

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 17, 2012**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, May 17, 2012.

Closed Session

2:00 p.m. Property and litigation

Work Session

3:30 p.m.	Council questions/comments	
3:40 p.m.	Round Valley reservoir testing	P. 8 - 13
4:10 p.m.	Nominations to the Historic Site Inventory	P. 14 - 18
4:25 p.m.	Capital Improvements Budgets	P. 19 - 48
	• CIP alternative matrix • OTIS update • Downtown projects	
	Revenue and taxation policy	
5:50 p.m.	Break	

Regular Meeting

6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III PUBLIC INPUT (*Any matter of City business not scheduled on the agenda*)

IV MINUTES OF MEETINGS OF APRIL 26, 2012 AND MAY 3, 2012 P. 49 - 68

V NEW BUSINESS

1. Consideration of a Resolution designating May 14 – 19, 2012 as National Invasive Weed Awareness Week in Park City, Utah P. 69 - 70
2. Consideration of an Ordinance amending the plat for 573 Main Street and 564/572 Park Avenue, Park City, Utah
 - (a) Public hearing
 - (b) Motion to continue to June 7, 2012
3. Consideration of an Ordinance approving the 7700 Marsac Avenue Subdivision, Park City, Utah
 - (a) Public hearing
 - (b) Motion to continue to a date uncertain
4. Consideration of an Ordinance approving a condominium conversion for the 7700 Marsac Avenue Subdivision, Park City, Utah

- (a) Public hearing
 - (b) Motion to continue to a date uncertain
- 5. Consideration of an Ordinance amending the 200 Ridge Avenue Subdivision, Park City, Utah
 - (a) Public hearing
 - (b) Motion to continue to a date uncertain
- 6. Public hearing on the issuance and sale of up to \$5,000,000 aggregate principal amount of water revenue bonds of the City; and providing for related matters P. 71 - 85
- 7. Consideration of an Ordinance annexing approximately 29 acres of property located in the southwest corner of the SR248 and US40 interchange in the Quinn's Junction Area, known as the Quinn's Partnership Annexation, into the corporate limits of Park City, Utah and amending the Official Zoning Map of Park City to rezone the property Community Transition with a Regional Commercial Overlay designation P. 86 - 280
 - (a) Public hearing
 - (b) Motion to continue to May 24, 2012
- 8. Consideration of a Resolution adopting the Revised Budget for Fiscal Year 2012-2013 and the Proposed Budget for Fiscal Year 2013-2014 for Park City Municipal Corporation and its related agencies P. 19 - 48
 - (a) Public hearing
 - (b) Motion to continue to May 24, 2012

VII ADJOURNMENT

Closed Session

Property and litigation

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m.

Posted: 05/14/12

See www.parkcity.org

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 24, 2012**

TENTATIVE

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, May 17, 2012.

Work Session

- 2:00 p.m. Council questions/comments
- 2:10 p.m. Tour of Utah
- 2:30 p.m. Air quality
- 3:00 p.m. Continuation of Capital Improvement Program Budgets
Operating expenditures
 - Strategic Plan Team presentations
- 4:15 p.m. Historic Preservation Board interviews

Regular Meeting

6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*

IV CONSENT AGENDA *(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon under "Additional Discussion – Agenda Items")*

1. Consideration of Amendment No. 3 to the contract with Stanley Consultants for the design and construction management of the Empire Avenue Re-construction of Empire Avenue Project in the amount of \$XX, in a form approved by the City Attorney
2. Consideration of Contract Award for Police Solar Array (not to exceed \$113,500 – grant funding), in a form approved by the City Attorney

V NEW BUSINESS

1. Consideration of an Ordinance approving the 80 Daly Avenue plat amendment located at 80 Daly Avenue, Park City, Utah
 - (a) Public hearing
 - (b) Action
2. Consideration of award of contract with XX in the amount of \$XX for the reconstruction of Empire Avenue, in a form approved by the City Attorney
3. Consideration of an Ordinance annexing approximately 29 acres of property located in the southwest corner of the SR248 and US40 interchange in the Quinn's Junction Area, known

as the Quinn's Partnership Annexation, into the corporate limits of Park City, Utah and amending the Official Zoning Map of Park City to rezone the property Community Transition with a Regional Commercial Overlay designation

- (a) Public hearing
- (b) Possible action

4. Consideration of a Resolution adopting the Revised Budget for Fiscal Year 2012-2013 and the Proposed Budget for Fiscal Year 2013-2014 for Park City Municipal Corporation and its related agencies

- (a) Public hearing
- (b) Motion to continue to June 7, 2012

5. Consideration of an appeal of the rejection of the crack seal bid submitted by Bonneville Asphalt and Repair relating to the 2012 Pavement Management Program

- (a) Presentation by appellant
- (b) Response from staff
- (c) Action

6. Consideration of acceptance of the 2012 Pavement Management Program and authorization to enter into professional services agreements, approved in form by the City Attorney: (list contracts)

VI ADJOURNMENT

Closed Session Property and litigation

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m.

Posted: 05/21/12

See www.parkcity.org

Note: This future meeting schedule is TENTATIVE and subject to change.

May 2012

- 31 Regular meeting 5 p.m.
Budget – work and public hearing
PRI-Kimball Conservation Easement
Open space endowment
Master Festival License Silver Star summer concert series – Plaza Palooza
Real estate purchase contract with GreenPark Cohousing
Balanced Growth Study findings – work – (90 min)

June 2012

- 7 Budget – work and public hearing
High altitude training – study session
Emergency planning and wildfire
Post office mail box discussion
Recreation survey (1 hour)
Ordinance – 573 Main Street and 564/572 Park Avenue plat amendment
Community Covenant Resolution
Park City Heights construction agreement
14 Budget – work and public hearing
21 (Regular meeting begins at 5 p.m. and limited to budget)
28 Ice Arena update

July 2012

- 5 **No meeting**
12
19 Bonanza Park Plan update
26

August 2012

- 2 **No meeting – Dana gone**
9
16
23
30

September 2012

- 6
13
20
27

Pending Items:

interviews/appointments

- BOA
- HPB
- Planning Commission
- Library Board
- PAAB

Event discussion

RDA Strategic Plan

Resolution establishing a strategic plan for City-owned property with development potential in Park City, Utah and repealing and replacing Resolution No. 22-05 in its entirety

Study sessions:

Rocky Mountain Power substation

Sundance Policy

Night Sky Ordinance

Hispanic issues

Business recruitment

Budget Calendar

May 3

Work Session

- Presentation of the Tentative Budget
 - Budget Overview & Timeline
 - Update of Financial Impact Report (FIAR)
- Revenue/Expenditure Summary

Regular Meeting

- [Public Hearing on the Tentative Budget](#)

May 17

Work Session

- CIP Budgets
 - CIP Alternative Matrix
 - OTIS Update
 - Downtown Projects
- Revenue & Taxation Policy

Regular Meeting

- [Public Hearing on the Tentative Budget](#)

May 24

Work Session

- Continuation of CIP Budgets
- Open space easements and endowments
- Operating Expenditures
- Strategic Plan Team Presentations

Regular Meeting

- [Public Hearing on the Tentative Budget](#)

May 31

Work Session

- Operating Expenditures
- Strategic Plan Team Presentations
- Benefits
 - Pay plan
 - URS-Retirement
 - Health Insurance

Regular Meeting

- [Public Hearing on the Tentative Budget](#)

June 7

Work Session

- Personnel Policies and Procedures (P&P) Manual
- Fee Changes
 - Administrative Interfund Transfers
 - Special Event Fees
 - Other Fees
- City Fee Resolution
- Council Compensation
- Budget Policies
- Outstanding Budget Issues
- Adopt CEMP update by resolution

Regular Meeting

- Adoption of the Personnel P&P Manual by Resolution
- [Public Hearing on the Tentative Budget](#)
- Adoption of the Tentative Budget
- [Public Hearing on the City Fee Schedule](#)
- Adoption of the City Fee Schedule by Resolution
- [Public Hearing on Council Compensation](#)
- Adoption of Council Compensation Resolution
- Adopt CEMP update by resolution

June 14

Work Session

- Outstanding Budget Issues (if necessary)

Regular Meeting

- [Public Hearing on the Final Budget](#)

June 21

Work Session

- Presentation of the Final Budget
- Outstanding Budget Issues

Regular Meeting

- [Public Hearing on the Final Budget](#)
- Adoption of the Final Budget by Resolution

Redevelopment Agency Meeting

- [Public Hearing on the RDA Budgets](#)
- Adoption of the RDA Budgets by Resolution

Municipal Building Authority Meeting

- [Public Hearing on the MBA Budget](#)
- Adoption of the MBA Budget by Resolution

* Schedules and topics subject to change



City Council Staff Report

Subject: Round Valley Planning
Author: Clint McAfee, Water Manager
Department: Water
Date: May 17, 2012
Type of Item: Work Session

Staff Recommendation:

Staff recommends allowing testing to be conducted in Round Valley as a part of the Round Valley Reservoir feasibility study, pursuant to the due diligence agreement for the Western Summit County Wholesale Water Importation Project (WSCWWIP).

Topic/Description:

By way of background, PCMC's Water Strategic Plan which City Council approved includes the following list. The Water Strategic Plan addresses:

Water Rights, Leases, and Agreements; Source; Water Quality; and Infrastructure.

- Develop wet water in excess of build-out demand for tunnel redundancy.
- Secure additional capacity and the associated volume to deliver additional water.
- Meet or exceed all State and Federal Drinking Water Standards.
- Protect existing water sources.
- Support long term viability and improvement of East Canyon Creek and Silver Creek.
- Maximize operational efficiency.

Background:

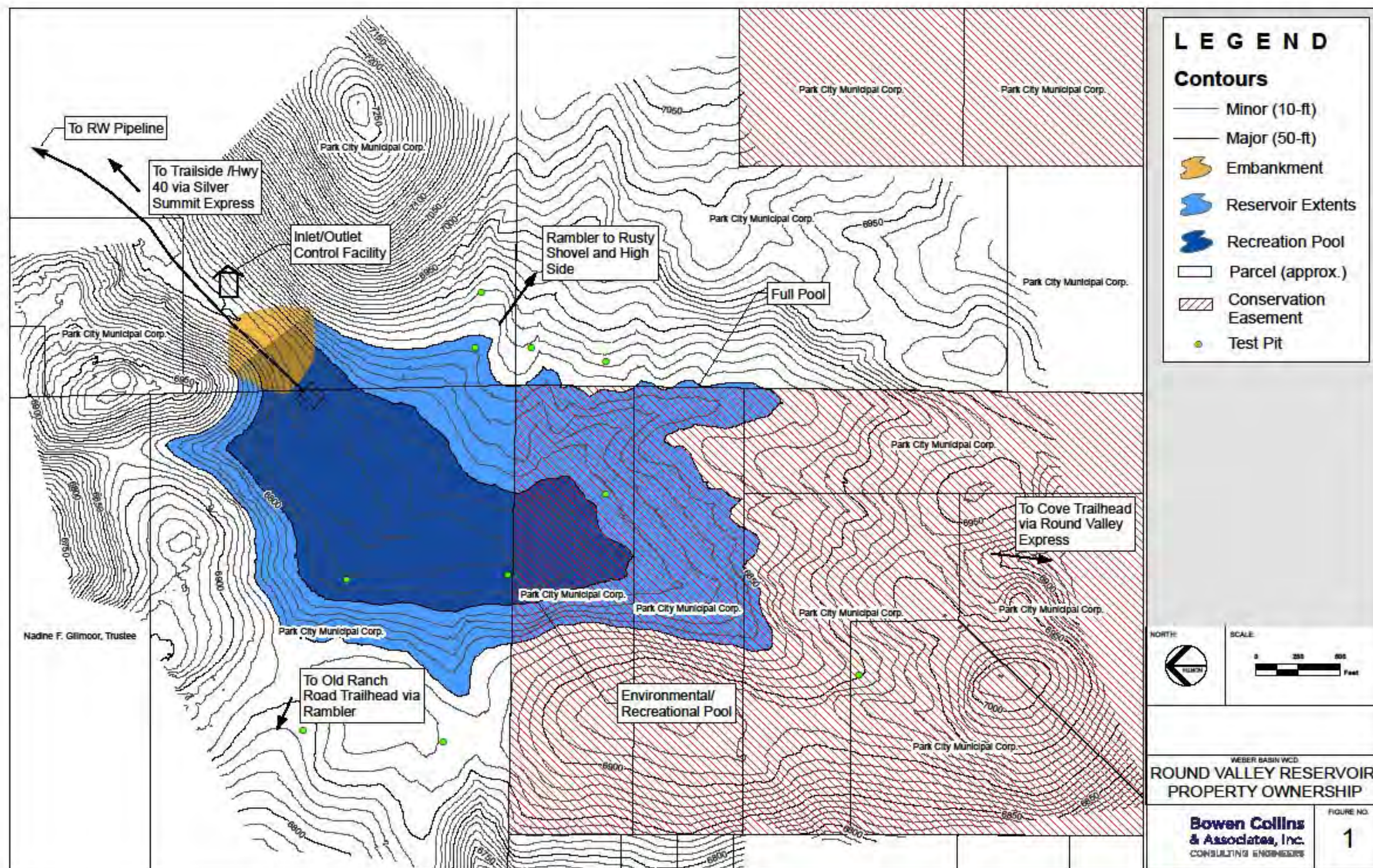
Round Valley Reservoir

In 2005, Park City, through the Corps of Engineers, completed a study on the concept of a reservoir in Round Valley entitled, "Geotechnical and Geological Preliminary Reconnaissance Study of Round Valley Raw Water Storage Facility". This study examined the Round Valley Reservoir site and its potential for a reservoir. As part of the current WSCWWIP due diligence study, WBWCD would like to conduct field work as soon as possible to further evaluate the feasibility of the site being used as an open water reservoir.

In 2003, Bond Counsel Richard Scott of Chapman and Cutler was asked to look into whether the City could use open space purchased under the 1998 Bond language for a reservoir. Mr. Scott gave the opinion that the "legality of the reservoir would be questionable," and ultimately a question of fact for the court whether it would be permitted as "recreational" v. violating the requirement to remain "forever preserved undeveloped...land."

Analysis:**Round Valley Exploration**

The proposed Round Valley Reservoir is shown on Figure 1. The site is northeast of the Park Meadows Golf Course and South of the Silver Creek Junction on US 40. The site is on land owned by Park City. The reservoir as shown would contain somewhere between 5,000 to 7,500 acre-feet of storage at a full pool elevation of 6,850-6,870 feet. The site would cover approximately 115 acres. The reservoir would store raw water from the Lost Canyon Project and from local Basin sources.



Weber Basin Water Conservancy District (WBWCD) has retained the services of Bowen Collins and Associates (BCA) to perform the work outlined below.

Tasks:

1. Review the existing design for a storage reservoir in Round Valley and develop a cost estimate of constructing the storage facility with appurtenances, including; easements, dam(s), outlet works, inlet works, water delivery locations and pipelines, and recreation facilities.
2. Evaluate options of using a raw water storage facility to augment flows in McCloud Creek and East Canyon Creek.
3. Assess the limits of mudstones (possible core and lower permeability reservoir basin materials).
4. Assess the nature of formational materials that were not observed in the outcrop during the March 30, 2012 site visit.

This work involves ten test pits at the locations shown on Figure 1 up to 12 feet deep. The test pits will be excavated with a rubber-tired backhoe and will be filled in and smoothed by the backhoe once the pit is complete. A seed mix specifically developed to match native vegetation in Round Valley will be planted on the test pits.

Communication with the public and specific stakeholders:

Staff has been in communication with the major stakeholders including Summit Lands Conservancy, Mountain Trail Foundation, Summit County, and the public. Staff has communicated to all parties the value of a reservoir from a water supply, security, and storage perspective. Staff also communicated that this is the beginning of a rigorous process where additional input will be gathered and extensive environmental studies will be conducted and that the current objective is only to complete the work described above.

Staff specifically asked the aforementioned parties if they were supportive of the testing described above. Staff made it clear that should the testing show that a reservoir would be feasible at this site, that there would be many go/no go decision points in the future, as construction of a reservoir was further considered.

A KPCW radio interview was conducted on May 10, 2012 to discuss this work and to promote an open house that was held on May 15, 2012. At the time this report was written, the open house had not occurred and as a result staff will provide a verbal summary of the open house.

The contractor will be accompanied by Park City Staff to address any inquiries from Round Valley users. Summit Land Conservancy also expressed interest in having a staff member present during the work.

Significant Impacts:

If Council approves testing, test pits will be dug with the rubber-tired backhoe. Even though staff has done significant community outreach and PCMC and Summit Land

Conservancy staff will be on site during the digging of the test pits, some members of the public may be surprised by the presence of machinery in Round Valley.

Department Review:

This Staff report has been reviewed by Public Works, Legal and the Acting City Manager.

Staff Recommendation:

Staff recommends allowing testing to be conducted in Round Valley as a part of the Round Valley Reservoir feasibility study, pursuant to the due diligence agreement for the Western Summit County Wholesale Water Importation Project (WSCWWIP).

Attachments:

Summit Land Conservancy Letter dated May 11, 2012



WE SAVE LAND

May 11, 2012

Mayor Dana Williams,
Members of the Park City Council
Diane Foster
Via email

Dear Mayor Williams, Park City Council, and Diane Foster:

The Summit Land Conservancy's Board of Directors has carefully considered the City's request to dig some test holes to explore the feasibility of a possible reservoir on the McMillian Round Valley Conservation Easement. The McMillian Conservation Easement protects the natural, scenic, recreation, and visual open spaces of this property.

The Board's understanding is that the test holes will all be dug within a two-day window. The holes will be filled in immediately and the disturbed area, including areas disturbed by the backhoe tires, will be remediated and reseeded with the Round Valley seed mix.

Since these test holes will be temporary, the presence of heavy machinery limited to only a few days, and the disturbance mitigated immediately, the Board approves this activity under these limiting parameters.

The Conservancy's approval of this activity does not constitute any position on a reservoir. We appreciate your efforts and the efforts of your staff to include the Conservancy early in this discussion and look forward to ongoing dialogue with the City.

Yours truly,

A handwritten signature in blue ink, appearing to read "C. H. W.", is placed above the title of the signatory.

Executive Director



**City Council
Staff Report**



Author: Thomas Eddington, Planning Director
Kayla Sintz, Senior Planner/Architect
Subject: Historic Sites Inventory (HSI) – Nominations
GI-12-00153
Date: May 17, 2012
Type of Item: Informational

Recommendation

Staff recommends City Council discuss the current process for nomination and keep it the same. The process by which a site is designated to the Historic Sites Inventory would still remain the same and both Landmark and Significant nominated sites would have to meet the criteria as outlined in 15-11-10 (A) (1) and (2) and 15-11-10(B). No changes are being proposed to the designation criteria. All inquiries would be made to the Planning Department to do analysis, consult with our Preservation Consultant, and determine whether to nominate a particular site before the Historic Preservation Board. The HPB has the final authority to designate any site nominated.

If Council is interested in modifying the process, staff recommends that Council provide direction to staff to return to a later work session with proposed language to modify the nomination process.

Background

Currently only building/property owners and Planning Department staff may nominate sites to the Historic Sites Inventory (HSI). The Historic Preservation Board has the ability to ultimately designate the sites to the inventory but not nominate sites.

On May 2, 2012 the Historic Preservation Board provided staff with input regarding the current Purpose Statement in the Land Management Code addressing HIS nomination. The Board was in agreement the current process for nominating sites should remain the same.

