base density in the CT District is 1 unit/20 acres. Density bonuses up to a maximum of 3 units/acre may be approved based on compliance with enhanced open space and trail improvements, increased Frontage Protection Zone setbacks, implementation of "green building" design principles, utilization of structured/tiered parking, development of transit improvements, and dedication of additional land for public/quasi-public purposes. As previously stated, the proposed CT District permits limited residential development with an approved MPD/CUP. Due to the traffic/trip generation impacts related to residential development, the Planning Commission provided direction to limit density bonuses for residential uses to one unit per acre.

The Task Force also discussed the topic of how to apply the Unit Equivalent multiplier to a hospital use. With the assistance of the Building Department and local architects, the Task Force examined the issue of evaluating the relative density factors applied to hospitals (I-Occupancy buildings) versus commercial and office buildings. Based on its research, the Task Force recommended that hospitals (I-Occupancy Buildings) density be calculated using a 1666 square-foot unit equivalent (UE) multiplier and that all other non-residential uses continue to be calculated using a 1000 square foot unit equivalent (UE) multiplier.

Said another way, the research presented to the Task Force demonstrated that to functionally achieve 1000 net square feet of retail, 1200 gross square feet must be built. To functionally achieve 1000 net square feet of hospital, 1850 – 2000 gross square feet must be built. This is based on meeting International Building Code standards for I-Occupancy structures which require wider corridors, significantly more mechanical and building support space for air exchange, equipment storage, and other requirements for patient safety.

Analysis conducted by Architectural Nexus, and reviewed by Roger Evans of the City Building Department suggested modifying the UE calculation to consider hospitals at a different ratio than a standard retail UE (1000 square feet).

| | Net | Gross | Ratio |
|---|---|---|---|
| Retail | 1000 | 1200 | 1.2 |
| | | | |
| Hospital | 1000 | 1850-2000 | 1.85 - 2000 |

Therefore if a retail UE = 1000 square feet, a range for hospital UE = 1542 – 1666 square feet; based on the following:

1.85/1.2 x 1000 = 1542 ; or
2.00/1.2 x 1000 = <u>1666</u>

On January 11, 2006, the Planning Commission forwarded a positive recommendation the Land Management Code amendments creating the Community Transition (CT) District and establishing a specific unit equivalent multiplier for I-Occupancy structures.

**<u>Summary Recommendations:</u>** The Planning Department recommends that City Council hold a public hearing and approve the ordinance adopting the Community

Transition (CT) District and amending Land Management Code Section 15-6-8: Master Planned Developments--Unit Equivalents establishing a unit equivalent multiplier for I-Occupancy structures.

**Exhibits**
Exhibit A – Ordinance (with attached LMC amendments)

Ordinance No.

**AN ORDINANCE AMENDING TITLE 15 OF THE PARK CITY MUNICIPAL CODE, LAND MANAGEMENT CODE, ESTABLISHING SECTION 15-2-23: COMMUNITY TRANSITION DISTRICT AND SECTION 15-6-8, A UNIT EQUIVALENT MULTIPLIER FOR I-OCCUPANCY USES**

WHEREAS, it is in the public interest to create a zoning district is to preserve the character of the area's existing open space, recreation, and institutional land uses; and

WHEREAS, it is in the public interest clustering low-density development in a manner that respects the entry corridor, sensitive lands, and existing open space area; and

WHEREAS, low-density public, quasi-public, and/or institutional uses relating to community open space, recreation, sport training and development, tourism, and community heath are land uses consistent with the City's General Plan and Quinns Junction Joint Planning Principles; and

WHEREAS, it in the public interest to prohibit highway service commercial and regional/big-box commercial uses in the community's entry corridor areas; and

WHEREAS, the relative density factors applied to hospitals/I-Occupancy uses is functionally different than residential and commercial uses due to building code requirements for wider hallway corridors, mechanical and air-exchange space, equipment storage, and other requirements for patient safety; and

WHEREAS, the proposed amendments were properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, the City Council adopted Resolution No. 21-05 on July 14, 2005 forming the IHC/USSA/Burbidge Annexation Task Force for purposes of providing a recommendation to the Planning Commission and City Council on the annexation petition elements relating to the proposed zoning, land uses, affordable housing, transportation, and community economic/fiscal impacts; and

WHEREAS, the IHC/USSA/Burbidge Annexation Task Force on October 27, 2005 unanimously recommended Community Transition (CT) District be the zoning designation applied the annexation area;

HEREAS, the IHC/USSA/Burbidge Annexation Task Force on October 27, 2005 unanimously recommended that Land Management Code be amended to establish a 1666 square foot unit equivalent multiplier for I-Occupancy uses; and

WHEREAS, the Planning Commission held a public hearing on January 11, 2006 to receive public input on the proposed Land Management Code amendments and forwarded a positive recommendation to City Council; and

WHEREAS, on June 29, 2006 the City Council held public hearings to receive input on the proposed Land Management Code amendments; and

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

SECTION 1. LAND MANAGEMENT CODE AMENDMENT. Title 15 of the Park City Municipal Code, Land Management Code is amended as described in Exhibit A to create Section 15-2-23: Community Transition (CT) District and amend Section 15-6-8: Master Planned Developments—Unit Equivalents as described in Exhibit B.

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

PASSED AND ADOPTED this 29th day of June 2006.

**CITY COUNCIL**
**STAFF REPORT**

| | | |
|---|---|---|
| **Author:** | **Patrick Putt** | |
| **Subject:** | **IHC/USSA/Burbidge Annexation** | |
| **Date:** | **June 29, 2006** | Planning Department |
| **Type of Item:** | **Legislative** | |

**Summary Recommendations:**

Staff recommends that Council to adopt the ordinance the approving the Intermountain Healthcare/USSA/Burbidge Annexation and as further reflected in the attached Annexation Agreement, in a form approved by the City Attorney.

**Description:**

| | |
|---|---|
| Project Name: | IHC Medical Campus/USSA Training Center at Quinn's Junction |
| Applicant: | Intermountain Healthcare, United States Ski and Snowboard Association, and Burbs LLC |
| Location: | NW corner of the Quinn's Junction Interchange (SR 248 & US 40) |
| Zoning: | Summit County -Developable Lands (DL) - base zoning of 1:20; 1:40 depending on any Sensitive Lands (slope, wetlands, etc.); 1:10 w/ bonus criteria. |
| Proposed Zoning: | Community Transition (CT-MPD) |
| Adjacent Land Uses: | Municipal open space; City Ice Arena and Fields Complex; Undeveloped Lands; Light-Industrial |

**Background and Procedural Process**

1. **Annexation Petition History:** On November 3, 2004, Intermountain Healthcare, United States Ski and Snowboard Association (USSA), and Burbs LLC submitted a petition to annex approximately 157 acres into the City. The annexation petition was accepted by City Council on November 18, 2004 and certified on December 6, 2004. January 5, 2005 was the deadline for Affected Entities to file a protest with the Summit County Boundary Commission. No protests were filed.