Analysis

Section 15-11-10 Land Management Code currently states:

15-11-10. PARK CITY HISTORIC SITES INVENTORY.

The Historic Preservation Board may designate Sites to the Historic Sites Inventory as a means of providing recognition to and encouraging the Preservation of Historic Sites in the community...

(B) PROCEDURE FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY

...

Any Owner of a Building (main, attached, detached or public), Accessory Building, and/or Structure, may nominate it for listing in the Park City Historic Sites Inventory. The Planning Department may nominate a Building (main, attached, detached or public), Accessory Building, and/or Structure for listing in the Park City Historic Sites Inventory. The nomination and designation procedures are as follows:

The current process is that an inquiry can be made to the Planning Department regarding a site's historic status. If the site in question is not on the HSI, the Department will do research to determine whether an intensive level survey is warranted to better understand the history of the site and whether the site does or does not qualify for the HSI.

It is important to note that once a site/building has been presented in the form of an application to the Planning Department, the site/building is vested. The historic status of the site/building cannot be changed without a Determination of Significance applied for by a property owner and/or Planning Department and reviewed by the Historic Preservation Board.

Recommendation

Staff recommends City Council discuss the current process for nomination and keep it the same. The process by which a site is designated to the Historic Sites Inventory would still remain the same and both Landmark and Significant nominated sites would have to meet the criteria as outlined in 15-11-10 (A) (1) and (2) and 15-11-10(B). No changes are being proposed to the designation criteria. All inquiries would be made to the Planning Department to do analysis, consult with our Preservation Consultant, and determine whether to nominate a particular site before the Historic Preservation Board. The HPB has the final authority to designate any site nominated.

If Council is interested in modifying the process, staff recommends that Council provide direction to staff to return to a later work session with proposed language to modify the nomination process.

Exhibits

Land Management Code Chapter 11 - Section 15-11-10 (A) and (B)

PARK CITY MUNICIPAL CODE - TITLE 15 LMC, Chapter 11 - Historic Preservation**15-11-5**

Guarantee. The funds of the Guarantee shall be used, in the City's discretion, for Historic preservation projects within the City.

(F) RELEASE OF GUARANTEE.

The Guarantee shall not be released prior to the issuance of the final Certificate of Occupancy or at the discretion of the Chief Building Official and Planning Director, or their designees, based on construction progress in compliance with the Historic Preservation Plan.

(Amended by Ord. Nos. 09-09; 09-23)

15-11-10. PARK CITY HISTORIC SITES INVENTORY.

The Historic Preservation Board may designate Sites to the Historic Sites Inventory as a means of providing recognition to and encouraging the Preservation of Historic Sites in the community.

(A) CRITERIA FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.

(1) **LANDMARK SITE.** Any Buildings (main, attached, detached, or public), Accessory Buildings, and/or Structures may be designated to the Historic Sites Inventory as a Landmark Site if the Planning Department finds it meets all the criteria listed below:

- (a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of

exceptional importance to the community; and

(b) It retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places; and

(c) It is significant in local, regional or national history, architecture, engineering or culture associated with at least one (1) of the following:

(i) An era that has made a significant contribution to the broad patterns of our history;

(ii) The lives of Persons significant in the history of the community, state, region, or nation; or

(iii) The distinctive characteristics of type, period, or method of construction or the work of a notable architect or master craftsman.

(2) **SIGNIFICANT SITE.** Any Buildings (main, attached, detached

or public), Accessory Buildings and/or Structures may be designated to the Historic Sites Inventory as a Significant Site if the Planning Department finds it meets all the criteria listed below:

(a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and

(b) It retains its Essential Historical Form, meaning there are no major alterations that have destroyed the Essential Historical Form. Major alterations that destroy the Essential Historical Form include:

(i) Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or

(ii) Addition of upper stories or the

removal of original upper stories occurred after the Period of Historic Significance, or

(iii) Moving it from its original location to a Dissimilar Location, or

(iv) Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right-of-Way.

(c) It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:

(i) An era of Historic importance to the community, or

(ii) Lives of Persons who were of Historic importance to the community, or

(iii) Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.

(3) Any Development involving the Reconstruction of a Landmark Site or a Significant Site that is executed pursuant to Section 15-11-15 of this code shall remain on the Park City Historic Sites Inventory and shall be listed as a Significant Site.

(B) PROCEDURE FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.

The Planning Department shall maintain an inventory of Historic Sites. It is hereby declared that all Buildings (main, attached, detached or public), Accessory Buildings, and/or Structures within Park City, which comply with the criteria found in Sections 15-11-10(A)(1) or 15-11-10(A)(2) are determined to be on the Park City Historic Sites Inventory.

Any Owner of a Building (main, attached, detached or public), Accessory Building, and/or Structure, may nominate it for listing in the Park City Historic Sites Inventory. The Planning Department may nominate a Building (main, attached, detached or public), Accessory Building, and/or Structure for listing in the Park City Historic Sites Inventory. The nomination and designation procedures are as follows:

(1) **COMPLETE APPLICATION.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for designation, the Planning staff shall

schedule a hearing before the Historic Preservation Board within thirty (30) days.

(2) **NOTICE.** Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.

(3) **HEARING AND DECISION.** The Historic Preservation Board will hold a public hearing and will review the Application for compliance with the "Criteria for Designating Historic Sites to the Park City Historic Sites Inventory." If the Historic Preservation Board finds that the Application complies with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached or public), Accessory Building, and/or Structure will be added to the Historic Sites Inventory. The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

(4) **APPEAL.** The Applicant or any party participating in the hearing may appeal the Historic Preservation Board decision to the Board of Adjustment pursuant to Section 15-10-7 of this Code. Appeal requests shall be submitted to the Planning Department within ten (10) days of Historic Preservation Board final action. Notice of pending appeals shall be made pursuant to Section 15-1-21 of this code. Appeals shall



City Council Staff Report

Subject: City Manager's Recommended Budget
Author: Nate Rockwood
Department: Budget, Debt, & Grants
Date: May 17, 2012
Type of Item: Informational/Discussion

Summary Recommendation:

Hold a public hearing on the City Manager's Recommended Budget. Provide direction concerning 5-Year Capital Improvement Plan (CIP), and provide preliminary direction concerning currently unfunded projects such as OTIS, Storm Water Improvements, Open Space, and Downtown Enhancements including potential funding of these projects.

Topic/Description:

FY 2012 Revised Budget, FY 2013 Proposed Budget, and FY 2014 Plan

Background:

The City usually begins the budget process in February with the City Council identifying objectives for the next year during the visioning session. This year the focus of visioning was on the strategic plans which were closely tied to the 'Budgeting for Outcomes' process.

Historically, Park City has employed an incremental style of budgeting. In this format, the budget from the prior year is basically assumed to be appropriate and serves as a starting point, or base budget. Any changes, or increments, to the base budget (whether they be an addition to or subtraction from the budget) are captured in a "budget option" and described. Typically, these budget options are the focus of budget discussions in any given year.

However, this year the City has moved to a Budgeting for Outcomes (BFO) process, which is a variation of zero-based budgeting that focuses on Council priorities and objectives as the driving factor for prioritization (as opposed to the default chronological prioritization in a base-budget). BFO is a public budgeting process which seeks to imitate Request for Proposal (RFP) procedures. By creating Strategic Plans or Outcome Areas and then receiving offers from City departments (and potentially other possible service providers) decision-makers can make better-informed decisions regarding the prioritization and cost of City services and programs.

On May 1, staff delivered the City Manager's Recommended Budget (Tentative or Proposed Budget) to City Council. A Public hearing was held on May 3rd and public hearings are currently scheduled for May 17, 24, 31, June 7, 14, and 21.

May 3 – On May 3rd the Budget Department provided an introduction of the City Manager's Recommended Budget, Budget Overview & Timeline, and provided an

update of the Financial Impact Report (FIAR). City Council was presented with an overview of the BFO process and received feedback and insight from the BFO Results Team. Discussion/action is slated for these dates as follows, barring changes as needed:

May 17 – CIP Budgets (CIP Alternative Matrix, OTIS Update, Downtown Projects), Revenue & Taxation Policy

May 24 – Operating Expenditures - Strategic Plan Team Presentations, Benefits (pay plan, URS-Retirement, Health Insurance)

June 7 – Personnel Policies and Procedures (P&P) Manual, Fee Changes, City Fee Resolution, Council Compensation, Budget Policies, Outstanding Budget Issues, Adopt CEMP update by resolution

June 14 – Outstanding Budget Issues (If necessary)

June 16 – Presentation & Adoption of Final Budget (if no property tax increase), Adoption of Provisional Budget (if property tax will be increased)

Analysis:

5-Year CIP Committee Recommendation

Being the first year of a budget biennium, the CIP Committee performed a full reprioritization of the 5 Year Capital Plan. This means that all projects, even those which have been awarded funding in previous years, were reviewed and prioritized along with new projects.

Unlike prior budget years, the City did not have a declared budget shortfall this year. At the time of prioritization, projections showed a general fund transfer to the CIP fund of approximately \$2 million for FY 2013 and 2014 and approximately \$900K from the General Fund for equipment replacement. This being the case, the Committee did not have a targeted budget cut to achieve this year as it had in past years. Nonetheless, due to the long-term projections which show lack of available operating surpluses, the amount of scrutiny involved in this process was heightened.

Ultimately, the Committee set a goal to fund projects requiring operating surplus to the tune of \$3.2 million in the current fiscal year and \$3 million in FY 2013 and 2014. The recommended project totals then taper from just under \$3 million in FY 2014 to \$2 million in FY 2017. The Committee recommendation which went to the City Manager was consistent with that goal. Unfortunately, as the level of surplus funding required for ongoing capital investment, such as asset management, equipment replacement, pavement management, etc., is just over \$2 million annually, the Committee really only had about \$1 million in each year to fund new projects. More expensive project requests which lacked a designated revenue source, such as the Downtown Enhancement Projects and OTIS, were recommended to be taken to Council as a policy discussion

outside of this prioritization process as they would require significant debt funding and adjustments to revenue to even be feasible. This discussion began with visioning and was continued in March with the Capital Preview and in April with the Capital Funding Study Session.

Consistent with the Committee's recommendation, the City Manager's Recommended Budget does not currently contain funding for the Downtown Enhancements Project or funding for OTIS in FY 2013. Following Council discussion during the budget hearings in 2011, these projects and their funding were removed from the five year capital improvement plan and the FY 2012 budget.

The total proposed CIP budget (includes all funds) for FY 2012 Adjusted Budget is \$86.4 million (\$38.8 million original budget and \$47.5 million carryforward budget). The proposed FY 2013 CIP budget is \$19.4 million. The proposed FY 2014 Plan includes \$28.1 million for capital. The General Fund surplus required to fund projects in FY 2013 will be approximately \$3 million—the majority of which is dedicated to completing current projects, ensuring the maintenance of existing infrastructure, or securing funding for previously-identified needs. Projects in these categories include Pavement Management, Trails Master Plan Implementation, Traffic Calming, Asset Management, Walkability Maintenance, Irrigation Controller Replacement, Public Art, Information System Enhancement/Upgrades, Storm Water Improvements, China Bridge Improvements & Equipment, Deer Valley Drive Reconstruction and Spriggs Barn Stabilization.

The surplus needed for FY 2014 is also \$3 million including the ongoing replacement projects and funding for the Soils Repository, Trails Master Plan Implementation, City-Wide Signs, ADA Implementation, Cemetery Improvements and Historic Preservation. Funding for the ongoing projects was adjusted or added for Public Art, Computer Equipment Replacement, Aquatic Equipment Replacement and Economic Development.

The following table details Ongoing CIP projects which rely on amounts transferred from the General Fund:

Ongoing CIP Projects with General Fund Transfer as Funding Source							
CIP #	Project Name	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
CP0006	Pavement Management Impl.	300,000	300,000	300,000	300,000	300,000	300,000
CP0036	Traffic Calming	50,000	50,000	50,000	50,000	50,000	50,000
CP0061	Economic Development	-	50,000	50,000	50,000	50,000	50,000
CP0074	Equipment Replacement - Rolling Stock	600,000	650,000	650,000	700,000	750,000	750,000
CP0075	Equipment Replacement - Computer	235,000	255,000	255,000	255,000	255,000	255,000
CP0089	Public Art	-	50,000	50,000	50,000	50,000	50,000
CP0146	Asset Management/Replacement Program	582,709	582,709	582,709	582,709	582,709	582,709
CP0191	Walkability Maintenance	45,000	45,000	45,000	45,000	45,000	45,000
CP0250	Irrigation Controller Replacement	10,000	25,000	25,000	25,000	25,000	25,000
New 13-27	Aquatics Equipment Replacement	10,000	10,000	10,000	10,000	10,000	10,000
Total		1,832,709	2,017,709	2,017,709	2,067,709	2,117,709	2,117,709

Ongoing CIP Projects from General Fund Transfer

The list below details each of the new projects recommended for funding in the 5-Year CIP for the first time this year:

New Projects Recommended in 5-Year CIP							
CIP #	Project Name	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
CP0278	Royal Street	411,969		1,000,000	750,000		
CP0279	Corridor Study and Strategic Plan	150,000					
New 13-05	Fuel Trailer	-	7,500	-	-	-	-
New 13-08	Storm Water Utility Study	-	25,000	-	-	-	-
New 13-09	Stair Removal at Marsac	-	40,000	-	-	-	-
New 13-17	PCMR Transit Center	-	-	-	1,500,000	-	-
New 13-18	Ironhorse Solar Array	585,000	-	-	-	-	-
New 13-20	Ironhorse Electronic Access Control	72,000	72,000	72,000	-	-	-
New 13-21	Ironhorse Seasonal Housing	1,875,000	-	-	-	-	-
New 13-22	Transit Signal Priority	142,385	-	-	-	-	-
New 13-23	Ironhorse Transit Facility Asset Management	180,000	180,000	180,000	180,000	180,000	180,000
New 13-24	APP Development	65,000	20,000	-	-	-	-
New 13-25	Memorial Wall	15,000	15,000	-	-	-	-
New 13-26	Cemetery Improvements	-	65,000	35,000	-	-	-
New 13-27	Aquatics Equipment Replacement	10,000	10,000	10,000	10,000	10,000	10,000
New 13-29	Parking System Software	-	98,000	-	-	-	-
New 13-31	Spriggs Barn	-	23,312	-	-	-	-
New 13-32	Police Solar PV Array	113,500	-	-	-	-	-
New 13-35	Staff Interactive Budgeting Software	200,000	-	-	-	-	-
New 13-36	Parking Wayfinding	30,000	30,000	30,000	-	-	-
New 13-37	Historic Preservation	300,000	-	400,000	-	-	-
New 13-38	Raw Water Line and Tank	-	258,750	-	-	-	-
New 13-39	Irrigation Screening Facility	-	517,500	2,785,185	3,991,384	-	-
New 13-40	Scada and Telemetry System Replacement	-	-	-	-	-	950,149
New 13-41	Deer Valley Drive - Water Infrastructure	-	776,250	803,419	-	-	-
New 13-42	Empire Tank Replacement	-	-	-	554,359	803,266	-

Recommended New CIP Amounts

The following figure shows proposed new projects that were not recommended for funding in the 5-Year CIP. Many of the projects not recommended for funding are recommended for funding through other sources such as Asset Management, operating budgets, or other CIP projects:

New Projects Not Recommended in 5-Year CIP							
CIP #	Project Name	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
New 13-01	Arson Inspection Equipment (Operating Request)	-	5,000	-	-	-	-
New 13-02	McPolin Farm Shed (Asset Management)	15,000	-	-	-	-	-
New 13-03	EDEN Permits Mobile Web Extensions (IT Budget)	-	6,200	900	900	900	900
New 13-04	Overhead Doors Fleet Shop (Asset Management)	-	95,000	-	-	-	-
New 13-07	Engineering Incubator (streets will cover one time snow melt)	-	8,000	-	-	-	-
New 13-10	Monument Reestablishment	-	10,000	-	-	-	-
New 13-12	Historic Wall on Hillside	-	75,000	-	-	-	-
New 13-14	Side Walk Plow (adj. cp0074) 2012 Snow Removal Savings	-	140,000	-	-	-	-
New 13-15	Jet Vac Truck (adj. cp0074)	-	-	340,000	-	-	-
New 13-16	Dumpster Screening (Covered by cp0047 & cp0263)	-	60,000	-	-	-	-
New 13-19	Mobile Command Post (MCP)	-	50,000	50,000	35,000	-	-
New 13-28	Update Ice Arena Security System (Asset Management)	25,000	-	-	-	-	-
New 13-33	Main Street Wireless	-	50,000	50,000	-	-	-
New 13-34	Bonanza Park RDA - Internet Upgrades	-	50,000	50,000	-	-	-

Not Recommended New CIP Amounts

The following are brief descriptions of major capital projects currently funded in the City Manager's Recommended Budget. Descriptions of all capital projects are located in Volume II of the City Manager's Recommended Budget. New project descriptions are located in attachment B. Transportation and Water Fund projects will be discussed in detail during the May 24th Work Session.

Royal Street Repairs

During the spring of 2011, a section of road approximately 500 feet in length started to slide. This section was evaluated and determined to have slid because of excess moisture in the soil. Because of a tight time constraint, this section was temporarily repaired in the fall of 2011. It is anticipated that the temporary repairs will hold the road in place for at least three to four years.

This section of the road is held in place by an existing gabion basket retaining wall. During the evaluation of the slide, the stability of the gabion basket retaining wall was questioned by the geotechnical engineering consultant. Their final report recommended removal and replacement of the gabion basket retaining wall. This CIP is to replace the existing retaining wall with a more conventional wall.

It should be noted that the temporary repairs were designed so they could be used as the shoring wall during construction for the permanent replacement of the retaining wall.

Historic Preservation

For FY 2012, Planning is requesting \$300,000 to ensure the viability of the National Register District (Main Street District). This includes: an analysis of buildings that have been altered with a proposal to re-establish their architectural integrity, a modification to the geographic boundaries of the NR Historic District, and nominations for the NR for buildings that fall out of the geographic boundary. Simultaneously, we propose to conduct Intensive Level Surveys for all local designated Landmark Sites and ensure that they are on the National Register of Historic Places.

For FY 2014, Planning is requesting \$400,000 to conduct Intensive Level Surveys for all buildings nominated and/or listed in the National Register of Historic Places through the Mining Boom Era Residences Thematic District (+/- 100 sites). In addition, Intensive Level Surveys would be completed for all locally designated Significant Sites (+/- 155 sites). The completion of these surveys will provide the information the Department needs to better understand the entire historic inventory the City possesses.

Budgeting and Performance Management Software

Once an organization achieves significant size or complexity, custom home grown systems and traditional spreadsheets become less effective for budgeting and reporting. Embedded inconsistencies, reflecting each spreadsheet creator, may multiply with every budget request from managers. Versions circulating via email often require manual data manipulation, scrubbing, and re-processing efforts. Manual processes pose a significant drag on managers' productivity and cause delays. These complexities

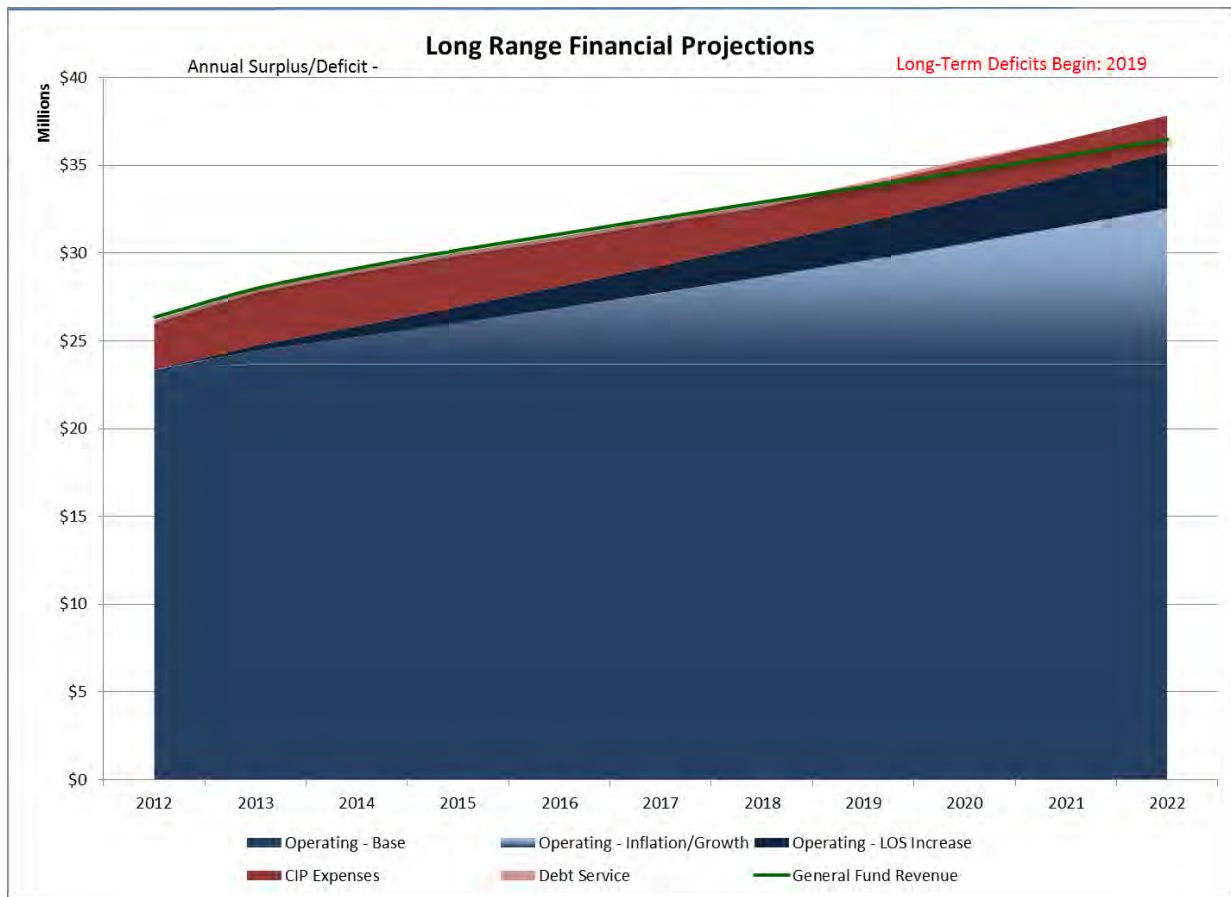
were highlighted this year by the technological hurdles of separating out department budgets into BFO (budgeting for outcomes) programs and then having those changes filter into each bid, which proved to be cumbersome and frustrating.

New software will provide an all-in-one mechanism for BFO, reporting, and dashboards (visual overview of city budget and performance) as well as incremental budgeting if needed. This will make it easier to combine personnel budgeting, operating budget creation, forecasting and planning, capital budget creation, and performance management and budgeting into one centralized hub.

The software will make it easier for the end-users (managers) to budget more efficiently, monitor their budgets throughout the fiscal year in a visualized format, track performance measures better, and overall save valuable time. The software will help systemize the budget process and provide a more streamlined and structured business continuity for the Budget Dept in case of turnover in the future. Also, budget graphs and charts would be available online as well as on apps for tablets and smartphones. There will be a transparency in structure and availability of data unlike anything the City has ever had before that will enhance communication throughout the City and to Council and the community.

Long Term Budget Strategy

The City Manager's Recommended Budget was constructed drawing upon Council input and direction received during Visioning. During the visioning session, Council was presented with the FIAR projection of the City's revenues over the next ten years. The 10 year revenue and expenditure projection was shown graphically with the Capital Planning Model. The Capital Planning Model is an interactive model containing the current City Manager's recommended operating and capital budget and has the ability to show proposed unfunded capital projects and new potential revenue sources.



Long Range Financial Projections

During Visioning and the recent study session on capital project funding, Council discussed the idea of matching potential new revenue sources with new projects. The intent being that projects could be funded with revenue sources which closely match the targeted users or general beneficiaries of the project. For example, resort sales tax or a transient room tax might be matched to downtown enhancement projects which would benefit businesses and visitors in the historic downtown area; while property tax might be used to fund core infrastructure projects such as street improvements, storm drain improvements, etc.

It was the intent of the capital planning study session on April 26th to use the Model to discuss possible capital projects and new potential funding sources. Potential new or increased revenue sources which could fund projects and were included in the Capital Planning Model are Resort Sales Tax, Transient Room Tax, General Levy Property Tax, General Obligation Bonds, and Fees such as Building, Planning, Engineering, Recreation, Special Events and other fees. It was the intent of the April 26th study session to provide an understanding of these revenue sources in order that Council might have a better framework for the capital budget hearings on May 17th and 24th. (See Attachment E - Potential Revenue Sources (Extracted from 4/26/2012 Study Session Report)

Currently Unfunded Projects

What follows is a listing of major capital issues for which there is insufficient funding projected over the next ten years. These projects are not included in the Capital Improvement Plan or the City Manager's Recommended Budget.

Old Town Improvement Study (OTIS) Projects

In 2002 the City conducted a study of street reconstruction needs in the Old Town area. To date, the City has carried out 7 of the 22 projects identified in the 2002 study. The Study was updated in 2011 and a revised cost estimate and schedule have been presented to Council. It is anticipated that the remaining projects will require approximately \$9 - \$10 million over the next 10-12 years (including water infrastructure estimated costs are \$13 – \$14 million). A detailed description of the OTIS projects and cost are located in attachment C.

Stormwater Capital Projects

The stormwater CIP was developed through the creation of a storm water master plan. This master plans three fold purpose was to map the existing current storm water infrastructure, develop a computer simulation model for future build-out analysis and identify deficiencies (collapsed pipes, corroded pipes and undersized pipes and detention facilities). The storm water CIP list are projects that address the deficiencies found in our current stormwater system and future needs capital needs due to build-out of the City.

Over the next ten years, the master plan anticipates an expenditure of \$7 - \$10 million to fix and maintain our existing systems. These repairs include replacing a collapsed section of pipe in Deer Valley Drive and replacing sections of the Park Avenue storm drain, which is the heart of our system and in an extremely deteriorated condition. Please note that the storm water master plan is not a current or anticipated future EPA requirement. Although it is not an EPA mandate, the storm water system is important to the environmental health of the City and is consistent with Council's goals.

A separate issue that staff is addressing are the potential future Phase II stormwater requirements that may be mandated by the EPA. The Phase II stormwater program deals with the permitting of our stormwater discharge and the *quality* of the water that is being discharged. Whereas the stormwater master plan addresses the *quantity* of water being discharged. The Phase II stormwater program is mostly administrative and enforcement. If Park City is required to meet EPA stormwater quality requirements, the City will have future-operating budget implications associated with these two elements. It should be noted that the Phase II stormwater program will not require the need for large capital infrastructure upgrades.

To date Park City is not mandated to comply with the Phase II program. Anticipated inclusion in the program ranges from two years up to 12 years. Staff is currently trying to prepare and plan for the program if it occurs within the next three years.

Open Space Endowment

On March 29, 2012 City Council and staff discussed the possibility of an open space endowment for Summit Land Conservancy for the ongoing stewardship and monitoring of Park City's conservation easements. The currently proposed endowment would consist of 3 annual contribution of \$500,000 starting in FY2013 and ending in FY2015 for a total endowment of \$1,500,000. Per Council direction, staff is planning on returning to Council on May 31st to further discuss this item.

Additional Open Space

City Council has continued to evaluate available open space acquisitions. While specific property has not yet been specifically targeted for purchase, it is reasonable to assume that open space acquisitions could range from \$10 - \$15 million. In the past, the City has issued Open Space GO bonds as a funding source.

Recreation Capital Projects

PCMC, PCSD and Basin Recreation recently completed a technical needs assessment for local recreation priorities. The findings will be supplemented with a community wide phone survey. We anticipate recommendations for at least one major facility with a minimum budget of \$5M that could be shared between the parties. Likely candidates may be a pool or an indoor recreation facility.

Historic Park City/ Main Street Projects

The HPCA/Main Street Improvement projects include the construction and re-construction of a number of plaza, sidewalks, bulb-outs, walkways, crosswalks, dumpster enclosures and streetscape elements on Main Street, Swede Alley, Heber Avenue and a small portion of Park Avenue. It is anticipated that there will be projects with short, mid and long term completion or goals. A committee of staff, architects and HPCA members are currently in the process of developing conceptual plans and cost estimates for the proposed improvements. Based on funding, the project(s) scope may range from \$5 - \$12 million and be completed over 5 to 10 years. The scope will need to be further defined to produce accurate budgets. (A proposed budget and phasing strategy plan is included in attachment D)

Quinn's Sports Complex Phase III

Construction of one multi-purpose field (softball & rectangular field), an additional softball field, scoreboards, and approximately 100 parking spaces, field lights for two fields, paved trails, sidewalks, associated utilities and landscaping. The project may also include additional restrooms, locker rooms, and additional field lights. These improvements are estimated at approximately \$2.7 million. This project was originally funded through the CIP Budget and intended to be built in FY 10. It was defunded to prioritize the Park City Heights project.

Department Review:

Budget, Debt, & Grants Department, Sustainability, Legal and Acting City Manager.

Alternatives:**A. Approve:**

Staff recommends that Council hold a public hearing regarding the Proposed Budget. Provide direction regarding to 5-Year CIP.

B. Deny:

State statute requires at least one public hearing before the adoption of a Tentative Budget. The City has traditionally held a public hearing accompanying each discussion of the budget. If Council decides to forgo a public hearing at this time, another must be held before adoption of the Tentative Budget.

C. Modify:**D. Continue the Item:**

This has the same effect as Alternative B.

E. Do Nothing:

This also has the same effect as Alternative B.

Significant Impacts:

This public hearing would satisfy the requirements of state statute to hold a public hearing before the adoption of a tentative budget.

Consequences of not taking the recommended action:

If Council decides to forgo a public hearing at this time, another must be held before adoption of the Tentative Budget.

Recommendation:

Hold a public hearing on the City Manager's Recommended Budget. Provide direction concerning 5-Year Capital Improvement Plan, and provide preliminary direction concerning currently unfunded projects such as OTIS, Storm Water Improvements, Open Space, and Downtown Enhancements including potential funding of these projects.

Attachments:

A – CIP Committee Recommendation

B – New Project Descriptions

C – OTIS 2012 Update

D – Historic Park City/ Main Street Projects - Proposed Budget and Phasing Strategy

E – Potential Revenue Sources (Extracted from 4/26/2012 Study Session Report)

Recommendation Threshold - 17.26

Score	CIP #	Project Name	2012	2013	2014	2015	2016	2017	2012	2013	2014	2015	2016	2017	2012	2013	2014	2015	2016	2017	
Recommended Pending Funding																					
Alternative 3																					
18.72	CP0085	Town Plaza	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
18.46	CP0270	Downtown Enhancements Phase II	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Alternative 3 Total			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Recommended Pending Funding Total			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Recommended Unscored																					
NR	CP0004	Hillside Avenue Design & Widening													-5,872	0	0	0	0	0	
	CP0007	Tunnel Improvements							85,150	311,100	228,888	233,466	238,135	242898	0	0	0	0	0	0	
	CP0010	Water Department service equipment							125,000	60,000	60,000	60,000	70,000	70000	0	0	0	0	0	0	
	CP0022	Sandridge Parking Lot	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	CP0026	Motor Change-out and Rebuild Program							25,750	25,875	26,781	27,718	28,688	29692							
	CP0030	Public Safety Complex	-7,722	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	CP0040	Water Department Deficiency Correction Projects							788,756	828,000	621,311	643,056	665,563	688858	0	0	0	0	0	0	
	CP0042	Gilmore Open Space Note	100,000	100,000	100,000	0	0	0							0	0	0	0	0	0	
	CP0043	Public Works Storage Parcel							-121,350	0	0	0	0	0							
	CP0069	Judge Water Treatment Plant.							-38,125	1,207,750	294,321	2,383,743	3,729,450	3859980	250,000	500,000	1,473,200	0	0	0	
	CP0070	Meter Radio Read							81,037	0	0	0	0	0	-21,607	0	0	0	0	0	
	CP0081	OTIS Water Pipeline Replacement Projects							128,750	1,732,797	252,806	261,657	270,815	280294							
	CP0083	Lower Norfolk & Woodside (North of 13th)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	CP0108	Flagstaff Transit Transfer Fee													250,000	0	0	0	0	0	
	CP0122	Police Wireless Network	0	0	0	0	0	0													
	CP0132	Museum Expansion							0	0	0	0	0	0	0	0	0	0	0	0	
	CP0134	Impact Fees													0	0	0	0	0	0	
	CP0136	County Vehicle Replacement Fund													60,911	62,738	64,620	66,558	0	0	
	CP0140	Water System Emergency Power Master Planning							0	130,910	0	0	0	0							
	CP0141	Boothill Transmission Line							-193,644	0	0	0	0	0	165,537	0	0	0	0	0	
	CP0156	OTIS Phase II(b)	0	0	0	0	0	0							0	0	0	0	0	0	
	CP0157	OTIS Phase III(a)													0	0	0	0	0	0	
	CP0158	OTIS Phase III(b)													0	0	0	0	0	0	
	CP0160	Ice Facility Capital Improvements	0	0	0	0	0	0							0	0	0	0	0	0	
	CP0169	Bus Stop Lights							0	0	0	0	0	0							
	CP0178	Rockport Water, Pipeline, and Storage							357,585	1,041,796	1,046,418	1,051,086	1,055,800	1060562	415,277	0	0	0	0	0	
	CP0180	Corrosion Study of Water System							-50,000	51,750	0	0	0	0							
	CP0181	Spiro Building Maintenance							70,292	0	0	0	0	0							
	CP0184	Judge/Talisker/NPDES							0	0	0	0	0	0							
	CP0185	Wind Power Grant													0	0	0	0	0	0	
	CP0195	Ice Expansion Fund													-25,000	0	0	0	0	0	
	CP0205	GIS Development	0	0	0	0	0	0													
	CP0207	LED Holiday Lighting							0	0	0	0	0	0							
	CP0214	Racquet Club Renovation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	CP0227	Park City Water Infrastructure Project							-239,327	0	0	0	0	0	5,910	0	0	0	0	0	
	CP0228	Snow Creek Affordable Housing Project							0	0	0	0	0	0	0	0	0	0	0	0	
	CP0232	Traffic Model							0	0	0	0	0	0	-32,873	0	0	0	0	0	
	CP0236	Triangle Property	0	0	0	0	0	0													
	CP0238	Quinn's Junction Transmission Lines							-25,352	0	0	0	0	0	233,079	0	0	0	0	0	
	CP0239	PC Heights Capacity Upgrade							0	0	0	0	0	0	0	0	299,943	310,441	0	0	
	CP0240	Quinn's Water Treatment Plant							0	0	0	0	0	0	3,365,229	0	374,929	2,836,282	0	2969216	
	CP0241	Promontory Pipeline							-78,611	0	0	0	0	0	0	0	0	0	0	0	
	CP0244	Transit Contribution to County							569,961	0	0	0	0	0							
	CP0246	Rink Roof for Mechanical Equipment	-25,000	0	0	0	0	0													
	CP0247	Quinn's Rec Light Visors													0	0	0	0	0	0	
	CP0248	Middle Silver Creek Water Shed	0	0	0	0	0	0													
	CP0249	Sportexe Field Snow Removal	0	0	0	0	0	0													
	CP0252	Park City Heights							35,562	0	0	0	0	0	5,500,000	0	0	0	0	0	
	CP0254	Colf Course Controller Upgrade							99,852	0	0	0	0	0							
	CP0257	FEMA Study	0	0	0	0	0	0													
	CP0259	Drainage issue at 500 DVD	-60,000	0	0	0	0	0													
	CP0261	Short Range Transit Development Plan							2,681	0	0	0	0	0	29,836	0	0	0	0	0	
	CP0271	Water Rights - Perpetual Lease							0	0	0	0	0	0	0	0	0	0	0	0	
	CP0272	Prospector Drain - Regulatory Project							0	0	0	0	0	0							
	CP0273	Landscape Water Checks							5,000	5,175	5,356	5,544	0	0							
	CP0274	PC Heights Development Infrastructure (cap expansion component)							0	0	0	0	0	0	0	221,490	229,242	0	0	0	
	CP0275	Smart Irrigation Controllers							6,000	6,210	6,427	6,652	0	0							
	CP0276	Water Quality Study							200,000	200,000	0	0	0	0	0	0	0	0	0	0	
	CP0277	Rockport Capital Facilities Replacement							105,702	114,631	114,631	114,631	114,631	114631	0	0	0	0	0	0	
	New 13-38	Raw Water Line and Tank							0	200,410	0	0	0	0	0	58,340	0	0	0	0	
	New 13-39	Irrigation Screening Facility							0	400,821	2,157,218	3,091,460	0	0	0	116,679	627,967	899,924	0	0	
	New 13-40	Scada and Telemetry System Replacement							0	0	0	0	0	950149							
	New 13-41	Deer Valley Drive - Water Infrastructure							0	776,250	803,419	0	0	0							
	New 13-42	Empire Tank Replacement							0	0	0	554,359	803,266	0							
Unscored Total			7,278	100,000	100,000	0	0	0	1,940,669	7,093,475	5,617,576	8,433,372	6,976,348	7,297,064	10,190,427	959,247	3,069,901	4,113,205	0	2969216	
Alternative 1																					
100.2	CP0021	Geographic Information Systems	0	0	0	0	0	0	6,718	0	0	0	0	0							
26.59	CP0009	Transit Coaches Replacement & Renewal							0	0	192,000	83,750	0	0	0	0	768,000	335,000	0	0	
26.09	CP0137	Transit Expansion							0	0	0	0	0	0	0	0	0	0	0	0	