2. **Location and Current County Zoning:** The annexation property is currently vacant, 157 acres in size, and located in unincorporated Summit County at the northwest corner of the State Route 248/Highway 40 interchange. The property is zoned in Summit County as Developable Lands (DL) with a base density of 1 unit/20 acres and 1 unit/40 acres depending on Sensitive Lands. The site is adjacent to the newly annexed City Ice Arena and Recreation Complex and within the City's Annexation Expansion Area

3. **Proposed Zoning:** The proposed zoning for the property is Community Transition (CT-MPD). The CT District is a newly created zoning district which is pending final adoption by City Council. The Community Transition (CT) District has a base density of 1 unit/20 acres. The District permits density bonuses up to a maximum of 3 units/acre provided specific standards are met relating to open space, Frontage Protection Zone (FPZ) setbacks, parking, affordable housing, and public land/facilities.

**4. Development Proposal:** The annexation plat as submitted contemplates the creation of four lots: one for the hospital/medical campus lot: one five acre parcel for USSA's proposed headquarters and training facility; one 15 acre lot upon which the City would contemplate future expansion of their recreation complex; and one 5 acre lot for future affordable housing.

The land uses proposed on the annexation property include a community hospital/medical facility; support medical offices; public/quasi-public institutional uses; United States Ski and Snowboard (USSA) headquarters and sports training complex; public recreation uses, affordable/employee housing, and open space. The proposed total density at build-out for the annexation area is 535,000 square feet (gross) and equates to 2.64 units/acre and consists of the following:

| | |
|---|---|
| Intermountain Healthcare Hospital: | 300,000 square feet (180 Unit Equivalents) |
| United States Ski and Snowboard Offices and Training Center: | 85,000 square feet (85 Unit Equivalents) |
| Support Medical Office: | 150,000 square feet (150 Unit Equivalents) |

It is proposed that up to 50,000 square feet of the total Support Medical Office area may be developed within, in addition to, the 300, 000 square foot hospital. It is further proposed that up to 50,000 square feet may be utilized for public/quasi-public institutional uses such as athletic national governing body offices, non-profit community wellness facilities, and/or education uses. Burbs, LLC has agreed to convey 5 acres to the United States Ski and Snowboard Association (USSA) for the purposes of developing an 85,000 square foot athletic national governing body (NGB) and training complex. Land uses within the USSA facility are to be limited to USSA administrative, athlete training, and/or other national governing body uses. The City is to have the right of first refusal to purchase the USSA property and facilities in the event USSA sells and/or relocates from the property. Any change of use will require approval of an amended Master Planned Development and Conditional Use Permit.

**5. IHC/USSA/Burbidge Task Force Recommendation and Remaining Procedural Steps:** The City Council established the IHC/USSA/Burbidge Annexation Task Force on July 14, 2005 (Resolution No. 21-05) for purposes of formulating specific recommendations to the Planning Commission and City Council relating to the annexation's proposed zoning, land uses, affordable housing, transportation, and community economics/fiscal impacts. On October 27, 2005 the Task Force forwarded a unanimous positive recommendation to the Planning Commission on a new zoning district to apply to the annexation area, the Community Transition (CT) District which includes specific provisions addressing affordable housing. The Task Force forwarded a unanimous positive recommendation to the Planning Commission on the annexation's economic impact/fiscal analysis on November 10, 2005. On December 8, 2005, the Task Force forwarded a unanimous positive recommendation to the Planning Commission on traffic and transportation impacts and mitigation. The Task Force recommendations are further outlined in this report.

The Planning Commission conducted a final review of the proposed annexation for compliance with the General Plan and all requisite annexation standards on May 10, 2006 and forwarded a positive recommendation to Council regarding the annexation and zoning the subject property Community Transition (CT)-MPD.

A City Council public hearing on the proposed annexation and zoning has been scheduled and duly noticed for Thursday's meeting. If the City Council enacts an ordinance annexing the unincorporated area and zones the property CT all applicable zoning and Land Management Code sections are applied to the annexed property. Following the completion of the annexation process, the Planning Commission will review the Master Planned Development (MPD) application for compliance with all Land Management Code Requirements.

**General Plan Analysis:** The Planning Commission spent several meetings during the spring of 2005 reviewing the proposed annexation for compliance with the Park City General Plan. The elements reviewed by the Planning Commission are the Park City Direction; Community Character; Open Space and Environment; Land Use; and Growth Management. The IHC/USSA/Burbidge Annexation Task Force conducted the formal review and prepared recommendations on Transportation, Community Economy; and Affordable Housing. The Following is an overview of the General Plan analysis conducted to date proposed. Statements in *italics* represent staff comments.

1. **Park City Direction and Community Character Elements:**
   - **Protect a maximum amount of public and private open space.** Complies. *The annexation area is located in the General Plan's Round Valley Planning Area. The development pads are generally located toward the toe of the slopes and outside of the wetland areas. The proposed development pads are proposed to be clustered. Exterior/surface parking is to be minimized with intent of maintaining the open space corridor around the ridge tops and along Hwy. 40 and SR-248 into Park City. A minimum of 80% of the site area is proposed for open space.*
   - **Institute low density development design standards to ensure that new development maintains a rural character in terms of building location, materials, fencing, landscaping, street widths, street layout, and similar features.** Complies. *The proposed hospital/medical campus and USSA facility has been sited to place the bulk of the project density and building masses in clustered development areas off steeper hillsides and outside of wetland areas. Development is proposed to provide 200-300 foot setbacks from adjacent highways. The proposed project density is 2.64 units/acre which is below the potential 3 units/acre maximum of the CT Zone. Final architectural, landscaping, and site design are under refinement; however, the preliminary design concepts illustrate clustered, 2- 2 ½ story buildings consistent with the more dispersed, lower profile ranch and institutional buildings found in the immediate area.*
   - **Provide a range of housing opportunities in annexed areas. Eliminate regulatory impediments to providing a range of housing opportunities.** Complies. *The annexation will result in new employee/affordable housing being constructed. The applicant is donating a five (5) acre parcel of land on site to Park City Municipal Corporation to be developed by the applicant as employee/affordable housing. Up to 25 affordable/employee housing units may be developed on the 5 acre parcel. The proposed units will provide additional needed housing opportunities for project employees and community residents.*

- **Pursue those annexation petitions that hold the potential of producing significant amenities and benefits for the public in addition to open space (e.g., active parks, community centers).** Complies. *The majority of the project open space is provided adjacent to City-owned Round Valley open space. The annexation proposal also contemplates the City acquiring an additional 15 acres adjacent to the City Fields Complex and the Round Valley open space for open space recreation purposes.*