Recommendation Threshold - 17.26

Score	CIP #	Project Name	2012	2013	2014	2015	2016	2017	2012	2013	2014	2015	2016	2017	2012	2013	2014	2015	2016	2017
Alternative 1 Total			0	0	0	0	0	0	6,718	0	192,000	83,750	0	0	0	0	768,000	335,000	0	0
Alternative 2																				
24.81	CP0051	Bus Maintenance & Operations Facility							0	0	0	0	0	0	0	0	0	0	0	0
24.41	CP0006	Pavement Management Impl.	300,000	300,000	300,000	300,000	300,000	300000							443,403	300,000	300,000	300,000	300,000	300000
24.07	CP0046	Golf Course Improvements							32,000	32,000	32,000	32,000	32,000	32000	0	0	0	0	0	0
24.03	New 13-22	Transit Signal Priority							28,477	0	0	0	0	0	113,908	0	0	0	0	0
24	CP0255	Golf Course Sprinkler Head Upgrade							0	75,000	0	0	0	0	0	0	0	0	0	0
23.91	CP0001	Planning/Capital Analysis	0	0	0	0	0	0							7,456	7,456	7,456	7,456	7,456	7456
23.78	New 13-21	Ironhorse Seasonal Housing							375,000	0	0	0	0	0	1,500,000	0	0	0	0	0
23.75	New 13-23	Ironhorse Transit Facility Asset Management							137,647	137,647	137,647	137,647	137,647	137647	42,353	42,353	42,353	42,353	42,353	42353
23.56	CP0091	Golf Maintenance Equipment Replacement							98,000	98,000	98,000	98,000	98,000	98000	0	0	0	0	0	0
23.29	CP0028	5 Year CIP Funding	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23.22	CP0025	Bus Shelters	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23.06	CP0155	OTIS Phase II(a)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23	CP0150	Ice Facility Capital Replacement	0	0	0	0	0	0							50,000	50,000	50,000	50,000	50,000	50000
	CP0152	Parking Meter Replacement							28,000	35,000	36,000	36,000	36,000	36000						
22.56	New 13-17	PCMR Transit Center							0	0	0	300,000	0	0	0	0	0	1,200,000	0	0
22.28	CP0216	Park & Ride (Access Road & Amenities)													0	0	0	0	0	0
22.13	New 13-29	Parking System Software							0	98,000	0	0	0	0						
22.03	CP0019	Library Development and Donations													15,831	0	0	0	0	0
21.91	CP0253	EECBG Projects													-46,000	0	0	0	0	0
21.84	CP0146	Asset Management/Replacement Program	582,709	582,709	582,709	582,709	582,709	582709	0	0	0	0	0	0						
21.81	CP0226	Walkability Implementation	0	0	0	0	0	0	0	0	0	0	0	0	7,250,000	0	0	0	0	0
21.72	CP0203	China Bridge Event Parking							0	196,000	121,000	121,000	121,000	121000						
21.41	New 13-18	Ironhorse Solar Array							117,000	0	0	0	0	0	468,000	0	0	0	0	0
21.21	CP0115	Public Works Complex Improvements	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21.16	CP0002	Information System Enhancement/Upgrades	0	65,000	0	0	0	0	0	0	0	0	0	0						
	CP0208	Snow Plow Blade Replacement	0	0	0	0	0	0	0	0	0	0	0	0						
21.09	CP0013	Affordable Housing Program							0	0	0	0	0	0	0	0	0	0	0	0
	CP0075	Equipment Replacement - Computer	235,000	255,000	255,000	255,000	255,000	255000							0	0	0	0	0	0
21	CP0176	Deer Valley Drive Reconstruction	135,000	282,593	0	0	0	0							0	217,407	0	0	0	0
Alternative 2 Total			1,252,709	1,485,302	1,137,709	1,137,709	1,137,709	1,137,709	816,124	671,647	424,647	724,647	424,647	424,647	9,844,951	617,216	399,809	1,599,809	399,809	399809
Alternative 3																				
20.91	CP0266	Prospector Drain - Regulatory Project							250,000	501,627	1,033,351	532,176	0	0						
20.75	CP0142	Racquet Club Program Equipment Replacement	0	0	0	0	0	0	50,000	50,000	50,000	50,000	50,000	50000	0	0	0	0	0	0
20.69	CP0100	Neighborhood Parks	0	0	0	0	0	0							0	15,000	0	0	0	0
20.66	CP0267	Soils Repository	400,000	0	300,000	0	400,000	0	5,500,000	0	0	0	0	0						
20.63	CP0258	Park Meadows Ponds Control Structure	0	0	0	0	0	0												
20.53	CP0118	Transit GIS/AVL system							0	0	0	0	0	0	0	0	0	0	0	0
20.34	CP0128	Quinn's Ice/Fields Phase II	0	0	0	0	0	0	0	0	0	0	0	0	25,000	0	0	0	0	0
20.16	New 13-32	Police Solar PV Array													113,500	0	0	0	0	0
20.13	CP0279	Corridor Study and Strategic Plan							100,000	0	0	0	0	0	50,000	0	0	0	0	0
20.09	CP0061	Economic Development	0	50,000	50,000	50,000	50,000	50000	0	0	0	0	0	0	25,000	100,000	100,000	100,000	100,000	100000
20.06	CP0074	Equipment Replacement - Rolling Stock	600,000	650,000	650,000	700,000	750,000	750000												
20.03	CP0168	Bus Barn Sewer Connection							0	0	0	0	0	0						
19.97	CP0047	Downtown Enhancements/Design							0	0	0	0	0	0	466,435	0	0	0	0	0
19.78	New 13-24	APP Development	65,000	20,000	0	0	0	0												
19.75	New 13-25	Memorial Wall	15,000	15,000	0	0	0	0												
19.69	CP0008	Historical Incentive Grants	0	0	0	0	0	0							0	0	0	0	0	0
19.64	CP0210	Salt Cover							0	0	0	0	0	0						
19.59	CP0278	Royal Street	0	0	0	750,000	0	0	0	0	1,000,000	0	0	0	411,969	0	0	0	0	0
19.53	New 13-20	Ironhorse Electronic Access Control	25,000	25,000	25,000	0	0	0	47,000	47,000	47,000	0	0	0						
19.16	CP0217	Emergency Management Program Startup	0	15,000	15,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19.13	CP0263	Lower Park Avenue RDA													3,000,000	3,000,000	1,250,000	0	0	0
19.11	CP0097	Bonanza Drive Reconstruction	-60,000	0	0	0	0	0							60,000	0	0	0	0	0
19.06	CP0092	Open Space Improvements							0	0	0	0	0	0	1,000,000	0	0	0	0	0

Recommendation Threshold - 17.26

Score	CIP #	Project Name	General Fund Funding						Flexible Funding						Inflexible Funding					
			2012	2013	2014	2015	2016	2017	2012	2013	2014	2015	2016	2017	2012	2013	2014	2015	2016	2017
19.04	New 13-36	Parking Wayfinding							30,000	30,000	30,000	0	0	0						
19.03	CP0041	Trails Master Plan Implementation	100,000	100,000	100,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	CP0107	Retaining Wall at 41 Sampson Ave	0	0	0	0	0	0							0	0	0	0	0	0
18.97	CP0256	Storm Water Improvments	0	80,000	0	0	0	0							0	0	0	0	0	0
18.91	CP0003	Old Town Stairs	0	0	0	0	0	0							0	0	0	0	0	0
18.86	CP0123	Replace Police Dispatch System	0	0	0	0	0	0												
18.78	New 13-08	Storm Water Utility Study	0	25,000	0	0	0	0												
18.75	CP0020	City-Wide Signs Phase I	5,000	5,000	20,000	0	0	0							5,000	5,000	30,000	0	0	0
	CP0234	General Plan Update	60,000	0	0	0	0	0												
18.69	CP0167	Skate Park Repairs							5,000	5,000	5,000	5,000	5,000	5000						
18.66	CP0171	Upgrade OH Door Rollers							0	0	0	0	0	0						
18.63	CP0251	Electronic Record Archiving	85,000	0	0	0	0	0												
18.56	CP0170	Bus Wash Rehab							0	0	0	0	0	0						
18.5	New 13-09	Stair Removal at Marsac	0	40,000	0	0	0	0												
18.47	CP0264	Security Projects	0	50,000	25,000	0	0	0							40,000	0	0	0	0	0
18.34	CP0017	ADA Implementation	10,000	10,000	10,000	10,000	0	0	0	0	0	0	0	0						
	CP0036	Traffic Calming	50,000	50,000	50,000	50,000	50,000	50000	0	0	0	0	0	0	0	0	0	0	0	0
18.31	New 13-35	Staff Interactive Budgeting Software	200,000	0	0	0	0	0												
18.29	CP0073	Marsac Seismic Renovation	0	0	0	0	0	0	-16,500	0	0	0	0	0						
18.22	CP0063	Historic Structure Abatement Fund							0	0	0	0	0	0	0	0	0	0	0	0
18.16	New 13-05	Fuel Trailer	0	7,500	0	0	0	0	0	0	0	0	0	0						
18.14	CP0262	High School Bus Sundance Transit Reconstruction	0	0	0	0	0	0	40,000	0	0	0	0	0						
18	CP0231	Mortgage Assistance Program	0	0	0	0	0	0	0	0	0	0	0	0						
17.94	CP0191	Walkability Maintenance	45,000	45,000	45,000	45,000	45,000	45000												
17.91	CP0090	Friends of the Farm													12,469	0	0	0	0	0
17.78	CP0269	Environmental Revolving Loan Fund							0	0	0	0	0	0						
17.72	New 13-27	Aquatics Equipment Replacement	10,000	10,000	10,000	10,000	10,000	10000												
17.69	CP0005	City Park Improvements							0	0	0	0	0	0	100,000	342,000	100,000	100,000	100,000	100000
17.64	CP0186	Energy Efficiency Study on City Facilities	0	0	0	0	0	0							0	0	0	0	0	0
17.59	CP0089	Public Art	0	50,000	50,000	50,000	50,000	50000	16,500	0	0	0	0	0	0	0	0	0	0	0
	CP0250	Irrigation Controller Replacement	10,000	25,000	25,000	25,000	25,000	25000												
17.53	CP0177	China Bridge Improvements & Equipment	0	90,000	0	0	0	0												
17.5	CP0229	Dredge Prospector Pond	0	0	0	0	0	150000												
17.31	CP0014	McPolin Farm	0	0	0	0	0	0	0	0	0	0	0	0	-6,553	0	0	0	0	0
17.28	CP0233	China Bridge Pocket Park													-174,435	0	0	0	0	0
	New 13-31	Spriggs Barn	0	23,312	0	0	0	0												
Alternative 3 Total			1,620,000	1,385,812	1,375,000	1,690,000	1,380,000	1,130,000	6,022,000	633,627	2,165,351	587,176	55,000	55,000	5,128,385	3,462,000	1,480,000	200,000	200,000	200000
Alternative 4																				
16.13	CP0260	Monitor and Lucky John Drainage							0	0	0	0	0	0						
	New 13-26	Cemetery Improvements	0	65,000	35,000	0	0	0												
15.75	New 13-37	Historic Preservation	300,000	0	400,000	0	0	0												
Alternative 4 Total			300,000	65,000	435,000	0	0	0	0	0	0	0	0	0						
Recommended Total			3,179,987	3,036,114	3,047,709	2,827,709	2,517,709	2267709	8,785,511	8,398,749	8,399,574	9,828,945	7,455,995	7776711	25,163,763	5,038,463	5,717,710	6,248,014	599,809	3569025

Recommendation Threshold - 17.26

Recommendation Threshold - 17.26			General Fund Funding						Flexible Funding						Inflexible Funding					
Score	CIP #	Project Name	2012	2013	2014	2015	2016	2017	2012	2013	2014	2015	2016	2017	2012	2013	2014	2015	2016	2017
Not Recommended																				
Unscored																				
NR	CP0265	Crescent Tramway Trail (included in cp0047)													0	0	0	0	0	0
	New 13-01	Arson Inspection Equipment (Operating Request)	0	5,000	0	0	0	0												
	New 13-02	McPolin Farm Shed (Asset Management)	15,000	0	0	0	0	0												
	New 13-03	EDEN Permits Mobile Web Extensions (IT Budget)	0	6,200	900	900	900	900												
	New 13-04	Overhead Doors Fleet Shop (Asset Management)	0	95,000	0	0	0	0												
	New 13-07	Engineering Incubator (streets will cover onetime snowmelt)	0	8,000	0	0	0	0												
	New 13-10	Monument Reestablishment	0	10,000	0	0	0	0												
	New 13-14	Side Walk Plow (adj. cp0074) 2012 Snow Removal Savings	0	140,000	0	0	0	0												
	New 13-16	Dumpster Screening (Covered by cp0047 & cp0263)	0	60,000	0	0	0	0												
	New 13-28	Update Ice Arena Security System (Asset Management)	25,000	0	0	0	0	0												
Unscored Total			40,000	324,200	900	900	900	900							0	0	0	0	0	0
Alternative 3																				
17.25	CP0102	Top Soil Assistance Program	0	0	0	0	0	0												
	CP0131	Conservation Reserve Program (\$10,907)													0	0	0	0	0	0
17.22	New 13-15	Jet Vac Truck (adj. cp0074)	0	0	340,000	0	0	0												
17.16	CP0268	Tire Mount/Balance Machine (FSFSTM) (\$7,500)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17.13	CP0163	Quinn's Fields Phase III	0	2,700,000	0	0	0	0							0	0	0	0	0	0
Alternative 3 Total			0	2,700,000	340,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Alternative 4																				
16.41	CP0201	Shell Space (\$13,993)	0	0	0	0	0	0	0	0	0	0	0	0						
16.33	CP0096	E-Government Software	0	0	0	0	0	0	-4,903	0	0	0	0	0						
16.06	New 13-12	Historic Wall on Hillside	0	75,000	0	0	0	0												
15.94	New 13-33	Main Street Wireless	0	50,000	50,000	0	0	0												
14.94	New 13-19	Mobile Command Post (MCP)	0	50,000	50,000	35,000	0	0												
14.78	New 13-34	Bonanza Park RDA - Internet Upgrades	0	50,000	50,000	0	0	0												
Alternative 4 Total			0	225,000	150,000	35,000	0	0	-4,903	0	0	0	0	0						
Not Recommended Total			40,000	3,249,200	490,900	35,900	900	900	-4,903	0	0	0	0	0	0	0	0	0	0	0
Grand Total			3,219,987	6,285,314	3,538,609	2,863,609	2,518,609	2,268,609	8,780,608	8,398,749	8,399,574	9,828,945	7,455,995	7,776,711	25,163,763	5,038,463	5,717,710	6,248,014	599,809	3,569,025

CP0278	Recommended	Cassel	Royal Street	This project is for the permanent design of Royal St failed section in 2013 and construction of retaining walls in summer of 2014
cp0279	Recommended	Cashel	SR-224 Corridor Study and Strategic Plan	Multi-modal interagency study conducted to organize and articulate the City and Utah Department of Transportation's strategic vision for the SR-224 corridor (Snow Creek to Bonanza Dr.)
New 13-01	Not Recommended	Root	Arson Inspection Equipment (Operating Request)	Tools and equipment for fire inspection
New 13-02	Not Recommended	Carey	McPolin Farm Shed (Asset Management)	McPolin Farm Shed, event area utility room. This room is used for storage for building maintenance supplies and for event supplies. It is also the prep and cleaning room for events. Washing beverage bins and other supplies. The room currently consist of 1 closet, 1 temporary storage bin, 1 large sink. The room would be much more efficient and save staff and volunteers time for each event. There have been no update to the building since it was built.
New 13-03	Not Recommended	Root	EDEN Permits Mobile Web Extensions (IT Budget)	Buy the EDEN mobile extension to utilize EDEN in the Building Department to its potential. Tyler works has the software that allows inspectors to add inspection results from the fields in a simple format.
New 13-04	Not Recommended	Andersen	Overhead Doors Fleet Shop (Asset Management)	Refurbish overhead doors in old shop (17)
New 13-05	Recommended	Andersen	Fuel Trailer	Purchase a fuel trailer with capacity enough to refuel emergency generators from city fuel tanks at new fueling facility
New 13-07	Not Recommended	Cassel	Engineering Incubator (streets will cover one time for snow melt study)	This program taps into the knowledge base at the U of U to develop and implement creative solutions to some of our problems such as snow removal, pavement issues, etc.
New 13-08	Recommended	Cassel	Storm Water Utility Study	This study will look at the issues associated with creating and maintaining a storm water utility
New 13-09	Recommended	Cassel	Stair Removal at Marsac	This is to remove the stairs along Marsac just north of Ontario. The stairs are unsafe and either need to be demolished or rebuilt by adjacent land owners
New 13-10	Not Recommended	Cassel	Monument Reestablishment	Over the years many of the survey monuments have been destroyed for various reasons. This CIP allocates funds to reestablish some of the more important survey monuments
New 13-12	Not Recommended	Cassel	Historic Wall on Hillside	The historic wall (foundation) just uphill from Peter Marth's drive off Hillside is starting to lean and needs to be repaired, straightened and preserved.
New 13-14	Not Recommended	Erickson	Side Walk Plow (adj. cp0074) 2012 Snow Removal Savings	The Walkability Committee is recommending the newly constructed sidewalk are plowed on regular bases
New 13-15	Not Recommended	Erickson	Jet Vac Truck	This option will purchase a new jet vac truck, that will provide staff the ability to clean storm drain lines. Over the last 20-30 years our drain lines have slowly filled with sediment.
New 13-16	Not Recommended	Erickson	Dumpster Screening (Covered by cp0047 & cp0263)	Municipal code requires screening of trash dumpsters. Currently the City has 5 containers that are not screened. This option will provide necessary screening for the parking lot, Behind Cicro's on Swede, Old Miners Hosp. Education Center, and Parks and Golf Dept.
New 13-17	Recommended	Cashel	PCMR Transit Center	This CIP will fund the design and construction of a new transits center at Park City Mountain Resort
New 13-18	Recommended	Cashel	Ironhorse Solar Array	This CIP will fund the design and construction of a 55 KW solar array on the north maintenance building. Project will offset power usage of 90 KWH per year or equivalent electrical consumption of average households

New 13-19	Not Recommended	Daniels	Mobile Command Post (MCP)	Purchase and equip an emergency Mobile Command Post to be used by Emergency Management and Public Safety for law enforcement, emergencies, disasters and special events. This piece of equipment is common among cities with a service population of our size and certainly with the number of special events in our community. It is used to provide onsite incident command in a controlled environment with key emergency equipment. The Emergency Management Group (EMG) is also willing to consider a used MCP if one can be found in good condition with an adequate life left in it. While a purchase sooner rather than later would be preferred, due to budget constraints this is seen as a multi-year project to budget enough funds for purchase and equipping the unit.
New 13-20	Recommended	Cashel	Ironhorse Electronic Access Control	This CIP will provide for Electronic Access Control for the 72 doors at Ironhorse Public Works Facility. Costs are shared based upon proportional share of doors. Project will be phased over 3 years.
New 13-21	Recommended	Cashel	Ironhorse Seasonal Housing	Seasonal housing (Dorm Style) for up to 16 seasonal transit employees to be constructed on Ironhorse Property. Rents will recapture op expenses, capital renewal, and initial capital.
New 13-22	Recommended	Cashel	Transit Signal Priority	This CIP project will install Transit Signal Priority equipment in Signals along SR-248 and SR-224. this system will provide extra
New 13-23	Recommended	Cashel	Ironhorse Transit Facility Asset Management	This CIP will fund ongoing Capital Renewal needs for the City's expanded Ironhorse Transit facility. This fund will provide for roof, parking garage, HVAC, lifts and equipment capital renewal. Summit County contributes its proportional share.
New 13-24	Recommended	Lace	APP Development	This App Development request consists of development services required to create and maintain new "Apps" that are becoming an expected part of city services delivery. It is anticipated that several core functions could be offered through Apps on mobile devices, namely requesting information and work from city staff.
New 13-25	Recommended	Fisher	Memorial Wall	Council was supportive of building a Memorial Wall at the PC Cemetery. The cost of construction will be recovered through the sale of "plates" that will be installed on the wall.
New 13-26	Recommended	Fisher	Cemetery Stone Restoration and Ground Penetrating Radar	City Council has an interest in developing a head stone replacement and restoration program for the cemetery. There is also an interest in using ground penetrating radar to see if the southwest corner of the cemetery can be reclaimed.
New 13-27	Recommended	Fisher	Aquatics Equipment Replacement	There is no capital replacement fund for the two outdoor pools. This will be set up to build a fund balance for the eventual replacement of pool infrastructure and equipment. This year we had to use Asset Management Funds for several repair/replacement items.
New 13-28	Not Recommended	Pistey	Update Ice Arena Security System (Asset Management)	This project will update the existing ice arena security camera and image storage system. The current system does not give us the coverage or image clarity necessary to fully monitor the ice surface or have a clear image of events that take place on ice. We are proposing to upgrade the cameras for the ice surface, relocate existing cameras for coverage of the entryway, and upgrade the data storage system from a DVR to a computer system. this will allow the rink staff to better evaluate on-ice events and have a clear image of everyone entering and leaving the facility.
New 13-29	Recommended	Andersen	Parking System Software	Replace existing parking system software and hardware
New 13-31	Recommended	Erickson	Spriggs Barn	This option will provide funding to stabilize the Spriggs Barn from further dilapidation and begin a long rang plan for restoration.
New 13-32	Recommended	Poulson	Police Solar PV Array	This project will install 70 - 85 solar panels on the Park City Police Facility at 2060 Park Avenue. The project will be completed during summer 2012, but it's not clear yet whether it will wrap up before FY-end on July 1, 2012.
New 13-33	Not Recommended	Weidenhamer	Main Street Wireless	Provide wireless access to Main Street
New 13-34	Not Recommended	Weidenhamer	Bonanza Park RDA - Internet Upgrades	Internet infrastructure upgrades for Bonanza Park District - A combination of Wi-Fi and hard infrastructure