- **To prevent strip development along highways and arterials, concentrate new commercial development tightly around strategic intersections through the use of development regulations.** Complies. *The City and County's Quinn's Junction Joint Planning Commission Sub–Committee have adopted Land Use Patterns and Development Principles that strongly discourage highway service commercial development. No general commercial/highway commercial is proposed within the annexation area. Limited ancillary support commercial may be considered within the primary uses as part of the MPD; however, no specific support commercial uses have been proposed by the applicant.*

- **Entertain a broad range of development patterns when reviewing annexation petitions, provided that the petitions are consistent with the open space and other development goals of the General Plan and other City policies.** Complies. *The proposed hospital complex and USSA training facility achieves compact building pad footprints that leave the majority of the project open space adjacent to existing public open space areas. The project open space acts as a buffer between the proposed development and City open space and provides additional area for future expansions of City recreation facilities.*

- **Require new streets and transportation systems that adequately serve annexed areas and do not adversely impact existing neighborhoods.** Complies. *Primary access to the site will be by way of a new/redesigned intersection off of SR 248. The applicants will be responsible for providing all necessary access to the property from SR 248 and all necessary intersection improvements including a signalized intersection, any necessary road connections to the City's recreation and ice rink complex, and dedication of right-of-way for frontage road to Silver Summit as other codes require secondary access, all to be determined and agreed as part of the MPD and subdivision approval process.*

- **In annexation agreements within the Joint Planning Area, secure significant, usable, and accessible open space.** Complies. *Natural Areas, Highly Visible Ridgelines, Undisturbed Visual Open Space, Entry Corridors, and Trail Connections and Corridors represent the highest community value for the site. The proposed project site plan generally places the majority of the development out of Natural Areas/wetland areas and off of the High Visible Ridgelines. The largest areas of open space are located appurtenant to the City's Round Valley open space areas.*

- **Develop incentives for achieving the maximum amount of open space, consistent with the priorities in the Open Space and Land Use Elements.** Complies. *The annexation area is located in the General Plan's Round Valley Planning Area. The Open Space Element encourages maintaining an open space buffer from the ridge tops along Hwy. 40 to SR-248 and locating development to the toe-of-slope areas. Wetlands, meadows, intermittent streams, and drainage ways are to be preserved. The* *development pads are generally located toward the toe of the slopes, outside of the wetland areas, and back of highway corridor view areas.*

- **Require development patterns that result in large, contiguous parcels of usable open space. Make open space internally functional and visually connected to other planned and existing open space areas.** *Complies. The open space proposed with this project connects visually and physically to the city's recreation complex and the greater round valley open space. The preliminary site plan includes trail connections to the Round Valley open space trails.*

- **On the periphery of developments, explore the use of large single-family conservancy lots that would enhance the impression of open space while allowing some development.** *Not Applicable. The proposal does not include large lot single-family residential development.*

- **Acquire key parcels containing critical environmental areas, wildlife habitat, important vistas, or desired public access.** Explore dedicated funding for open space acquisition. *Complies. Wetlands, meadows, intermittent streams, and drainage ways are not significantly impacted by the proposed development. The development pads are generally located toward the toe of the slopes, outside of the wetland areas, and back of highway corridor view areas. The applicants are donating 15 acres of the project area to the City for additional recreation purposes.*

- **Require new development to build pathway and trail systems that connect to existing public trails and open space. Protect access to public lands adjacent to new development.** *Complies. The preliminary site plan includes trail connections to the Round Valley open space trails. As part of the MPD review process, the Planning Department will work with the City Trails Coordinator, Summit County, and the Mountain Trails Foundation to prepare a recommendation for any necessary trail connections to the City Fields complex and other adjacent properties.*

- **Pursue more detailed intergovernmental working relationships and agreements with Summit and Wasatch Counties. Develop consensus, if possible, on appropriate development patterns in areas immediately adjacent to the City. Ensure the continued application of a phased development program.** *Complies. Council established the IHC/USSA/Burbidge Annexation Task Force on July 14, 2005 for purposes of formulating specific recommendations to the Planning Commission and City Council relating to the annexation's proposed zoning, land uses, affordable housing, transportation, and community economics/fiscal impacts. The Task Force was comprised of affected property owners, applicants, elected officials and Planning Commissioners from the City and Summit County, and staff. The Task Force forwarded its final positive recommendation on the annexation on December 8, 2005.*

- **Offer additional density incentives for preserving usable open space and other community amenities that exceeds the minimum required by the Land Management Code and annexation policies.** *Complies. The base density of the proposed CT Zone is 1 unit/20 acres. The proposed CT Zone allows for density bonuses up to 3 units/acre provided specific standards are met relating to open space, Frontage Protection Zone (FPZ) setbacks, parking, affordable housing, and public land/facilities. The applicants have proposed a maximum density of 2.64 units/acre based upon a plan which provides of 80% open space, increased FPZ setbacks, conveyance of land and* *construction of affordable housing, and the donation of 15 acres to the City for future recreational uses.*

- **Require new street systems to be designed in a manner that avoids adversely disrupting existing neighborhoods.** *Complies. The preliminary site plan indicates a roadway system that functions with the street layout at the City's recreation complex and other existing roadways/driveways in the area. Access to the site through the recreation complex and NAC road is not contemplated except for possible Public transit. Access through Fairway Hills is not proposed. Final street layout and design will be reviewed during the MPD process.*

2. **Open Space and Environmental Elements:**

- **Carefully evaluate the open space components of annexation and development proposals to define the community needs and the value of dedicated open space. Consider these types of open space in annexations:**

**Natural Areas - (undisturbed hillsides, wetlands, and meadows) ;**

**Significant wildlife habitat - (areas where shelter, food and water is available to support a variety of wildlife species);**

**Highly visible ridge lines - (the tops of mountains and hills visible to pedestrians and motorists traveling in and around the community);**

**Undisturbed visual open space - (private or public open space left in its natural condition and serves primarily as a visual relief from the urban environment);**

**Natural geographic landmarks - (identifiable mountain peaks, valleys, meadows, ridges, rock outcroppings, and streams);**

**Entry corridors - (the roads, highways, and trails leading travelers into the community);**

**Trail connections and corridors - (routes directing hikers, bikers and skiers onto developed trails or through areas which eventually connect to trails);**

**Access to streams - (trails, paths, or roads leading to streams which are available for fishing, nature study, or other forms of recreation);**

**Ski runs - (areas where skiing is possible due to openness and slope of terrain);**

**Public golf courses - (golf courses which are either operated by a public entity, or golf courses available to the general public or both);**

**Public community recreation - (facilities available to the public such as playgrounds, parks, ball fields, and recreation centers, programmed recreation such as, but not limited to, baseball, lacrosse, soccer, basketball, and swimming);**

**Passive public recreation - (recreational activities that require a minimum of public facilities and/or supervision such as hiking, nature observation, fishing, biking,**

**photography and similar pursuits);**

**Neighborhood public open space - (open space areas intended to serve a local neighborhood primarily but open to the public in general);**

**Private golf courses - (privately owned and operated golf courses open only for members and their guests);**

**Private trails - (trails through private property and not available to the public except by permission);**

**Private neighborhood parks - (parks within neighborhoods available for use only by those property owners owning and maintaining the parks);**

**Private open space - (open space areas that are privately owned and their use may be restricted by the Owner(s);**

**In general, private open spaces not available to the public are considered a lower priority when evaluating the community benefit of an annexation. Open space available for use by the public is preferred over all forms of restricted private open space; and**

**Observe the unique characteristics and open space priorities for each Planning Area outlined in the Land Use Element.** *Complies. Considering the above-listed types of open space, The Planning Department finds that Natural Areas, Highly Visible Ridgelines, Undisturbed Visual Open Space, Entry Corridors, and Trail Connections and Corridors represent the highest community value for the site. The proposed project plan generally places the majority of the development out of Natural Areas/wetland areas and off of the High Visible Ridgelines. The largest areas of open space are located appurtenant to the City's Round Valley open space areas. The visual impact of the proposed development areas will be examined more specifically during the MPD review to ensure building pad locations and building masses are placed so as to not appear to crowd the entry corridor or break the ridgelines which form the backdrop to the site when viewed from SR-248, the City Fields Complex, and Hwy. 40.*

- **For annexation of master-planned development, consider increasing the required amount of open space, and negotiate the type of open space to be provided, based on the priorities for the Planning Area. Current City codes require 60 percent open space as part of the master-planned development process.** *Complies. The annexation area is located in the General Plan's Round Valley Planning Area. The Open Space Element encourages maintaining an open space buffer from the ridge tops along Hwy. 40 to SR-248 and locating development to the toe-of-slope areas. Wetlands, meadows, intermittent streams, and drainage ways are to be preserved. The development pads are generally located toward the toe of the slopes and outside of the wetland areas. Consistent with the proposed CT Zone, over 80% of the project area is open space.*

- **Require compact development in annexed areas, in order to concentrate housing and other structures and preserve the maximum amount of contiguous, usable open space; and**

- **Provide incentives for open space preservation that are consistent with, and complement, the Land Use and Open Space Elements.** Complies. *Approximately 80% of the project area is open space. Of the overall 157 acres, development is limited to four primary pads. The bulk of the project open space is located adjacent to existing City open space.*

- **Demand special attention to the entryway areas, including Highways 40, 224, and 248, with site planning parameters that create open space corridors.** Complies. *The applicants propose increased Frontage Protection Zone no-building setbacks of 200-300 feet along the highway frontages. Minor encroachments into the proposed setbacks may be necessary due to possible grading impacts. Per the CT Zone, the Planning Commission may consider reductions in the proposed setbacks if it determines such reductions reduce site grading, increase shared/reciprocal parking, and/or encourage better site design. Final site design approval will take place during the MPD process.*

- **Direct development to the "toe" (bottom edge) of slopes in mountainous areas, rather than the face of slopes, meadows, or valley floors.** Complies. *Staff finds that the preliminary plan is designed in conformance with this policy. The majority of the project area's steeper hillsides are retained as open space. The hospital complex and USSA pads are located between the toe of the slope and the face of the hillside and off prominent ridge lines.*

- **Set aside open spaces that are sizeable and visually apparent; provide substantial connections to other open spaces.** Complies. *The proposed open space is generally comprised of wetlands, areas adjacent to the Round Valley open space, and along hillsides and ridge lines.*

- **Require neighborhood links through trail systems. Target activity areas such as schools, commercial zones, and recreation areas for trail connections.** Complies. *The preliminary plan includes trail connections to the Round Valley open space trails.*

- **Consider all environmentally sensitive regions (including meadows and grasslands as significant components) as valuable open space.** Complies. *The preliminary site plan does not include significant development in wetland areas or designated sensitive regions of the site.*

- **Consider all riparian areas as priorities for protection, and ensure riparian conservation areas at least 50 feet in width on each side of streams and wetlands.** Complies. *Staff preliminary review of the site plan indicates compliance with this policy.*

- **Regulate the use of unnatural landscape materials or landscape alterations not indigenous to the area, e.g., large lawns in front of mountain homes, or water features in prominent sagebrush areas.** Complies. *The applicants' overall design concept is to retain as much native vegetation as possible and landscape with native, drought tolerant species. Restricting development to limited pad areas and providing the bulk of the project open space adjacent to existing City open space will help enhance the overall preservation of the site's native landscape.*

- **Require that annexations contribute to the open space concepts and intent of the Land Use Element. Support plans within the County and annexation areas that provide advantageous open space and recreation components.** Complies. *The majority of the project open space is provided adjacent to City-owned Round Valley open* *space. The annexation proposal also contemplates the City acquiring an additional 15 acres adjacent to the City Fields Complex and the Round Valley open space for open space recreation purposes.*

3. <u>**Land Use and Growth Management Elements:**</u>

**Direct development to the "toe" of slopes, preserving the ridge tops, meadows, and visible hillsides. Open space foregrounds should be incorporated in development proposals to enhance the visual experience of open space; and**

- **Preserve wetlands, drainage ways, and intermittent streams and incorporate them into developments as amenities, rather than as simply undevelopable land; and**

- **Preserve as many large, cohesive, unbroken areas of land free of typical urban uses, including active recreational uses, as possible through design, dedication, and acquisition, as development occurs in the annexation area.** *<u>Complies</u>. The wetland areas are generally free of development. The wetland areas connect to larger areas of open space and provide needed breaks in the development pod. A minimum of 80% open space is proposed. The bulk of the open space proposed is appurtenant to the City's Round Valley open space. The applicants propose to donate 15 acres of land to the City for recreation purposes. The preliminary plan incorporates trail connections between adjacent properties and the City's Round Valley open space.*

- **Protect the views along the City's entry corridors by establishing design, setback, and landscape requirements.** *The proposed building pads are located off steep hillsides, near the toe of slopes, and out of wetland areas. The proposed 80% minimum open space places the majority of the undisturbed area adjacent to existing City open space parcels and preserving significant tracts of native vegetation. The applicants propose increased Frontage Protection Zone no-building setbacks of 200-300 feet along the highway frontages. As previously stated in this report, minor encroachments into the proposed setbacks may be necessary due to possible grading impacts. Final site design and review of a preliminary landscape plan will take place during the MPD process.*

- **To decrease fire risk, develop criteria for decreasing wildfire potential by keeping development out of certain sensitive areas and carefully controlling development where wildfire occur.** *<u>Complies</u>. A preliminary assessment of the project plan indicates that the site design is consistent with the City's defensible space requirements and standard wildfire mitigation measures.*