New 13-35	Recommended	Briggs	Staff Interactive Budgeting Software	Budgeting for Outcomes software to streamline budgeting process. The software will include an easy-to use and aesthetically pleasing interface (dashboard), budget monitoring and reporting, forecasting, adhoc analysis, real-time updates, and a performance measurement component. Software also includes the ability to breakdown current departmental budgets into distinct BFO programs in an user-friendly format. Software also includes advanced budget monitoring capabilities as well as performance measure integration. Should work seamlessly with the Eden Accounting System.
New 13-36	Recommended	Andersen	Parking Wayfinding	Wayfinding for Main Street parking resources. First year is for signage and consulting assistance with finding garage and internal garage circulation. Years 2 and 3 are for a smart system to indicate stalls available.
New 13-37	Recommended	Eddington	Historic Preservation	1. National Register historic district study. 2. Intensive level surveys within National Register District. 3. Intensive level surveys of Landmark Buildings. 4. Intensive level surveys of significant buildings.
New 13-38	Recommended	McAffee	Raw Water Line and Tank	Description will be available for May 24th Budget Discussion
New 13-39	Recommended	McAffee	Irrigation Screening Facility	Description will be available for May 24th Budget Discussion
New 13-40	Recommended	McAffee	Scada and Telemetry System Replacement	Description will be available for May 24th Budget Discussion
New 13-41	Recommended	McAffee	Deer Valley Drive - Water Infrastructure	Description will be available for May 24th Budget Discussion
New 13-42	Recommended	McAffee	Empire Tank Replacement	Description will be available for May 24th Budget Discussion

Old Town Improvement Study (OTIS) Projects

In 2002 the City conducted a study of street reconstruction needs in the Old Town area. The study resulted in a slate of projects to be completed over the next 10-15 years. Previous Councils have accepted that plan and implemented early phases of OTIS in the budget. Many of the projects were carried out with surplus operating funds in the peak economy years between 2005-2008. To date, the City has carried out 7 of the 22 projects identified in the 2002 study without issuing any debt specifically for OTIS.

However, progression of these projects has slowed due to lack of operating surplus and the uncertainty surrounding future bonding. During the 2011 Visioning, staff presented long-range financial projections to Council which showed approximately \$20 M of bonding needs for the remaining OTIS projects (based on estimates from the 2002 study adjusted for inflation) which would swell the City's debt service paid from operating surplus from \$180,000 to over \$2.3 M annually. Staff recommended at that time that the OTIS study be updated to get better cost estimates, new prioritization and timing recommendations, and cheaper options.

In March 2011, a consultant was hired to re-evaluate two elements of the Old Town Infrastructure Study (OTIS). The consultant updated the construction cost estimates for the remaining road and water projects and then re-prioritized the road and water projects based on Public Works, Water and Engineering input and needs.

The attached spreadsheet provides a comparison of the anticipated costs in 2002 along with the updated costs. The re-prioritized remaining projects in order are as follows:

1. Empire Avenue
2. Sullivan Road
3. Chambers Avenue (water only)
4. Hillside Stairs (Stairs only)
5. 8th Street
6. 10th Street
7. 11th Street
8. 14th Street
9. Rossi Hill Drive
10. McHenry Street
11. Deer Valley Loop Road (water Only)
12. Swede Alley
13. 9th Street
14. 12th Street
15. Silver King Road
16. Ridge Avenue
17. Lowell Avenue (8th Street to 13th Street)

The 2002 estimate of construction cost for Empire Avenue was \$1,927,000 (\$3.3 M adjusted at 8% inflation) and included road reconstruction, waterline replacement, curb and gutter replacement, sidewalks installation and dry conduit installation. The updated construction cost estimate is \$4,062,000 (\$1,725,000 for road reconstruction, curb and gutter replacement and

sidewalk installation, \$1,730,000 for waterline replacement and \$607,000 for dry conduit installation).

The completion period for the remaining OTIS road and water projects was anticipated to be nine years before this update. Many of the smaller projects above can be combined so the time period remains the same, or the time period for completion could be stretched longer if so desired. The final report will include the number of years to complete the remaining road and water projects.

The total cost of the remaining projects is now expected to be \$13 M (\$4 M for the Water Fund portion). The remaining OTIS projects have been removed from the City Manager's Recommended CIP budget. Staff has put together alternate options for the remaining projects which would eliminate certain aspects of projects (sidewalks, landscape, etc) in order to reduce the cost.

OTIS STUDY 2011 ALTERNATIVE ANALYSIS

Friday, April 20, 2012

Current Option

Remaining Projects	2011 Road Costs	2011 Water Costs	2011 Road & Water Costs	2011 Conduit Costs	Project Total Costs
Empire Avenue (8th to 13th)	\$1,081,743	\$1,327,950	\$2,409,693	\$154,700	\$2,564,393
Empire Avenue (13th to 15th)	\$552,559	\$471,250	\$1,023,809	\$154,700	\$1,178,509
Sullivan Road	\$1,101,620	\$0	\$1,101,620	\$98,750	\$1,200,370
Chambers Avenue (Water)	\$0	\$156,488	\$156,488	\$0	\$156,488
Hillside Stairs (Stairs only)	\$550,000	\$0	\$550,000	\$0	\$550,000
8th Street	\$284,375	\$73,775	\$358,150	\$58,110	\$416,260
10th Street	\$194,123	\$0	\$194,123	\$51,480	\$245,603
11th Street	\$63,863	\$0	\$63,863	\$12,935	\$76,798
14th Street	\$63,538	\$56,550	\$120,088	\$12,935	\$133,023
Rossi Hill Drive	\$489,320	\$214,825	\$704,145	\$19,500	\$723,645
McHenry Street	\$510,770	\$224,250	\$735,020	\$19,500	\$754,520
Deer Valley Loop Road (Water)	\$0	\$461,565	\$461,565	\$0	\$461,565
Swede Alley	\$887,705	\$144,300	\$1,032,005	\$58,370	\$1,090,375
9th Street	\$455,000	\$149,078	\$604,078	\$30,615	\$634,693
12th Street	\$127,790	\$91,813	\$219,603	\$0	\$219,603
Silver King Road	\$423,904	\$161,525	\$585,429	\$0	\$585,429
Ridge Avenue	\$525,850	\$0	\$525,850	\$0	\$525,850
Lowell Avenue (8th to 13th)	\$993,850	\$624,650	\$1,618,500	\$92,820	\$1,711,320
Total Costs	\$8,306,010	\$4,158,018	\$12,464,028	\$764,415	\$13,228,443

Alternative Options

Remaining Projects	2011 Road Costs	Eliminate Sidewalk	Eliminate Other Elements	Final 2011 Road Costs	2011 Water Costs	2011 Road & Water Costs	2011 Conduit Costs	Project Total Costs
Emipre Avenue (8th to 13th)	\$1,081,743	\$37,760		\$1,043,983	\$1,327,950	\$2,371,933	\$154,700	\$2,526,633
Empire Avenue (13th to 15th)	\$552,559	\$31,680		\$520,879	\$471,250	\$992,129	\$154,700	\$1,146,829
Sullivan Road	\$1,101,620	\$62,400	\$11,016	\$1,028,204	\$0	\$1,028,204	\$98,750	\$1,126,954
Chambers Avenue (Water)	\$0	\$0		\$0	\$156,488	\$156,488	\$0	\$156,488
Hillside Stairs (Stairs only)	\$550,000	\$0	\$0	\$550,000	\$0	\$550,000	\$0	\$550,000
8th Street	\$284,375	\$12,000		\$272,375	\$73,775	\$346,150	\$58,110	\$404,260
10th Street	\$194,123	\$2,800		\$191,323	\$0	\$191,323	\$51,480	\$242,803
11th Street	\$63,863	\$2,800		\$61,063	\$0	\$61,063	\$12,935	\$73,998
14th Street	\$63,538	\$2,800		\$60,738	\$56,550	\$117,288	\$12,935	\$130,223
Rossi Hill Drive	\$489,320	\$19,360		\$469,960	\$214,825	\$684,785	\$19,500	\$704,285
McHenry Street	\$510,770	\$19,200		\$491,570	\$224,250	\$715,820	\$19,500	\$735,320
Deer Valley Loop Road (Water)	\$0	\$0		\$0	\$461,565	\$461,565	\$0	\$461,565
Swede Alley	\$887,705	\$41,000	\$8,900	\$837,805	\$144,300	\$982,105	\$58,370	\$1,040,475
9th Street	\$455,000		\$455,000	\$0	\$149,078	\$149,078	\$30,615	\$179,693
12th Street	\$127,790	\$2,800		\$124,990	\$91,813	\$216,803	\$0	\$216,803
Silver King Road	\$423,904	\$23,520	\$4,240	\$396,144	\$161,525	\$557,669	\$0	\$557,669
Ridge Avenue	\$525,850	\$20,000		\$505,850	\$0	\$505,850	\$0	\$505,850
Lowell Avenue (8th to 13th)	\$993,850	\$37,600		\$956,250	\$624,650	\$1,580,900	\$92,820	\$1,673,720
Total Costs	\$8,306,010	\$315,720	\$479,156	\$7,511,134	\$4,158,018	\$11,669,152	\$764,415	\$12,433,567

Historic Park City Enhancement Plan Proposed Budget and Phasing Strategy

Based on discussion and input from City Council, the general public, the Working Committee, HPCA Infrastructure Subcommittee, HPCA Board and PCMC Staff, the specific improvement recommendations of this design effort focus on immediate, short-term and long-term infrastructure needs and tourist attractions. They include basic public services such streetscape, drainage, lighting, pedestrian safety, wayfinding, cultural attractions and trailheads as well as enhanced level of service tourist improvements such as plazas, pocket parks, event venues and programming. This focus is intended to create a visionary, yet achievable implementation plan for the next ten years.

Projects	Budget
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Immediate Needs (0-2 years)	\$400,000-\$600,000
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- Swede/Heber Crosswalks
- Swede/Transit Center Crosswalk
- Swede/Café Terigo/Parking Structure Crosswalk
- Swede/Egyptian Crosswalk
- Main/Egyptian Bulbout/Crosswalk
- Egyptian Pass Through
- Swede Sidewalk – Egyptian to Brew Pub Lot
- Swede Dumpster Enclosure – Ciseros

Crosswalk projects include removal of existing asphalt street pavement and replacement with concrete headers, brick paver and crosswalk bar inlays for change of material and enhanced pedestrian recognition and visual queue to motorists.

Main/Egyptian bulbout and pass through project includes the loss of 2-3 on-street parking stalls on Main Street to capture additional sidewalk area in front of the Egyptian Theater. Combined with improvements to the pedestrian pass through from Swede Alley, this project will improve pedestrian safety and connectivity, slow vehicular traffic and create improved place for pre and post function space for Egyptian Theater events.

Swede sidewalk project includes addition of a pedestrian sidewalk on the west side of Swede Alley from the Egyptian pedestrian pass through to the north end of the Brew Pub surface parking lot.

Short-Term Needs (1-5 years)	\$8,500,000-\$10,500,000
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Streetscape Projects

- Main Street – 4th Street to 5th Street West Side
- Main Street – 4th Street to 5th Street East Side
- 4th Street Conversion (one-way east)
- 5th Street Conversion (one-way west)
- Main Street – Bear Bench to Heber Avenue West Side
- Main Street – Bear Bench to Heber Avenue East Side
- Main Street – Town Lift On-Street Parking
- 7th Street – Main Street to Park Avenue
- Main Street – 5th Street to Bear Bench West Side
- Main Street – 5th Street to Bear Bench East Side
- Main Street – 7th Street to Deer Valley Drive East Side
- Main Street – 7th Street to 9th Street West Side
- Hillside Historic Wall stabilization near Liquor Store/KPCW Studio

Plaza/Pedestrian Pass Through Projects

- Café Terigo Pedestrian Pass Through
- Brew Pub Plaza
- Coalition Trailhead Park
- City Hall Promenade

Streetscape Projects include removal and replacement of curbs, sidewalks and streetlights with recommended level of quality and materials. Project replacement costs include utility adjustment or upgrade allowances, new power duct bank on Main Street to support additional infrastructure such as holiday lighting, building facade lighting and major events, communications for digital kiosks, wireless internet, displays or audio, furnishings, seat walls, irrigation for planters and hanging baskets and street signage. Costs include 20-30% design/construction contingency, 12-15% soft costs including architecture and engineering fees, surveys and administration, as well as 3% construction inflation per year.

Long-Term Needs (5-10 years)

\$2,500,000-\$4,000,000

Streetscape Projects

- Main Street – Swede to 4th Street West Side
- Main Street – Brew Pub to 4th Street East Side
- Park Avenue – 7th to 9th Street East Side
- Park Avenue – 7th to 8th Street West Side
- Swede Alley – Egyptian to Post Office West Side
- Swede Alley – Egyptian to Liquor Store East Side
- Swede Alley – Bear Bench to Heber West Side
- Main Street – Heber to 7th Street East Side
- Main Street – Heber to 7th Street West Side (KAC dependent)
- Heber Avenue – Swede to Main Street North Side
- Heber Avenue – Swede to Main Street South Side
- Park Avenue – Heber to 7th Street West Side
- Park Avenue – Heber to 7th Street East Side (KAC dependent)
- Heber Avenue – Main to Park Avenue South Side
- Heber Avenue – Main to Park Avenue North Side (KAC dependent)
- Swede Alley – 5th Street to Transit Center Crosswalk West Side

Plaza/Pass Through Projects

- Miners Plaza Renovation
- Bear Bench/Transit Center Pedestrian Pass Through
- Schreurs Centennial Plaza Renovation (6th Street between Main Street/Park Avenue)
- Poison Creek Park (south side of parking structure)
- China Bridge Restrooms (at 4th Street)

Streetscape Projects include removal and replacement of curbs, sidewalks and streetlights with recommended level of quality and materials. Project replacement costs include utility adjustment or upgrade allowances, new power duct bank on Main Street to support additional infrastructure such as holiday lighting, building facade lighting and major events, communications for digital kiosks, wireless internet, displays or audio, furnishings, seat walls, irrigation for planters and hanging baskets and street signage. Costs include 20-30% design/construction contingency, 12-15% soft costs including architecture and engineering fees, surveys and administration, as well as 3% construction inflation per year.

Revenue Sources

During the visioning session held in February, Council was presented with the FIAR projection of the City's revenues over the next ten years. The 10 year revenue and expenditure projection was shown graphically with the Capital Planning Model. As discussed earlier, the Capital Planning Model is an interactive model containing the current City Manager's recommended operating and capital budget and has the ability to show proposed unfunded capital projects and new potential revenue sources.

During visioning Council discussed the idea of matching potential new revenue sources with new projects. The intent being that projects could be funded with revenue sources which closely match the targeted users or general beneficiaries of the project. For example resort sales tax or a transient room tax might be matched to downtown enhancement projects which would benefit businesses and visitors in the historic downtown area; while property tax might be used to fund core infrastructure such as street improvements, etc.

It is the intent out this study session to use the Model to discuss possible capital projects and funding sources. In order to facility the best possible discussion, the following section is intended to provide detailed insight into these potential revenue sources. Potential new or increased revenue sources which could fund projects and are included in the Capital Planning Model are Resort Sales Tax, Transient Room Tax, General Levy Property Tax, General Obligation Bonds, and Fees such as Building, Planning, Engineering, Recreation, Special Events and other fees. This section will provide a high level summary of the available revenue sources, the procedure for increasing the revenue sources, potential revenue generation, and a brief overview of revenue base. Chart 1 shows the current revenue mix for the General Fund:

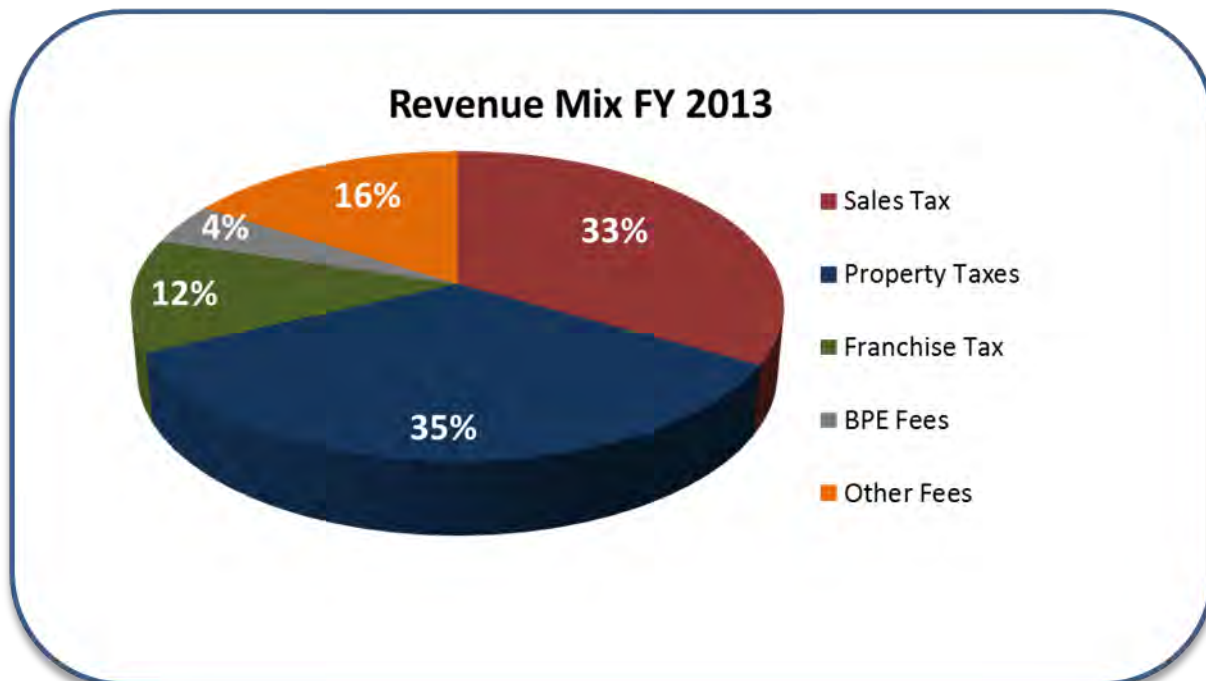


Chart 1 – General Fund Revenue Mix FY2013

Resort Sales Tax

Sales tax revenue accounts for 33% of General Fund revenue. The City currently collects a 1.00% Local Option Sales Tax, 1.10% Resort Sales Tax and .30% Mass Transit Tax. The full Local Option and 75% of the Resort Sales Tax are received into the General Fund to be used for operations and capital projects. The remaining 25% of the Resort Sales Tax is received in the Transit Fund. Local Option Sales Tax is subject to the State distribution/equalization formula whereas the Resort Sales Tax is not. Therefore the City receives the full amount of resort sales tax collected.