- **Incorporate pedestrian trail linkages and open space to allow movement between and through neighborhoods. Trails should link to other recreational and community facilities and provide a viable alternative to vehicular transportation. Trail and pedestrian linkages should be consistent with the Park City Trails Master Plan and the Snyderville Basin Trails Master Plan.** *<u>Complies</u>. The proposed site plan includes trail connections through the property which link to existing and proposed trails within Round Valley and the adjacent City fields complex. A final determination of trail connection needs will take place during the MPD review process. The applicants have agreed to work with the City and trail users to maintain and enhance trail access and connections through the site.*

- **Provide neighborhood recreation to serve residents of each distinct neighborhood. When appropriate, develop regional recreational facilities with**

**adequate vehicular and trail access.** *Complies. The project generally provides good access to the adjacent City fields complex and Round Valley trails. The donation of an additional 15 acres of land for future recreation use is a benefit to community residents.*

- **Encourage comprehensive, efficient developments that consider the overall impact on surrounding properties. Phasing plans for such projects will be necessary to avoid the premature expansion of utilities and other public facilities.** *Complies. The proposed project design is a reasonable balance between creating compact building pads off steep hillsides and out of wetlands; creating larger highway corridor setbacks; and providing 80% open space. Phasing the project is anticipated an will be fully addressed during the MPD review.*

- **Encourage distinct neighborhoods surrounded by open space. Develop neighborhood-specific design guidelines to promote neighborhood cohesiveness.** *Complies. Although the proposed development is not a "residential" neighborhood in the traditional sense it is becoming a community open space and recreation neighborhood. The proposed clustered development area, 80% open space, and larger Frontage Protection Zone setbacks result in relatively compact development overall and a substantial open space buffer that transitions into deed-restricted community open space.*

- **Approve development only when adequate public services and facilities are available, or will be available when needed to serve the project.** *Complies. Utility services including sewer, power, and telephone are available to, or nearby, the site. The applicant is proposing to purchase water from the City.*

- **Encourage affordable housing in close proximity to lodging, bus routes, resorts and such essential services as shopping, recreation, and medical services.** *Complies. As previously stated in this report, the annexation will result in new employee/affordable housing being constructed. The applicant is donating a five (5) acre parcel of land on site to Park City Municipal Corporation and will develop the property for employee/affordable housing purposes.. Up to 25 affordable/employee housing units may be developed on the 5 acre parcel. The proposed units will provide additional needed housing opportunities for project employees and community residents. City transit stops are also proposed.*

- **Encourage a mix of housing styles within new developments with a preference for second homes and housing units that provide bed base for tourists.** *Not Applicable. No residential development other than the required affordable housing is proposed.*

- **Require traffic routing and street design that minimizes grading, minimizes impacts on existing residents, and reduces dependency on the automobile; and**

- **Require all season trail systems which serve individual neighborhoods and also provide connections to other existing and planned trails.** *Complies. The proposed street/driveway layout is located on relatively flat to moderate sloping terrain which will reduce the need for significant grading, cuts, and retaining walls. A more direct (shorter) street layout could be designed; however, it would be much more visible and involve much greater site disturbance. Pedestrian and trail connections are integrated into the plan and connect the site with the adjacent properties and public open space. Although not finalized as to exact location(s), transit stops are to be part of the MPD site plan.*

- **Maintain an open space corridor from the ridge tops along Highway 40 to Highway 248 and, using the ridge tops as a boundary, maintain the same open space corridor along the north side of Highway 248 to the Treasure Mountain Middle School; and**

- **Preserve all ridge tops and middle ridges (separating the north and south bowls) as open space, with no roofs extending above the ridge line protection area; and ensure that development is clustered and located at the "toe" of slopes in alcove areas; and**

- **Preserve all ridge tops and middle ridges (separating the north and south bowls) as open space, with no roofs extending above the ridge line protection area.** *Complies. The proposed development pads site buildings off steeper hillsides and away from the periphery of the site. The bulk of the proposed 80% open space is to be adjacent to the City's Round Valley open space and along the highway corridors.*

- **Preserve large areas of mountain shrub vegetation and sage grasslands in their natural environment. Should recreation uses be considered, such as golf or trail installation, their design should maximize the use of natural materials, natural vegetation and the natural landscape in design and planning. Planning should consider ways to reduce water use for landscape irrigation.** *Complies. The majority of the proposed 80% open space is to be retained in its natural state. By clustering the proposed development in compact areas towards the center of the site, the native vegetation within proposed open space can serve as a visual buffer of the development and a transition area to the City's Round Valley open space. Specifics on any non-native landscaping and irrigation will be addressed as part of the MPD. Minimizing new non-native landscaping which requires extensive irrigation has been strongly discouraged by Staff and is not contemplated by the applicant.*

- **Implement a street circulation system that provides good north/south linkage through Round Valley to the existing street network.** *Not Applicable. This policy pre-existed City acquisition of the Round Valley open space.*

- **Preserve wetlands and intermittent streams and drainage ways. The design of storm water systems should use an open system with drainage features being used as an amenity.** *Complies. The proposed plan does not include development within wetland and stream corridors.*

**4. Transportation, Community Economy; Transportation; and Affordable Housing Elements:** The IHC/USSA/Burbidge Annexation Task Force conducted the formal review and prepared recommendations regarding the annexation's compliance with the Transportation, Community Economy, and Affordable Housing elements of the General Plan. An overview of its recommendation is as follows:

**a. Community Economy--Fiscal and Economic Impacts:** The City's Budget, Debt, and Grants Department conducted a fiscal impact and economic impact study for the proposed annexation (dated November 7, 2005). A copy of the study is attached to this report. The study estimates annual City expenses at $121,200 for the initial project *(assuming a build out in 15 years)* and $54,876 after build out. These expenses include roads, police, and City administration. The study model estimates that indirect economic impact from the annexation to be:

- $2.9 million in total annual economic output
- $1.7 million in annual labor income
- 24.7 new jobs
- $71,000 in annual indirect taxes (1/3 estimated to be retained by the City)

The above-listed inputs do not include increased economic activity resulting from any possible support commercial activity which would have additional positive impact.

The study also identified other related positive community impacts including:

1. Added local healthcare services:
- Closer proximity of healthcare services
- Expansion of existing services
- New services
- Added quality of services

2. USSA training facility long term commitment and new offerings:
- Park City identity/exposure
- Unique opportunities and events
- Affiliations to outdoor retailers
- Attraction of other national governing boards

3. Synergies of recreation, health, and open space

The study concludes that limited fiscal impacts to the City related to the development of the proposed medical campus and USSA complex will be experienced; however the potential impacts have been determined to be reasonable by the Task Force. In forwarding a positive recommendation on the study, the Task Force found that the direct fiscal impacts will be offset by the indirect benefits associated with the IHC/USSA development. The Task Force forwarded a unanimous positive recommendation to the Planning Commission on the annexation's economic impact/fiscal analysis on November 10, 2005.