Sales tax is a relatively unstable revenue source when compared to property tax. While sales tax in Park City has typically done better during recessions than the rest of the country, sale revenue can fall dramatically as seen in FY 2009 when sales revenue ended the year down 14% over the previous year (A 14 percent drop in FY2009 equated to nearly \$2 million). Table 1 shows the current sales tax rates in Park City.

Sales and Use Taxes		Current
State of Utah		
General Sales & Use Tax		4.70%
Summit County		
County Option Sales Tax		0.25%
Recreation, Arts, and Parks Tax		0.10%
Park City		
Local Option Sales Tax		1.00%
Resort City Sales Tax		1.10%
Mass Transit Tax		0.30%
Total Park City "Base"		7.45%
Other Summit County Sales and Use Taxes		
Restaurant Tax*		1.00%
Motor Vehicle Rental Tax*		2.50%
Transient Room Tax*		3.00%

* Added to the Park City "Base" depending on purchase

Table 1 – Current Sales Tax

The resort portion of sales tax presents two possible revenue increases for the General Fund. First the resort sales tax levy can be increased from 1.10% to a maximum 1.60%. In order to charge an addition resort community sales tax the City Council must adopt a resolution approving the tax and obtain voter approval through an 'Additional Resort Communities Sales Tax Election' during a regular election period. The following table shows the estimated revenue generation of increments of an additional resort sales tax:

	Revenue Generation from Resort Sales Tax Increase		
	0.10	0.25	0.50
FY2014	\$ 619,822	\$ 1,549,556	\$ 3,099,112
2015	\$ 638,532	\$ 1,596,329	\$ 3,192,659
2016	\$ 657,241	\$ 1,643,103	\$ 3,286,205
2017	\$ 675,950	\$ 1,689,876	\$ 3,379,752
2018	\$ 694,660	\$ 1,736,649	\$ 3,473,299
2019	\$ 713,369	\$ 1,783,423	\$ 3,566,845
2020	\$ 732,078	\$ 1,830,196	\$ 3,660,392

Table 2 – Potential Resort Sale Tax Revenue

The second way General Fund revenue can be increased with Resort Sales tax is by reducing the amount of the tax being received into the Transit Fund. Currently the Transit Fund receives 25% of the resort sales tax, which is expected to be approximately \$1.7 million in FY2014. City Council can adjust the percentage of Resort Sales Tax received in the General Fund during the regular budget process. In order to compensate for the loss of revenue in the Transit Fund the Mass Transit Sales Tax can be increased from .30% to .55%. This would require a similar process to raising the resort sales tax rate, the adoption of a resolution by City Council and obtaining voter approval through a 'Mass Transit Sales Tax Election' during a regular election period. Table 3 shows current Transit Fund revenue which could be received into the General Fund.

	Revenue Generation by receiving additional Resort Sales Tax % into General Fund		
	5%	15%	25%
FY2014	\$ 340,902	\$ 1,022,707	\$ 1,704,512
2015	\$ 351,192	\$ 1,053,577	\$ 1,755,962
2016	\$ 361,483	\$ 1,084,448	\$ 1,807,413
2017	\$ 371,773	\$ 1,115,318	\$ 1,858,864
2018	\$ 382,063	\$ 1,146,189	\$ 1,910,314
2019	\$ 392,353	\$ 1,177,059	\$ 1,961,765
2020	\$ 402,643	\$ 1,207,929	\$ 2,013,216

Table 3 – Potential Resort Sale Tax Transfer to GF

Sales Tax Base in Park City

The following information is provided in order to convey a better understanding of sales tax patterns in Park City. There is a multitude of ways to analyze sales tax data, in order to curb information overload the following analysis is provided in the simplest format which still provides a basic understanding of the Park City sales tax base. The Budget Department can provide additional analysis if necessary for a more comprehensive understanding of sales tax patterns. Chart 2 shows the seasonality of the resort sales

tax. Over 60 percent of the Resort Sales Tax is generated between December and March.

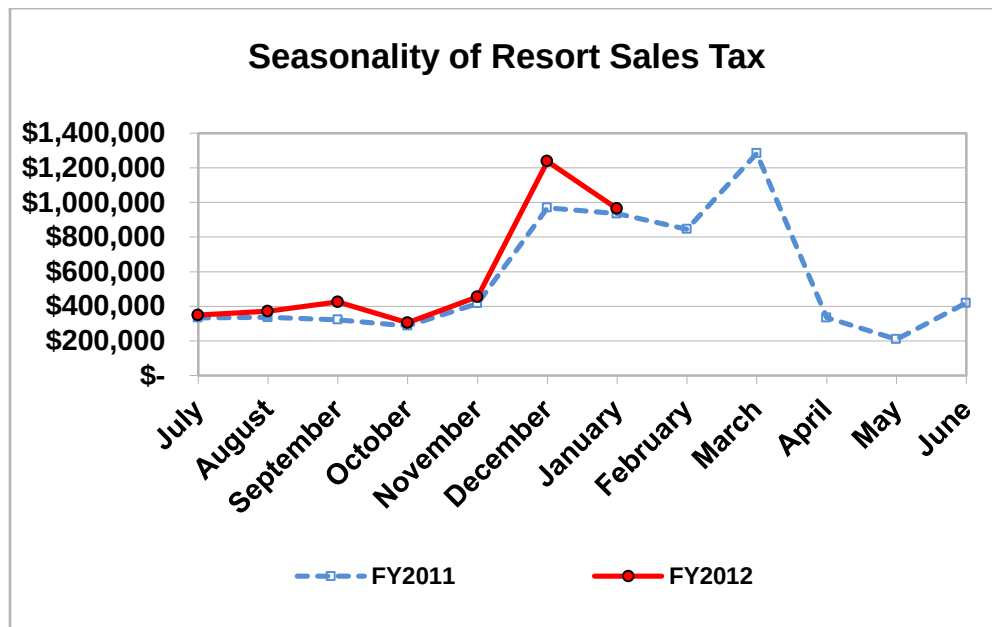


Chart 2 – Seasonality of Resort Sales Tax

Chart 3 shows the spending pattern of annual sales between the Park City Geos. The Deer Valley Geo continues to grow as a percentage of City wide sales due primarily to recently opened hotels in the area.

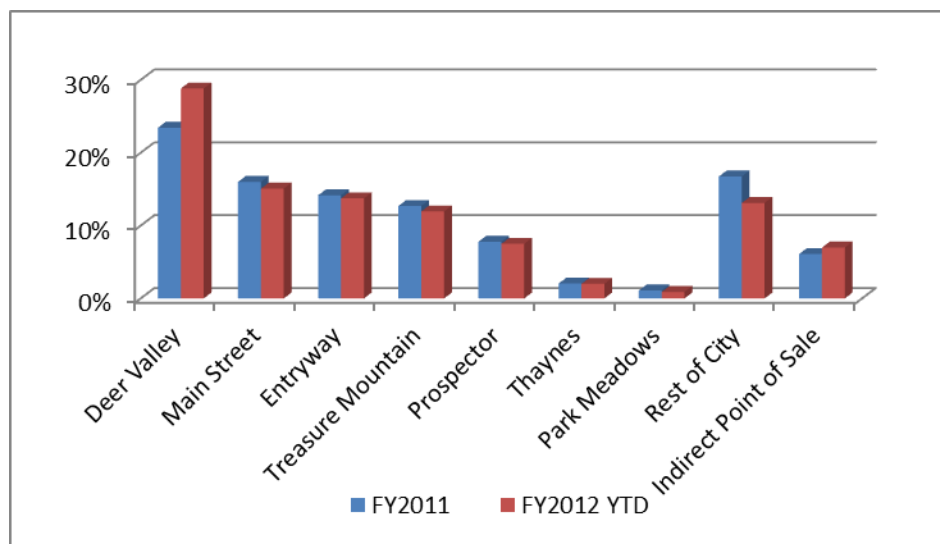


Chart 3 – Sales by Park City Geo

Chart 4 shows annual spending patterns by industry type. As mentioned above Lodging as a sector has experienced large growth due primarily to recently opened hotels in the Deer Valley Geo.

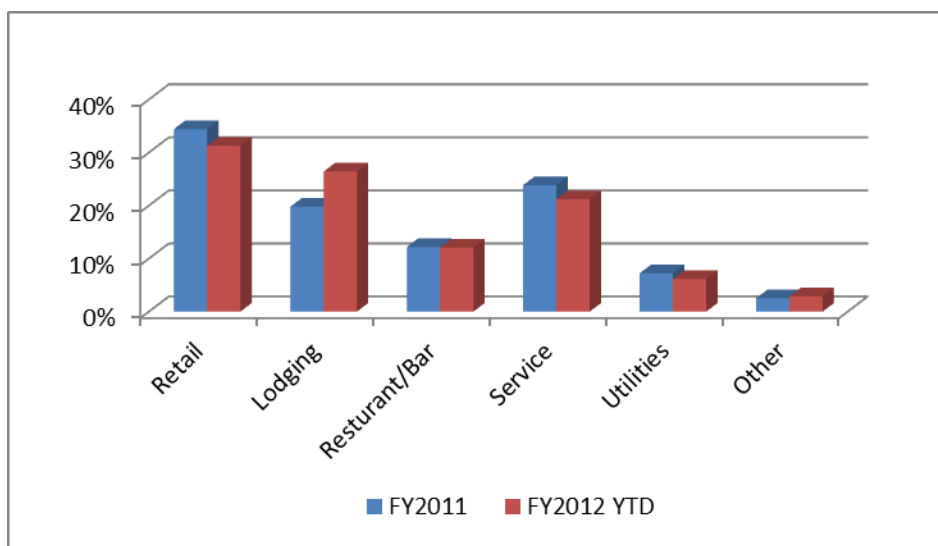


Chart 4 – Sales by Industry Type

Transient Room Tax

Park City does not currently charge a City Transient Room Tax (TRT). Under State code cities and towns that meet certain requirements may impose a 1% tax on temporary lodging. The transient room tax, if imposed, is charged in addition to sales tax. The transient room tax does not apply to charges for meeting rooms. Summit County currently charges a 3% TRT tax for lodging within the County. The additional 1% if levied on Park City lodging would increase the total TRT tax in Park City to 4%. As with Resort Sales Tax, a TRT tax would fluctuate based on the current ski season and economic conditions. The TRT tax is the most directly connected tax to overnight visitors. The 1% TRT tax levy is enacted by City Council vote. The following table shows the estimated revenue from a .5% and 1% TRT.

Revenue Generation from Transient Room Tax		
	0.5%	1%
FY2014	\$ 648,302	\$ 1,296,604
2015	\$ 667,321	\$ 1,334,642
2016	\$ 686,340	\$ 1,372,681
2017	\$ 705,360	\$ 1,410,719
2018	\$ 724,379	\$ 1,448,758
2019	\$ 743,398	\$ 1,486,796
2020	\$ 762,417	\$ 1,524,835

Table 4 – Potential Revenue generated by TRT

Property Tax

Property Tax currently contributes 35 percent of the general fund revenue. Property tax is set based on the previous year's collection amount plus new growth. As assessed property values within the City collectively increase or decrease the tax rate decreases or increases respectively in order to generate the same revenue year over year. Due to this rate structure, property tax is the most stable revenue source for the General Fund. However, also due to this structure, the property tax levy does not include an automatic inflationary component and thus as the cost of providing services continue to go up over time, the purchasing power of property tax remains stagnant.

The Property Tax levy is set by Council each year as part of the budget process. The levy can be increased in order to generate additional revenue by a Council vote and through the process of a Truth in Taxation hearing. In order to initiate a Truth in Taxation hearing the Tentative Budget must be adopted in June of the year in which the tax levy would adjust, showing the proposed property tax increase, after which a Truth in Taxation hearing would be held in August, and the Final Budget would be adopted at that time. There is no limit to the amount of the levy. The following table shows the amount of potential increase by adjusting the property tax levy one time in FY2014.

Revenue Generation from One-Time Property Tax Rate Increase				
		1%	3%	6%
FY2014	\$	93,298	\$ 279,893	\$ 559,787
2015	\$	97,018	\$ 291,055	\$ 582,111
2016	\$	100,723	\$ 302,169	\$ 604,338
2017	\$	104,279	\$ 312,837	\$ 625,674
2018	\$	107,542	\$ 322,627	\$ 645,254
2019	\$	110,356	\$ 331,068	\$ 662,137
2020	\$	112,691	\$ 338,072	\$ 676,143
Estimated Annual Property Tax Impact of Increased Tax Levy				
		1%	3%	6%
Per \$100,000 of Taxable Value	\$	1.39	\$ 4.17	\$ 8.33
For Average Primary Resident (\$701,000 assessed value)	\$	5.36	\$ 16.07	\$ 32.13

Table 5 – Potential Revenue generated by property tax increase & estimated cost to property owner

The following graph shows the current property use category of collected property tax revenue in Park City. As shown the majority of Property tax revenue is generated from Residential Non-Primary use.

Property Tax by Use Category - Tax Year 2011

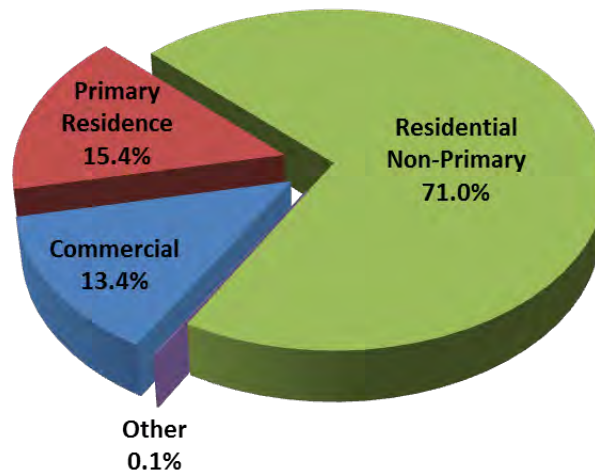


Chart 5 – Property tax revenue by property use

General Obligation Bonds and Sales Revenue Bond

General Obligation (GO) Bonds are bonds which are issued for specific projects or uses as approved by popular vote. The pledged revenue source for repayment of the bonds are payable from the proceeds of ad valorem taxes to be levied without limitation as to rate or amount on all of the taxable property in the City fully sufficient to pay the bonds as to both principal and interest. The City has used GO bonds in the past in order to pay for open space acquisition and walkability improvements. GO bonds are the most stable long term funding solution for major capital projects when there is general voting support of the city population.

Sales Revenue Bonds are a long term solution to funding upfront costs of large capital projects when there is insufficient cash on hand. The pledged revenue source for repayment of the bonds are payable from the proceeds of sales tax revenue. While GO bonds have an identified revenue source which is levied for repayment of the bond, sales revenue bonds are paid with current sales tax revenue and therefore reduce the amount of sales tax revenue available for use in the General Fund for operating and CIP fund for capital. Table 6 shows the potential sales revenue bond which could be issued related to new revenue source.

Potential Sales Revenue Bond Size with Additional Revenue Sources		
Revenue Source	Revenue FY2014	Potential Bond Size
Resort Sales Tax		
0.10%	\$ 619,822	\$7 Million
0.25%	\$ 1,549,556	\$17 Million
0.50%	\$ 3,099,112	\$34 Million
TRT		
0.50%	\$ 648,302	\$7.25 Million
1.00%	\$ 1,296,604	\$14.5 Million
Property Tax (onetime increase)		
1%	\$ 93,298	\$1.1 Million
3%	\$ 279,893	\$3.2 Million
6%	\$ 559,787	\$6.3 Million

*assumes 15 year term level debt at average rate of 4%

Table 6 – Potential Sales revenue Bond Size

The Capital Planning Model includes options for funding projects with both cash or bond. The Model includes both sales revenue and GO bonds and has the ability to show the long term impacts that bonding would have on the General Fund.

Other Options

Other potential funding options, which are included in the Capital Planning Model, include onetime use of various fund balance; reductions in ongoing capital replacement programs (asset management, equipment replacement, etc.); ongoing or onetime reductions in operating expenditures; increased level of cost recovery in recreation, BPE fees, and other programs; special agreements with partnering organizations; and deobligation of currently funded capital projects.

**PARK CITY COUNCIL STUDY SESSION MINUTES
SUMMIT COUNTY, UTAH
APRIL 26, 2012**

Present: Mayor Pro Tem Cindy Matsumoto; Council members Andy Beerman; Alex Butwinski; Dick Peek; and Liza Simpson

Diane Foster, Interim Assistant City Manager; Mark Harrington, City Attorney; Tom Bakaly, City Manager; Nate Rockwood, Budget and Grants Analyst; Jon Weidenhamer, Economic Development Manager

Absent: Mayor Dana Williams

Capital projects financing. Diane Foster explained that the purpose of study sessions is discussion and there is no public input because of the focus on the dialog between Council and staff. As the Council holds these sessions and assesses them, it will become apparent what works and what doesn't work. She clarified that if members have questions on a subject prior to the study session, they will be answered in the session itself but if the question is not relevant to the discussion, staff will contact the Council member. Alex Butwinski felt that the reply should be sent to all members and Ms. Foster noted that it will but emails are discouraged.

Andy Beerman asked if polling is okay. Ms. Foster replied that polling is discouraged during study sessions and in those instances, the item probably needs to be scheduled as a work session item. Dick Peek interjected that a study session is a publicly noticed meeting, it is a public hearing, but Council is not taking public input. It was explained that study sessions are publicly noticed meetings but are not public hearings. Mr. Beerman stated that members will have to make a decision if a topic advances to work session and a straw poll is probably the best way to accomplish this.

Mark Harrington advised that study sessions are what members make them and staff is suggesting a format based on comments made during Visioning. They are not intended for making decisions and are truly educational in the sense of in-depth discussion about alternatives. The advice of the facilitator was to make them different from regular decision-making formats. Polling and opportunities for input can be allowed by members but ad hoc decisions that someone can use politically to undermine the goal of study sessions should be avoided. He encouraged agreeing on ground rules which will be fluid and Tom Bakaly emphasized the learning component. Alex Butwinski stated that the City Attorney's comments are included in the staff report and he encouraged members to follow his recommendation as a starting point for conducting study sessions.

Nate Rockwood explained that this session is a follow-up from Visioning and the preview of capital projects about a month ago. The focus will be on available revenues to fund capital projects but not details of the projects themselves. He referred to the interactive digital model which illustrates different funding options which has been

updated to reflect the current budget or the City Manager's Recommended Budget so results will be different from the Visioning exercise. Projects listed in the staff report are not funded in the recommended budget.

He referred to unfunded projects including Main Street improvements, OTIS, open space and endowment, storm drains, recreation and Quinns Phase 3. The City's current revenue mix is sales tax, property tax and fees and is healthy now but over time with property tax not having an inflationary component, will slowly migrate where sales tax becomes the most prominent revenue source.

Mr. Rockwood explained that the City has a local option sales, resort sales and mass transit sales tax. The local option is set at the maximum rate and subject to the state's equalization formula where the resort cities sales tax is not subject to redistribution. The local option can actually be reduced and the City receives about 65% of sales tax revenues. Tom Bakaly interjected that because Park City is low population and high sales, we lose on the local option but resort sales tax is all point of sale. Nate Rockwood stated that the resort cities sales tax is set at 1.1% and could be raised by ½ cent to 1.6% by popular vote which would generate an additional \$3 million annually. Historically, 25% of the resort cities sales tax revenue is allocated to the transit fund and 75% to the General Fund. Most communities charge the 1.1% but a few have charged the additional ½ cent.

Tom Bakaly explained the formula for qualifying as a resort town which considers the ratio of bed base and permanent population. Moab and Brian Head might charge the full amount. The mass transit tax can be raised by popular vote if the allocation from the resort cities sales tax is adjusted. Liza Simpson understood that raising the transit tax to the maximum would bring in \$1.5 million in 2014 as compared to \$1.7 million to the Transit Fund in resort cities sales tax. The Transit Fund will be reviewed during the budget process.

In response to a comment from Alex Butwinski, Nate Rockwood explained that the Transit Fund balance reflects federal funding but if the City lost federal funding, the transit system could still operate the same as it does now. If resort cities sales tax revenue and grant funding are lost, the transit tax would definitely need to be raised. Mr. Butwinski suggested that the allocation be dropped to 20% instead of 25% and Tom Bakaly indicated that this was done during the recession for one year. Ms. Simpson asked the same question and Mr. Rockwood reiterated that if revenues remain intact but the City received no federal funding, the City would still have enough capital to replace the buses and do some capital asset replacement. Federal money is a huge bonus to the Transit Fund but awards fluctuate a lot.

Dick Peek advised that Huntington, Green River, Moab, Brian Head, Ivins City, Alta and Springdale charge the full 1.6% resort cities sales tax. With regard to the resort cities sales tax, Cindy Matsumoto asked if it is cheaper to purchase an apple, for example in the County and Mr. Rockwood replied that it may be similar because of Summit

County's mass transit tax rate. Andy Beerman asked the process for increasing the resort cities sales tax and Mr. Rockwood explained that the Council must adopt a resolution supporting the tax increase and then the public votes to approve in a General Election. In response to a comment from Ms. Matsumoto, Tom Bakaly noted he is uncertain if the local option sales tax can be reduced and added that the restaurant tax is 1% and when added to the sales tax base at 7.45%, totals 8.45% and adding the transient room tax at 3%, is 10.45%. The 3% goes to the County and about 90% of that amount is allocated to the Chamber/Bureau for marketing which is good for the economy. Nate Rockwood pointed out that the majority of the resort cities sales tax is raised in the winter season.

Ms. Matsumoto asked if staff can decipher what portions come from residents and tourists. He explained that arriving at a percentage would involve making many assumptions. Ms. Matsumoto stated that from the information provided, it is easy to see that 71% of property taxes are raised by non-primary residents. Mr. Rockwood replied that making assumptions on types of use may result in some rough estimates for resort cities sales tax. Ms. Simpson believed that time of year may reveal trends. He stated that breakdown by industry type shows retail and lodging as the highest and the increase in sales tax revenues for lodging is primarily due to the new hotels in Deer Valley.

He displayed a chart illustrating sales tax revenue generated by geographic zone. Andy Beerman asked why the *rest of City* category is so high and Mr. Rockwood explained that it is sort of a catch-all, receiving indirect point of sale revenue which may be adjusted as the state adjusts its method for distributing indirect sales.

He reported that currently the City does not collect transient room tax and it is possible to charge up to 1% which could be achieved through a Council vote. It is estimated that the full TRT would bring in about \$1.2 million in 2014 which could be allocated to the General Fund for capital or operating. The TRT can be tied directly to visitor nights and Summit County currently charges 3% which is assessed in Park City. In response to a question from Ms. Matsumoto, Mr. Rockwood stated that staff will explore what Colorado charges. Mr. Beerman believed that surrounding areas impose the same or a higher tax on lodging.

Ms. Simpson felt that an increase is palatable if it is tied to specific tourism improvements and Tom Bakaly discussed the opposition from the lodging community in 1999. A precedent has been set with regard to restaurant tax to fund projects that benefit tourism. It is helpful to match tax revenues with a particular use that benefits from the tax. Mr. Beerman stated that the lodging community would have to see a direct benefit from a TRT increase or there will be a lot of opposition. Mr. Harrington pointed out that when booking on-line, it is typical to see the inclusive price without the tax broken out. Andy Beerman felt that customers are not overly concerned about sales tax but lodging operators are business people who are leery about collecting taxes if they don't know where they are going. This is a bigger issue, in his mind, than the

actual increase. Ms. Simpson understood that the tax rate is more of an issue when negotiating with group bookings rather than individuals. Tom Bakaly pointed out that lodging is opposed to being the only segment carrying the burden. A ½% increase in resort cities sales tax would be charged to everyone and raises close to \$3 million while an increase of 1% in the TRT brings in \$1.2 million.

Cindy Matsumoto commented that increasing property taxes by 6% only raises an additional \$500,000 and Tom Bakaly added that it would cost the average resident taxpayer \$32 a year and is really less of an impact to citizens. Property taxes are not well liked because they are defined while paying sales tax is less noticeable.

Bret Howser indicated that the average household in the U.S. pays about \$20,000 in taxable sales a year and a ½% increase represents about \$100. Mr. Beerman pointed out that sales tax is optional while property tax is mandatory. Mr. Bakaly acknowledged that it is easier to raise sales tax than property taxes but sales tax revenues are much more volatile than property tax revenue. Ms. Simpson believed that what Council learned in 2009 about a proposed property tax increase is that people want to know where the additional tax revenue is going. Citizens understand the need for specific projects and there is no inflationary component associated with property taxes.

Cindy Matsumoto pointed out that a \$32 increase in property taxes on a permanent residence is not bad but businesses pay the majority of the tax because there is no exemption for commercial properties. Rents on buildings will increase to cover the increase and any tax increase affects businesses to a greater degree than primary residences. Ms. Simpson agreed and suggested that collective impacts be considered so that one sector is not unfairly affected. Andy Beerman stated that if property taxes are raised the increase should be associated with OTIS, storm drains, etc. A TRT increase should address enhancements to related businesses or the bed base and sales tax relates to hotels, restaurants and retail. Types of taxes should be tied to related projects in a sensible manner assuming the Council wants to raise taxes and there are appropriate projects.

Nate Rockwood stated that the breakdown for property tax revenue is 15.4% for primary residence, 13.4% for commercial, and 71% for residential non-primary. Discussion ensued on how much higher taxes are in the Eastern U.S. and property taxes assessed in Colorado. Ms. Simpson believed that most residents understand the enormous benefit of second home owner tax rates and before considering raising property tax, the impacts on the 71% need to be ascertained specifically as they relate to real estate sales. Cindy Matsumoto emphasized that a sales tax increase raises more money. Lisa Simpson continued that an increase in TRT should be examined regarding its effect on occupancy and tolerance levels for taxes. Ms. Foster interjected that someone purchasing a \$1.6 million second home is probably not concerned about property taxes. Ms. Matsumoto expressed that the commercial sector seems to take the hit on any type of tax. Andy Beerman felt the downfall with property taxes is little gain for the pain.

Nate Rockwood pointed out that revenue bonds are intended to be issued for projects and discussed using general obligation bonds to acquire open space. In response to a question from Dick Peek, circuit bonding was explained as a way to assist outside organizations fund projects. Ms. Matsumoto felt that a project should be defined as a want or a need and the new estimate for OTIS is \$9 to \$10 million. Nate Rockwood clarified that water revenues would cover associated water improvements for OTIS.

Tom Bakaly explained that members can look at existing budgeted projects and lower them as a priority and use some of that funding for new projects, prioritize new projects, or look at new revenue sources. Staff believes the City Council will have to do all three of these things as part of the budget process.

Nate Rockwood presented the model, programmed with projects and revenue streams, and illustrated scenarios for open space, downtown projects, storm drains and OTIS totaling about \$42 million using sales revenue bonds and a GO Bond for open space. The City would be asking voters for a $\frac{1}{4}\%$ increase in the resort cities sales tax and a \$10 million General Obligation Bond and not as much debt would have to be issued because there would be additional cash. OTIS would involve three phases of bonding over nine years and downtown projects represent two phases of bonding over six years. The time frames seem to be realistic. He isolated the \$10 million storm drain project and displayed funding options. A number of scenarios were illustrated on request and the point was made that the City will face financial problems by 2019 if nothing is done in the interim.

Discussion ensued on growth in sales tax and Nate Rockwood advised that the annual increase averages about 4% a year. Mr. Bakaly pointed out that a sales tax bond is not rated as high as a GO Bond because it can vary and revenue is guaranteed from property tax. Liza Simpson felt more comfortable taking a conservative approach with anticipating sales tax revenue growth.

Bret Howser added that he reviewed the revenue mix analysis conducted three years ago and the composite revenue stream in the General Fund in an average recession was expected to dip about 9%. The plan would probably be to use reserves as a buffer but the City is limited by state law on the amount of reserves.

Liza Simpson recalled that high sales tax revenues have been allocated to capital projects in the past consistent with state law and some of the proposed projects could be funded this way. The City Manager stated that the resort cities sales tax is mainly going to operations and if voters approved an increase, he asked members if they are inclined to budget all of it to capital or operations. Ms. Simpson believed Council would have to review the City's on-going operations and maintenance program. Mr. Bakaly clarified that the premise for the resort tax is that resort towns have a disproportionate cost of being a resort town; for example, Park City has more police than cities with a population of 7,000. A good argument can be made that the tax could be used for sidewalk improvements because there are more people using them at a greater rate

because of tourism. Most cities use the TRT and resort cities sales tax for operations. He urged members to be careful when budgeting new revenues for new projects based on existing conditions. Funding conflicts will occur in 2019 without doing any projects.

Andy Beerman indicated that he struggles with dedicating TRT or resort cities sales tax to OTIS because it is neighborhood infrastructure and he doesn't feel there is a direct connection. Liza Simpson agreed. He felt open space monitoring and the endowment should be linked to open space acquisition. Mr. Bakaly noted that some think that paying cash rather than issuing debt is the best approach but it burdens today's taxpayer while subsequent citizens won't share in that cost. Bonding spreads out the impact and is more equitable to the future taxpayer. Dick Peek felt this is a good argument for a property tax increase. Mr. Simpson discussed aligning taxes with projects which can be argued a number of ways. She felt street projects fall under property taxes. Ms. Matsumoto pointed out a tie to sales tax revenue and OTIS projects because Old Town is a tourist attraction and not just a neighborhood. Ms. Simpson felt that Main Street improvements, however, seem like a perfect paring with the resort cities sales tax and Ms. Matsumoto agreed.

Tom Bakaly explained that capital projects will be reviewed on May 17, 2012 and hammering out priorities will be the focus. Alex Butwinski felt that an hour and a half is adequate for study sessions and scheduling the study sessions before or after the regular session should be a function of the agenda on that date. If the day is too busy, a study session shouldn't be scheduled at all. Dick Peek felt that 2 p.m. is probably the earliest time to convene and Cindy Matsumoto stated that she did not want them scheduled after the regular meeting unless the regular meeting is brief.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
APRIL 26, 2012**

Present: Mayor Pro Tem Cindy Matsumoto; Council members Andy Beerman; Alex Butwinski; Dick Peek; and Liza Simpson

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Kent Cashel, Transportation Manager; Matt Twombly, Project Manager; Jon Weidenhamer, Economic Development Manager; Bret Howser, Budget Manager; and Phyllis Robinson, Public Affairs Manager

Absent: Mayor Dana Williams

1. Council questions/comments. Liza Simpson stated that she attended the interagency task force meeting and planning updates were presented by Park City, Summit County and Wasatch County. There are many approved unbuilt projects and increased interest and activity in the Jordanelle. Andy Beerman reported on the Recycle Utah meeting. Summit County has a tentative agreement with Allied for recycling services and is likely to move forward. Glass and a number of other materials will not be collected because of automated bins and Recycle Utah is somewhat concerned because they may be flooded with materials with low value. The large metal building in Bonanza Park was donated by Mark Fischer to Recycle Utah who found a contractor to recycle the whole building. Mr. Beerman also attended a BOSAC meeting where the City's input on collaborating on purchases was recommended.

Alex Butwinski stated he attended a Ski Utah meeting where updates on the Salt Lake City Airport expansion and Ski Link were presented. He felt the Planning Commission meeting was excellent as members were very thoughtful in expressing their positions on the Quinns Junction Annexation.

Cindy Matsumoto stated that she attended the Chamber/Bureau retreat. There was discussion about the film studio and Main Street improvements. She spoke about the Wintzers commissioning University of Utah students on a planning project.

Tom Bakaly explained that Utah Transit Authority is conducting a Mountain Transportation Study including the consideration of a potential rail connection to Park City which may relate to the Olympics. The consultant asked if Park City would like to be represented in the stakeholders' group. Liza Simpson expressed her interest in transportation but cannot attend the first meeting and Andy Beerman was nominated as a liaison. Kent Cashel reported that there are three more meetings once a month which are three to four hours long. The study is not mode specific but more about transportation challenges and the Wasatch Front has been drawn into the study area. Mr. Beerman indicated that he will provide a full update to the City Council. Liza Simpson agreed to serve as an alternate.

2. Quarterly goals – 1st quarter. Tom Bakaly expressed that the table is a work in progress because of the 2030 strategic plan and there have been some changes after Visioning with desired outcomes. Cindy Matsumoto felt there should be more under citizen engagement than the library and Alex Butwinski questioned why a comprehensive plan is there if it hasn't been funded. Bret Howser explained that the language can be edited. Tom Bakaly spoke about bringing the library expansion project back to the Council. Phyllis Robinson pointed out that Goal #7 is open and responsible government and has more information on citizen

engagement. It was felt that the Library should be included in preservation of Park City character. Mr. Butwinski expressed that there is overlap and maybe there is a way to cross-reference goals. Bret Howser believed goals will be adjusted once the 2030 Strategic Plan is available.

Ms. Simpson asked if Historic Site Inventories will be discussed at a joint meeting with the Historic Preservation Board. Mr. Bakaly indicated that nominations will be discussed on May 17th and the HPB has not discussed this at all. Thomas Eddington stated that this can be scheduled at the next HPB meeting the first week in May with those minutes available for the City Council work session.

Jon Weidenhamer clarified for the benefit of Alex Butwinski that stabilizing the historic retaining wall is slated for next summer. With regard to a form-based code for Bonanza-Park, Andy Beerman believed there is confusion among property owners about the scope of the overlay and its effect. There needs to be more discussions to get everyone on board, especially the Wintzers. Tom Eddington advised that a number of meetings are arranged with all of the stakeholders, including the Wintzers next Monday as a follow-up to meetings held three weeks ago. Mr. Beerman pointed out that he has also received concerns about the potential height of buildings. Tom Bakaly anticipated adoption in July.

Paring action and outcome items was discussed. Liza Simpson asked if there is interest in visiting the Millcreek Community Center and if so, a field trip should be scheduled. In response to a question from Alex Butwinski, Kent Cashel explained that the \$2 million funding from UDOT for SR248 will not expire. For the benefit of Ms. Simpson, Mark Harrington stated that the County is still working on the leash law and will provide Park City a copy when it is ready.

Andy Beerman asked if it would be appropriate to identify a potential open space bond under the open space and natural environment goal. It seems like a major item and Ms. Matsumoto agreed. It was decided that it could fall under two goals and could be cross-referenced.

With regard to trails and parking, Mr. Butwinski asked if the Iron Canyon cul-de-sac has been revisited. He felt the residents basically have a private street that the public is paying for. Matt Twombly explained that there is public parking on the road to the first driveway and Andy Beerman felt the parking is adequate for trail users. Members were not interested in rehashing the situation.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
APRIL 26, 2012**

I ROLL CALL

Mayor Pro Tem Cindy Matsumoto called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, April 26, 2012. Members in attendance were Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Mayor Dana Williams was absent and excused. Staff present was Tom Bakaly, City Manager; Tommy Youngblood, Special Events Coordinator; Mat Evans, Planner; Kirsten Whetstone, Planner, Francisco Astorga, Planner; Kent Cashel, Transportation Manager; and Mark Harrington, City Attorney.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

III PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*

None.

IV WORK SESSION AND REGULAR MEETING MINUTES OF MEETING OF APRIL 5, 2012

Liza Simpson indicated that she relayed a minor correction to the City Recorder, "I move approve the work session and regular meeting minutes of April 5th". Dick Peek seconded. Motion unanimously carried.

VI NEW BUSINESS

1. Consideration of an Ordinance approving the 80 Daly Avenue plat amendment located at 80 Daly Avenue, Park City, Utah – The Mayor Pro Tem opened the public hearing; there was no public comment. Alex Butwinski, "I move we continue the Ordinance approving the 80 Daly Avenue plat amendment located at 80 Daly Avenue, Park City to May 24th". Andy Beerman seconded. Motion unanimously carried.

2. Consideration of a Master Festival License, as conditioned, for the Utah High School Cycling League to be held on Saturday, September 8, 2012 at Round Valley Trail System, Quinn's Sports Complex Parking Lots and Richardson Flats Parking Lot – Tommy Youngblood described the event which has been reviewed by several City departments. Staff recommends approval. Dick Peek pointed out a grammatical error in the conditions of approval. In response to a question from Cindy Matsumoto, Mr. Youngblood explained that this is the first event in Utah but it is held in six states. Mr. Youngblood described the shuttle and parking plan.

The Mayor Pro Tem opened the public hearing; there was no input. The public hearing was closed. The new trail event policy was addressed as it relates to potential damage and repairs.

Liza Simpson, "I move to approve a Master Festival License for Utah High School Cycling League on Saturday, September 8, 2012 according to the findings of fact, conclusions of law

and conditions of approval in the staff report. Alex Butwinski seconded. Motion unanimously carried.

3. Consideration of an Ordinance approving the 269 Daly Avenue plat amendment, located at 269 Daly Avenue, Park City, Utah – Mat Evans explained that the applicant is requesting to combine two metes and bounds parcels into one lot. The property is considered a landmark site and the purpose of the combination is to construct an addition at the rear of the home. The applicant has proposed to limit the gross floor area of the buildable site to 2,000 square feet and a building line on the rear of the lot 93 feet from the frontage to discourage development on the side of the parcel. The Planning Commission unanimously forwarded a positive recommendation. He explained the meaning of gross floor area and the location of the 93 foot line. Architect Rick Otto described the back wall and drainage. The Mayor Pro Tem opened the public hearing; with no comments, it was closed.

Cindy Matsumoto felt the Planning Commission did a great job by making some suggestions and the applicant agreed to them. Andy Beerman, "I move that we approve the plat amendment for 269 Daly Avenue, based on the findings of fact, conclusions of law, and conditions of approval". Dick Peek seconded. Motion unanimously carried.