**b. Transportation:** On December 8, 2005, the Task Force forwarded a unanimous positive recommendation to the Planning Commission on traffic and transportation impacts and mitigation. The Task Force recommendation was based, in part, on a traffic and access study prepared by Horrocks Engineers (dated November 6, 2005). The study concludes improvements to SR-248 will be necessary in the future to maintain acceptable levels of service regardless of whether or not the proposed medical campus and USSA facilities are developed. The need for future improvements is predicated on existing and future regional growth. The proposed IHC/ USSA development will have incremental traffic impacts on SR-248.

The Task Force recommended that:

- SR 248 should not be expanded to a 5 lane road immediately, except from US 40 to a new IHC/USSA SR248 signal.

- The trip numbers in the Horrocks study are considered to be maximum (worst case) estimates.
- It is reasonable for all developers within the Park City Annexation boundary to pay for or otherwise offset their share of costs (to Park City Municipal Corporation) of all roadway and other necessary traffic mitigation improvements. The City will agree to credit Intermountain Healthcare for the City recreation complex's proportionate share of the new traffic signal towards IHC's share of the mitigation.
- The cost sharing should be based on proportionate number of trips generated by their use.
- Potential Cost Share Mitigation Strategies
  - Affordable Housing w/ transit plan– If increased affordable housing obligations (to meet additional density bonus) are met, and these reduce trips, this trip reduction can be realized as reducing proportional cost share. These are mutually exclusive. The cost of the affordable housing does not count towards the developers proportionate cost share of the road.
  - Physical Improvements such as, but not limited to a transit hub, park and ride lot, and van/shuttle program.
  - Programs Improvements (Horrocks Study already discounts the number of trips from hospital use resulting from manipulating shift times).
- A detailed package of mitigation & cost sharing shall be approved through a technical report approved by the Planning Commission and City Council as a part of the MPD process.
- Direct Costs (Phase I of proposed IHC development)
  - Developer should be responsible for all coordination and costs associated with providing access to the development site as required in the Subdivision Chapter of the LMC Sections 15-7.2 & 15-7.3; including primary access, a signalized intersection, any necessary road connections between the hospital to the ice rink, and dedication of right-of-way for frontage road to Silver Summit as other codes require secondary access.
  - Developer should be allowed to reserve the right and has support from PCMC to develop a late-comers agreement to recoup costs for the intersection improvements and signal.
- Other Costs
  - The Developer should be responsible for the mitigation for any loss of playing field in PCMC recreation complex resulting from road expansion/realignment/signalization

In concluding its recommendation, the Task Force determined that traffic impacts to the City related to the development of the proposed medical campus and USSA complex will be experienced; however the Task Force has determined that the potential impacts can be mitigated. In forwarding a positive recommendation on the study, the Task Force determined that the specific traffic and access mitigation measures should be addressed and conditioned as part of a Master Planned Development Technical Report.

**c. <u>Affordable Housing</u>**: The general requirements for the annexation's affordable housing mitigation were established as part of the Task Force's recommendation on the creation of the Community Transition District on October 27, 2005. The Planning Commission and City Council held a joint work session on the annexation's affordable housing mitigation on March 16, 2006.

As a result of discussion and direction from the March 16 work session the following affordable housing mitigation has been established.

The Employee/Affordable Housing requirement for development associated with the Intermountain Healthcare Hospital (300,000 square feet) is 44.78 "Affordable Unit Equivalents" (as defined in the City's Land Management Code). The applicants intend to satisfy this requirement by the donation of a five (5) acre parcel of the annexation property to the City and construction of employee/affordable housing units.

The Employee/Affordable Housing requirement for the proposed USSA facility is 10.71 Affordable Unit Equivalents. A total deferral of the required 10.71 Affordable Unit Equivalents is recommended to be granted in exchange for the donation of five (5) acres of land to USSA to construct its project. The deferral is contingent upon the continued ownership and occupancy of the facility by USSA. Any change in use to any other non-community-based nonprofit organization or increase in employees will require that the deferred Employee/Affordable Housing requirements be met or otherwise mitigated.

The Employee/Affordable Housing requirement for development associated with the hospital support medical offices area (150,000 square feet) is 34.98 Affordable Unit Equivalents. The applicants propose to satisfy this requirement with either on-site or off-site units as determined during the MPD process.

**d. <u>Annexation Evaluation</u>:** The Land Management Code, Chapter 8: <u>Annexations</u> *(LMC Section 15-8-5B)* requires that an evaluation of the following information for all annexations. Staff analysis is as follows:

**1. <u>General Requirements of Section 15-8-2--General Requirements</u>**: *<u>Complies</u>*
*The annexation meets the general annexation requirements as stated in Section 15-8-2. The subject property is contiguous to the City boundary and is within the City's Annexation Expansion Area. Staff has conducted an extensive evaluation of the annexation for compliance with the City's General Plan and finds it to meet the necessary policy objectives as conditioned (see Staff Report Section C: <u>General Plan Analysis</u>). The 157 acre annexation area includes the largest amount of contiguous area possible and does not result in a small piecemeal annexation. No islands or peninsulas of land in the County jurisdiction are created. Adequate utilities are available near the site. The applicant intends to dedicate water to the City to serve the project or contribute to the City acquisition of additional water rights. A City recreation complex is located immediately to the west of the annexation area.*

**2. <u>Map and natural features</u>**: *<u>No Umitigated Impacts Identified.</u> The property consists of a 157 acre parcel lying within the northeast ¼ of Section 35 of Township 1 South, Range 4 East, Salt Lake Base & Meridian, Summit County. The area proposed for annexation is within the City's Annexation Expansion Area, as described by the City's Annexation Policy Plan found in Section 15-8-7 of the Park City Land Management Code. The parcel is currently zoned SL (Sensitive lands) and DL (Development lands) in Summit County, subject to the Snyderville Basin General Plan. The applicants propose to zone the property Community Transition (CT-MPD). The applicants have submitted an accurate map of the area showing the boundaries, property ownership, topography, natural features, and environmentally sensitive areas.*

**3. <u>Current and Potential Residential Density</u>:** *<u>No Unmitigated Impacts Identified</u>*
*The property is currently undeveloped. No additional residential density beyond the possible affordable housing on the donated 5 acre parcel is proposed as a part of this application.*

4. **Land Uses-Existing and Proposed:** *No Unmitigated Impacts Identified. The property is currently undeveloped. The proposed institutional, quasi-public, recreation, and open space uses proposed for the annexation area are consistent with the City's General Plan and Quinns Junction Joint Planning Principles.*

5. **Character and Development of Adjacent Properties**: No Unmitigated Impacts Identified. The National Abilities Center and City Ice Arena are developed to the west of the annexation area. The remaining adjacent properties are undeveloped.

6. **Present and Proposed Zoning**: *No Unmitigated Impacts Identified. The property is zoned in Summit County as Developable Lands (DL) with a base density of 1 unit/20 acres and 1 unit/40 acres depending on Sensitive Lands. The proposed zoning for the property is Community Transition (CT-MPD). The CT District is a newly created zoning district which is pending final adoption by City Council. The Community Transition (CT) District has a base density of 1 unit/20 acres. The District permits density bonuses up to a maximum of 3 units/acre provided specific standards are met relating to open space, Frontage Protection Zone (FPZ) setbacks, parking, affordable housing, and public land/facilities.*

7. **Compliance With Goals and Policies of City General Plan**: *No Unmitigated Impacts Identified. Please refer to extensive staff analysis regarding General Plan compliance in Staff Report Section C: General Plan Analysis.*

8. **Assessed Valuation of the Current Property:** No Unmitigated Impacts Identified. *The current assessed valuation of the property is $2,350,050. Please also refer to the attached November 7, 2005 Annexation Fiscal Impact Analysis (Exhibit C).*

9. **Potential Need For Municipal Services and Need For Land Use Regulation:** *No Unmitigated Impacts Identified. Development of the annexation area will require City services. Adequate utilities and City Services are available to address the needs of the proposed development as conditioned. City zoning regulations and subsequent Master Planned Development (MPD) processes will provide the necessary tools for developing the property in a manner consistent with the City's General Plan and related land use policies.*

10. **Effect on City boundaries**: *No Unmitigated Impacts Identified. The subject property is within the City Annexation Expansion Area. Annexation of the property is a logical extension of City land use control and City services necessary to address development along the SR-248 highway corridor.*

11. **Timetable for extending services**: *No Unmitigated Impacts Identified. Services will be extended to the property upon approval of a Master Planned Development, subsequent platting of the property, and issuance of building permits for approved development.*

12. **Revenue versus Costs:** and
13. **Tax Consequences**; and
14. **Impact on Summit County:** *No Unmitigated Impacts Identified. The November 7, 2005 Annexation Fiscal Impact Analysis conducted by the City concludes that limited fiscal impacts to the City related to the development of the proposed medical campus and USSA complex will be experienced; however the potential impacts have been determined to be reasonable. This conclusion was adopted by the IHC/USSA/Burbidge Annexation Task Force on November 10, 2005. (see attached Exhibit C: Annexation Fiscal Impact Analysis).*

15. **<u>Historic and Cultural Resources</u>:** *<u>No Unmitigated Impacts Identified</u>. There are no identified historic or cultural resources in the annexation area.*

**<u>Annexation Agreement</u>**: The Annexation Policy Plan establishes a requirement for an Annexation Agreement to be approved by the City which addresses conditions regarding, but not limited to, zoning, land use, density, affordable housing, and infrastructure. A copy of the draft annexation agreement is attached to this report as Exhibit E. The Planning Commission forwarded a positive recommendation on annexation agreement to City Council on May 10, 2006.

**<u>Departmental Review</u>:** This matter has been reviewed by City staff including the Planning, Engineering, Building, Public Works, and the Legal Departments.

**<u>Recommendation</u>:** The Planning Department recommends that Council to adopt the ordinance the approving the Intermountain Healthcare/USSA/Burbidge Annexation and as further reflected in the attached Annexation Agreement, in a form approved by the City Attorney.

**Exhibits under separate cover. For copies, contact Jan Scott 435-615-5007.**

Exhibit A – Location Map
Exhibit B – Annexation Map
Exhibit C – November 7, 2005 Annexation Fiscal Impact Analysis
Exhibit D - November 6, 2005 Horroacks Engineers Quinns Junction SR-248 Access Study
Exhibit E – Annexation Agreement

Ordinance No. 06-

**AN ORDINANCE ANNEXING APPROXIMATELY 157 ACRES OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF THE STATE ROUTE 248/US-40 INTERCHANGE IN THE QUINNS JUNCTION AREA KNOWN AS THE INTERMOUNTAIN HEALTHCARE/USSA/BURBIDGE ANNEXATION, INTO THE CORPORATE LIMITS OF PARK CITY, UTAH.**

WHEREAS, on November 3, 2004, Intermountain Healthcare, United States Ski and Snowboard Association (USSA), and Burbs, LLC filed an annexation petition, as shown on the attached Annexation Plat, Exhibit A (Property), requesting Park City to annex the Property to the City subject to the Master Planned Development review process as outlined in the Land Management Code;

WHEREAS, the Property is included within the Park City Annexation Expansion Area; and

WHEREAS, the requested zoning, Community Transition (CT)-MPD is consistent with the Park City General Plan and Quinns Junction Joint Planning Principles; and

WHEREAS, an application for a Master Planned Development was submitted with the annexation petition, that includes a proposal for community hospital and support medical offices; USSA headquarters and training facility; one 15 acre lot deeded to the City upon which the City would contemplate future expansion of its recreation complex; and one 5 acre lot deeded to the City upon which the applicant will construct affordable/employee housing units.

WHEREAS, the proposed maximum density in the Community Transition District is 3 units/acre; and

WHEREAS, the proposed total density at build-out for the annexation area is 535,000 square feet; and

WHEREAS, the proposed maximum density for the annexation area is 2.64 units/acre; and

WHEREAS, the proposed annexation provides over 80% open space; and

WHEREAS, the City Council established the IHC/USSA/Burbidge Annexation Task Force (Resolution No. 21-05) on July 14, 2005 for purposes of formulating specific recommendations to the Planning Commission and City Council relating to the annexation's proposed zoning, land uses, affordable housing, transportation, and community economic/fiscal impacts.

WHEREAS, the Task Force forwarded a unanimous positive recommendation to the Planning Commission on a new zoning district to apply to the annexation area, the Community Transition (CT) District which includes specific provisions addressing affordable housing on October 27, 2005; and

WHEREAS, the Task Force forwarded a unanimous positive recommendation to the Planning Commission on the annexation's economic impact/fiscal analysis on November 10, 2005; and

WHEREAS, the Task Force forwarded a unanimous positive recommendation to the Planning Commission on traffic and transportation impacts and mitigation on December 8, 2005; and

WHEREAS, the Planning Commission, after proper notice, conducted a public hearing on May 10, 2006, following which the Planning Commission voted to forward a positive recommendation on the proposed annexation and zoning designation to the City Council; and

WHEREAS, the Park City Council accepted the Intermountain Healthcare/USSA/Burbidge petition for annexation on November 18, 2004; and

WHEREAS, the City reviewed the petition against the criteria stated in Sections 10-2-403 (2), (3), and (4) of the Utah Code, annotated 1953 as amended, and finds that the petition complies with all applicable criteria of the Utah Code; and

WHEREAS, On December 6, 2004, the City Recorder certified the annexation petition and delivered notice letters to the "affected entities" required by Utah Code, Section 10-2-405, giving notice that the petition had been certified and the required 30-day protest period had begun; and

WHEREAS, no protests have been filed by any "affected entities" or other jurisdictions; and

WHEREAS, an Annexation Agreement has been negotiated before the City and Petitioner pursuant to the Land Management Code, Section 15-8-5C setting forth further terms and conditions; and

WHEREAS, on June 29, 2006 after proper notice, the City Council conducted public hearings and took public testimony on the matter, as required by law; and

WHEREAS, the Property is not included within any other municipal jurisdiction;

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

SECTION 1. ANNEXATION AGREEMENT. Council hereby authorizes the Mayor to execute the Annexation Agreement in substantially the same form as is attached hereto as Exhibit B and as approved by the City Attorney.

SECTION 2. ZONING MAP AMENDMENT. The official Zoning Map of Park City, adopted pursuant to Section 15-1-5 of the Park City Land Management Code, is hereby amended to include the IHC/USSA/Burbidge Annexation as depicted in Exhibit A.

SECTION 3. ANNEXATION. The Property is hereby annexed to the corporate limits of Park City, Utah according to the annexation and zoning plat executed in substantially the same form as it attached hereto as Exhibit A. The Property so annexed shall enjoy the privileges of Park

City as described in the Annexation Agreement attached as Exhibit B and shall be subject to all City levies and assessments as described in the terms of the Annexation Agreement. The Property shall be subject to all City laws, rules and regulations upon the effective date of this Ordinance. The property is not yet, however, annexed into the Park City Water Service District.

<u>SECTION 4. COMPLIANCE WITH STATE LAW, GENERAL PLAN, AND ANNEXATION POLICY PLAN.</u> This annexation meets the standards for annexation set forth in Title 10, Chapter 2 of the Utah Code, the Park City General Plan, and Land Management Code--Chapter 8: Annexation.

<u>SECTION 5. EFFECTIVE DATE.</u> This Ordinance shall take effect upon recordation of this Ordinance and annexation plat and filing pursuant to the Utah Code Annotated Section 10-2-425.

PASSED AND ADOPTED this 29th day of June 2006.

# City Council Staff Report

**Author:** Patrick Putt

**Subject:** Zoning Map Amendments

**Date:** June 29, 2006

**PLANNING DEPARTMENT**

**Summary Recommendations:**
Staff recommends that City Council adopt the ordinance amending the Official Zoning Map of Park City, Utah.

**Background:**
Land Management Code, Section 151-1-5: Zoning Map Adopted specifies that the zoning map for Park City is adopted by the City Council and executed by the Mayor. Amendments to the Official Zoning Map require re-execution of the existing map with the amendments.

There have been a number of recent zone changes and annexations which have by approved by the City. Among these actions are:

- Creation of the Public Use Transition (PUT) District and rezoning portions of City-owned property to PUT.
- Rezoning of portions of Sunnyside Subdivision from Residential Development
- (RD) to Single Family (SF)
- National Abilities Center/City Recreation Complex Annexation.
- Spiro Annexation (Silver Star)
- IHC/USSA/Burbidge Annexation and Community Transition (CT) Zone
- Definitive development boundaries in Flagstaff Annexation (Empire Pass)

The City's Information Technology (IT) Department has worked with the Planning Department to update the Official Zoning Map to reflect the above-listed City zoning actions and make technical corrections to the map. The individual lots and parcels in the City are shown, generally making the map easier to read.

The Planning Commission held a public hearing on May 10, 2006 to review and take public comment on the proposed amendments. No public comment was received. Following the public hearing, the Planning Commission forwarded a positive recommendation on the proposed amendments to the City Council.

**Recommendation:**

The Planning Department recommends that City Council adopt the ordinance amending the Official Zoning Map of Park City, Utah per the Planning Commission's May 10, 2006 recommendation.

**Ordinance No. 06-**

**AN ORDINANCE APPROVING AN AMENDMENT TO THE OFFICIAL ZONING MAP FOR PARK CITY, UTAH .**

WHEREAS, the Land Management Code, Section 15-1-5: Zoning Map Adopted specifies that the Official Zoning Map for Park City be adopted by the City Council; and

WHEREAS, the Land Management Code, Section 15-1-5: Zoning Map Adopted specifies that upon amendment to the Official Zoning Map, the mayor shall execute a new map, or re-execute the existing map with amendments noted thereon; and

WHEREAS, the City has recently adopted new zoning Districts including the Community Transition (CT) District and the Public Use Transition (PUT) District;

WHEREAS, the City has recently rezoning of portions of Sunnyside Subdivision from Residential Development (RD) to Single Family (SF); annexed the National Abilities Center/City Recreation Complex and Spiro Tunnel properties; and

WHEREAS, the City has approved an ordinance annexing approximately 157 acres of land in the Quinns Junction area known as the Intermountain Healthcare/USSA/Burbidge Annexation and has zoned the property Community Transition (CT)-MPD; and

WHEREAS, the Planning Commission held a public hearing on May 10, 2006, to receive input on the proposed amended Official Zoning Map For Park City, Utah; and

WHEREAS, the Planning Commission, on May 10, 2006, forwarded a positive recommendation on the proposed amended Official Zoning Map for Park City to the City Council; and

WHEREAS, on June 29, 2006, the City Council held public hearings to receive input on the proposed amended Official Zoning Map For Park City, Utah; and

WHEREAS, it is in the best interest of Park City, Utah to approve this amendment to the official Park City Zoning Map for Park City, Utah.

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

SECTION 1. APPROVAL. The official Zoning Map of Park City, Utah is hereby amended as shown in the attached exhibit, subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Land Management Code, Section 15-1-5: Zoning Map Adopted specifies that the Official Zoning Map for Park City be adopted by the City Council.
2. The Land Management Code, Section 15-1-5: Zoning Map Adopted specifies that upon amendment to the Official Zoning Map, the mayor shall execute a new map, or re-execute the existing map with amendments noted thereon.
3. The City has recently adopted new zoning districts, including the Community Transition (CT) District and the Public Use Transition (PUT) District;
4. The City has recently rezoned portions of Sunnyside Subdivision from Residential Development (RD) to Single Family (SF) and annexed the National Abilities Center/City Recreation Complex and Spiro Tunnel properties.
5. The City has approved an ordinance annexing approximately 157 acres of land in the Quinns Junction area known as the Intermountain Healthcare/USSA/Burbidge Annexation and has zoned the property Community Transition (CT)-MPD.
6. The Planning Commission held a public hearing on May 10, 2006, to receive input on the proposed amended Official Zoning Map For Park City, Utah; and
7. The Planning Commission, on May 10, 2006, forwarded a positive recommendation on the proposed amended Official Zoning Map for Park City to the City Council.
8. The City Council held a public hearing on June 29, 2006 to receive input on the proposed amended Official Zoning Map For Park City, Utah.

Conclusions of Law:

1. There is good cause for this Zoning Map amendment.
2. The Zoning Map amendment is consistent with the Park City Land Management Code and General Plan.

Conditions of Approval:

1. This Zoning Map amendment is contingent upon approval by the City Council of the Intermountain Healthcare/USSA/Burbidge Annexation.

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

PASSED AND ADOPTED this 29th day of June 2006.