4. Consideration of an Ordinance approving the 12 Oak Court plat amendment combining Lots 35 and 36 of the Amended Evergreen Subdivision Plat, Park City, Utah – Kirsten Whetstone explained that the plat amendment is to remove a common lot line to create one lot of record for an existing house and proposed addition to the rear. The Planning Commission forwarded a positive recommendation. The HOA received notice of the vacation of the ski easement.

Dick Peek commented on the rarity of lot combinations in Deer Valley and asked about the combination affecting density in the Deer Valley Master Plan. Ms. Whetstone believed density cannot be transferred after the property has been platted and Mr. Peek asked if this would be an appropriate condition to add. Mark Harrington affirmed. The Mayor Pro Tem opened the public hearing; there were no comments from the audience and the public hearing was closed.

Dick Peek, "I move that we approve the 12 Oak Court plat amendment combining Lots 35 and 36 of the Amended Evergreen Subdivision Plat based on the findings of fact, conclusions of law and conditions of approval as amended with an additional Condition No. 9 reflecting that the density unit is gone". Liza Simpson seconded. Motion unanimously carried.

5. Consideration of renewals of leases and new leases of City property/right-of-way for outdoor dining, in a form approved by the City Attorney, for:

- (a) Ciseros, 306 Main Street
- (b) Bistro 412, 412 Main Street
- (c) 501 on Main, 501 Main Street
- (d) Main Street Pizza & Noodle, 530 Main Street
- (e) Bandits Grill & Bar, 440 Main Street
- (f) Bangkok Thai on Main, 605 Main Street
- (g) The Eating Establishment, 317 Main Street
- (h) Shabu, 442 Main Street
- (i) Flanagan's, 436 Main Street (deck removed during Arts Festival) – Francisco

Astorga explained that 2012 is the third year of the outdoor dining deck pilot program. The same nine restaurants issued licenses last year have applied this year to place the same deck.

There are no design changes from last year but the fees have been amended. The Mayor Pro Tem invited public input.

Kevin Valeka, Shabu, complained that the May 1 to October 30 lease term is not appropriate. It is still snowing in early May and all of the decks were down by October 15 last year. One month's fee should be taken off the lease because it is too cold to dine outside. Cindy Matsumoto understood that he wanted the term to be May 15 to October 15. Mr. Valeka stated that he has talked to Flanagan's and Bandits. The City Attorney recommended that the parking fee be prorated based on occupancy not to exceed one month.

Liza Simpson believed that appropriate notice should be provided to everyone who is leasing. Mr. Valeka interrupted to complain about having to serve lunch and dinner seven days a week. Ms. Simpson continued to express that she is not comfortable changing the actual dates of the lease without having notified everyone involved. She felt the City Attorney's suggestion is okay because the charges relate to when the space is occupied up to a month of forgiveness.

Shane Barber, Bandits, felt that pilot programs often need to be adjusted and the opportunity to amend the lease term is a good move.

Francisco Astorga advised that the City knows when the decks are installed because they are inspected. However, the fee is charged before the decks are installed and disassembly is not something tracked if it occurs before November. Ms. Simpson suggested charging the full fee and then reimbursing owners at the end of the lease, if needed.

Andy Beerman warned about tinkering with dates because no one knows what the weather will do and restaurants can choose when to be open, for the full period or for two months. He believed the City was trying to come up with a neutral parking budget to accommodate the other days that the street wanted for locals days which is reflected with a small increase. He felt the request represents a savings of only \$75 or \$80 per deck on average and owners are already paying a deeply discounted fee or 20% of the parking fee. Mr. Beerman expressed concerns about adjusting the fee at all at this point as the Council tried to achieve a good balance to maximize the restaurant's flexibility but still minimize the charge, and he thought the compromise was acceptable to everyone.

Alex Butwinski agreed with Mr. Beerman and is not inclined to make an adjustment for such a small amount of money. Francisco Astorga noted that in 2010, all fees were waived for three decks. In 2011, \$300 per parking space was charged and this year based on an analysis on the parking program, an increase to \$550 per space was approved. This represents 19% of the potential revenue or 49% of the actual revenue based on the two year average. Mark Harrington interjected that a fee for a month averages to about \$91 to \$130 per deck.

Kevin Valeka argued that outdoor dining is limited to July and August and again complained about having to meet the lunch requirement seven days a week. He hoped that fees will not be raised again.

Dick Peek pointed out that the item has been noticed and should be continued if leases are modified. Alex Butwinski felt that it is likely that rates will go up in the future. Cindy Matsumoto agreed that it would be difficult to be open seven days a week at the beginning of May and is inclined to agree with Ms. Simpson and charge restaurants for prorated occupancy.

Andy Beerman asked if this modification will adversely affect the Parking Fund. Kent Cashel believed that if the fee is charged from the date the deck occupies the space, he doesn't have a concern. Mark Harrington pointed out that Paragraph 2 of the lease document would need to be amended relating to prorating from date of occupancy not to exceed a month. Kevin Valeka stated that this modification addresses his concerns.

Alex Butwinski asked if the item should be continued so that lessees are notified. Mr. Harrington explained that people have the option of not taking the benefit of the amendment. The leases can be approved with a modification at this meeting. Dick Peek pointed out another provision that could be clearer with regard to the term of the lease in Paragraph 4.

Liza Simpson, "I move that we approve the renewal of and new leases of City property right-of-way on Main Street, as amended by the City Attorney to reflect that the decks do not have to be up for the full six month period, that they can be up for less time, and pay no less than five months' worth of rent, with the language changes referenced for Paragraphs 2 and 4". Alex Butwinski seconded. Motion unanimously carried.

VII 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 4:30 p.m. Members in attendance were Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Mayor Dana Williams was absent and excused. Staff present was Tom Bakaly, City Manager; Diane Foster, Interim Assistant City Manager; Jonathan Weidenhamer, Economic Development Manager; Bret Howser, Budget Manager; and Mark Harrington, City Attorney. Liza Simpson, "I move to close the meeting to discuss property and litigation". Andy Beerman seconded. Motion carried unanimously. The meeting opened at approximately 5:15 p.m. Andy Beerman, "I move to open the meeting". Alex Butwinski seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
MAY 3, 2012**

Present: Mayor Pro Tem Cindy Matsumoto; Council members Andy Beerman; Alex Butwinski; Dick Peek; and Liza Simpson

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Tyler Poulson, Environmental Sustainability Program Manager; Nate Rockwood, Budget and Grants Analyst; Jed Briggs, Budget Analyst; Kent Cashel, Transportation Manager; Rick Ryan, Police Captain; Jon Pistey, Ice Operations Manager; and Chelese Rawlings, Accounting Manager

Absent: Mayor Dana Williams

1. Council questions/comments. Andy Beerman congratulated Diane Foster on her appointment as Deputy City Manager. He reported that last Friday he attended a mountain transportation study meeting with stakeholders including UTA, Salt Lake County, Salt Lake City and a variety of other organizations. Fehr & Peers is the consultant. An element of interest is a connection between the Wasatch Front to the Wasatch Back with light rail or some other means. Participants rated their priorities.

Alex Butwinski stated that he attended a HPCA meeting where members discussed a time frame for potential improvements. Dick Peek reported on a Historical Society meeting where its budget was reviewed and funds are healthy. He attended the HPB meeting where the Historic Sites Inventory nomination process was discussed. Members expressed that they were comfortable with the current process because they can personally nominate sites to the Inventory to be reviewed by staff. Cindy Matsumoto emphasized that the Code provides that staff or a home owner can nominate and HPB members are not called out. Dick Peek understood the Council will discuss this topic on May 17th.

Liza Simpson attended the Recreation Advisory meeting last Tuesday. The subcommittee working on the memorial wall has made progress and would like to get some work done the end of this summer or the beginning of fall, depending upon adoption of the CIP budget. Council will consider the results of the recreation survey update in June.

Alex Butwinski added that he and Mr. Beerman stopped by the Bonanza-Park stakeholders' meeting which was largely informational and well attended. Cindy Matsumoto reminded the public of the Museum's free days on Thursdays in May. A clean-up of Glenwood Cemetery is scheduled next week.

2. Transportation alternatives and partnerships. Tyler Poulson explained that staff is seeking direction from Council on whether to pursue public-private partnerships

relating to alternative modes of transportation, specifically dedicating parking stalls and waiving the parking fee for car sharing. Staff has been approached by U-Haul car share, a national provider, interested in expanding in northern Utah. Motivation for considering car sharing is spelled out in the staff report and studies have indicated that car sharing decreases the level of car ownership and vehicle miles traveled and increases walking and transit use. Some of the objectives include increased alternative transportation, air quality, greenhouse gas emissions and based on some of the research that staff has done so far, indicates that car sharing may be one way to advance those goals.

He explained that none of the studies included communities like Park City necessarily as most are large metropolitan areas but Aspen is one town that currently has a car share program with nine vehicles and about 150 members. He relayed that the staff person running the program had very positive feedback about rental rates and second home users. In addition to having individuals participate and rent the vehicles, car sharing companies will often allow an entire organization to have an account for its employees. If Council concurs, staff will move forward with a RFP for car sharing services because there will need to be a public bid process to ascertain if any other firms are interested in partnering with the City.

Mr. Poulson pointed out that concerns include dedicating parking and enforcement of the restricted parking zone. Local transportation service providers do not provide car sharing and there might be some competition issues raised. U-Haul car sharing in Salt Lake is not aware of any negative feedback from transportation providers in the area.

Andy Beerman asked how many parking spaces are anticipated to be needed. Mr. Poulson stated that U-Haul proposed beginning with a pilot program with two or three parking spaces. Each vehicle would have its sole parking space and there is no specific recommendation on the length of a pilot program. U-Haul's agreement contemplates a four-year term partly based on the purchase of new vehicles.

Alex Butwinski asked how cars are rented and Mr. Poulson explained that typically cars can be rented on-line in advance for a designated time period. The credit card can be swiped in the front window with a GPS system or a keypad on the door.

Liza Simpson felt this is a great idea to explore and she and her husband have a Zip Car account and have used it on the east coast which works well in urban areas. She would like to hear more about Aspen's car sharing program. Ideally, the cars would have to be in covered parking and it might be worthwhile to do some more research before drafting the RFP. She felt the program would be used by international winter workers if international drivers licenses are honored. Ms. Simpson asked if dogs would be allowed in the rentals; it might be helpful to get answers from Aspen.

In response to questions from Dick Peek, Mr. Poulson spoke about submitting drivers license information as part of acquiring an account. There would be signs for the

dedicated parking stalls indicating they are for car sharing with towing enforced. The limited marketing support means advertising through a community newsletter or marketing at a special event, but nothing in terms of a monetary commitment. Cindy Matsumoto expressed that she also wants to learn how the program works in Aspen. There may be a need for four-wheel drive vehicles. She asked if there is a maximum rental time and Mr. Poulson was not sure. Ms. Simpson explained she and her husband signed up in DC and their account was activated 24 hours later. The car has to be reserved on-line or by phone.

Andy Beerman commented that this is intended for locals and not necessarily tourists. Tyler Poulson pointed out that companies accept international drivers licenses for car sharing and memberships in other cities are recognized. He didn't know if there are age limits for renting vehicles. Mark Harrington doubted it because the most successful programs are on college campuses and Mr. Poulson agreed. The first U-Haul operation in Utah was at the U of U campus.

Diane Foster added that the Aspen program was started and funded by the Town. One of the advantages of this particular program is while there is some City in-kind support, the City isn't making an upfront investment to make it happen.

The Mayor Pro Tem invited public input; there was none. Liza Simpson clarified that she is not suggesting that we do a City program, but looking at Aspen's model and the types of vehicles in the car share program may be helpful in crafting the RFP. Alex Butwinski felt that four years is a long commitment and would like to know if the program can be tested for a shorter period of time. Tyler Poulson relayed that he asked U-Haul how many pilot programs failed and the answer was zero.

Tom Bakaly understood direction to move forward which may result in loss in parking which is a component for car sharing and part of the RFP. Ms. Simpson emphasized that ultimately, it is taking cars off the road. Dick Peek asked who is responsible for the shared vehicles and Mark Harrington advised that it is the same as any traditional rental relationship and addressed in the rental contract between the company and the member.

3. Presentation of FY2013-14 City Manager's Recommended Budget. Jed Briggs stated that the budget was delivered to members. He reviewed the proposed budget schedule. He pointed out that strategic plans will be presented rather than departmental budgets and adoption of the budget is anticipated on June 21, 2012. He emphasized that the budget is balanced.

Nate Rockwood displayed a graph on revenue projections; the budget is anticipated to balance for the next several years. Few changes have been made between February and April with regard to projects but building, planning and engineering fees have been coming in low so those revenues have been reduced going forward in the next couple of years. This category is one of the hardest to predict but on the other hand, recreation

fees were increased because they have been coming in high. Sales revenue has been bumped up slightly. Inflation and growth factors were explained which are basically the increased costs of providing services and/or enhanced services. Nate Rockwood pointed out that the largest revenues are property and sales tax. Property tax is coming in at projections, including new properties added this year. Year to date revenue is on target. The General Fund is projected to come in about 3% over budget including the large transfer to capital. Liza Simpson asked about the reduction in court fees. Mr. Rockwood explained that court fees are based on a five year average which fluctuates a lot depending upon the year.

He reiterated that sales tax revenue is coming in well above average and above last year primarily due to the new large hotels in Deer Valley. Mr. Rockwood believed that they have been filing quarterly which caused the big spikes last year and hopefully the hotels will begin to file monthly so that forecasts are more consistent. Staff took a conservative approach with forecasting sales tax revenue because of the poor ski season but it is likely that sales tax will come in higher than the five year average in the past.

Jed Briggs explained that the Budgeting for Outcomes process was implemented last year as a hybrid including an incremental budget approach, which may focus on an increase for a program, for instance. In a BFO process all City services are considered. All of the budgets within programs were separated out resulting in 137 strategic plans. Last year there was somewhat of a disconnect tying programs to Council goals and the eight biennial strategic plans represent goals but have been refined to include a desired outcome or criteria. Mr. Briggs compared the BFO process to a RFP representing the goal and the desired outcome as the criteria relating to the RFP. The strategic plan is a bridge between the Council goal and the BFO program.

Mr. Briggs clarified that although revenues are always considered, they are used more as a threshold in the BFO process. A technical team reviewed all of the ways revenues are being projected to ensure the best forecasts and a lot of research was done on the market relating to property taxes. This information was presented to Council during Visioning. During January and February all of the department managers were preparing bids. The scope, how well it meets the desired outcomes, cost savings, funding at a lower level and performance measures are considerations. Staff also revamped performance measures.

Jed Briggs stated that the technical team focused on revenue sources and the results team invested a lot of time to make the BFO program work. Members represented the self-managed teams as well as each strategic plan team. The results team examined all of the bids, scored them and the scores were based on several criteria, vision, efficiency and value, cost savings, effectiveness of proposals, performance measures, etc.

Ms. Simpson asked the members of the results team in attendance about the process. Kent Cashel believed that scoring should be viewed as framework not just a raw score and overall ranking helped the results team to be able to prioritize. It is difficult to establish a metric system that reflects values that should be captured and there are complications within the funding sources. He felt this is an interesting, collaborative and effective process but it needs to be refined. Jon Weidenhamer stated that employees not just managers sat at the table. Captain Rick Ryan expressed that he learned a lot about other departments and Jon Pistey believed the transparency factor made it a good process.

Tom Bakaly stated that it was a very different budget process for him as it was the first time he didn't meet with teams or departments. He met with the results team once and he couldn't recall making any changes as it was a collaborative process. About \$1 million in budget requests were submitted which was cut in half. This process was much better and it will continue to be refined.

Alex Butwinski recalled that Fort Collins reversed the process which he prefers. Jed Briggs explained that staff tried to spend under as much as possible and the group was trying to find money in existing resources and cuts. Cutting the \$1 million in requests in half was a painful process and managers were asked to fund these requests within existing resources. The benchmark was not revenues but FIAR projections where ten years of history are considered.

Mr. Butwinski pointed out that narratives seem briefer and Mr. Briggs responded that descriptions could be improved in some cases. Scoring was discussed and Mr. Briggs noted that it took about two or three meetings to define the criteria. After bids were vetted and scored, the results team met with managers to discuss the bids and/or rescore some proposals. Voting was private but members saw the aggregate score which was used to make decisions on funding levels.

Andy Beerman asked what staff would do differently next time. Chelese Rawlings pointed out that now the process is in place, it should be simpler from now on. The first couple of meetings were devoted to formulating criteria. Sometimes scoring was surprising. Kent Cashel explained the importance of accurately drafting bids. Jed Briggs believed the BFO process is invaluable and it is a *staff recommended budget* in a lot of ways.

Cindy Matsumoto invited public comment; there was none.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 3, 2012**

I ROLL CALL

Mayor Pro Tem Cindy Matsumoto called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, May 3, 2012. Members in attendance were Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Mayor Dana Williams was absent and excused. Staff present was Tom Bakaly, City Manager; Shelley Hatch, Business Licensing Analyst, Tyler Poulson, Environmental Sustainability Program Manager; and Mark Harrington, City Attorney.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

III PUBLIC INPUT (*Any matter of City business not scheduled on the agenda*)

None.

IV WORK SESSION AND REGULAR MEETING MINUTES OF APRIL 19, 2012

Alex Butwinski, "I move to approve the work session and regular meeting minutes of April 19th". Liza Simpson seconded. Motion unanimously carried.

V NEW BUSINESS

1. Consideration of an Ordinance amending Title 9, Parking Code, Section 9-9-4, Penalties for Illegal Parking and Illegal Idling, Chapter 9-10, Anti-idling, and Title 4, Licensing, Chapter 4-15, For-hire Vehicle Licensing, of the Municipal Code of Park City – Shelley Hatch explained that in order to comply with HB104, signed by the Governor and effective May 8, 2012, the City must amend its anti-idling and for-hire vehicle provisions in the Municipal Code. In response to a question from Liza Simpson, Tyler Poulson explained that the fine for the first anti-idling violation is \$30. The Mayor Pro Tem opened the public hearing.

Tom Fey, resident, expressed that he would like to address a parking issue but not specifically this amendment. He did not feel that the parking signs at The MARC are appropriate and some people feel they are offensive. The signs may not comply with the City's parking code because The MARC and the parking lot are public property. The majority of people going to The MARC participate in individual activities not programs that are supported by a carpool. Yet, there are many carpool signs and he believes patrons ignore the signs and park there anyway. He spoke about playing

tennis with a group who live all over the place making it difficult to carpool in an efficient way. The signs about hybrid and high mileage vehicles have nothing to do with an athletic facility. These types of signs are not displayed at the Marsac parking lot, City Park, trailheads and he asked why they are installed at The MARC which is a public facility. The situation is bureaucratic over-reach and he urged the Council to remove them. People are ignoring the signs. Mr. Fey commended the City for the improvements to the tennis courts.

Without further comments, the public hearing was closed. Andy Berman, "I move to approve Business Item No. 1". Dick Peek seconded. Motion unanimously carried.

2. Consideration of a Resolution adopting the Revised Budget for Fiscal Year 2012-2013 and the Proposed Budget for Fiscal Year 2013-2014 for Park City Municipal Corporation and its related agencies – Cindy Matsumoto referred to the discussion in work session introducing the budget and the budget process. She opened the public hearing; there were no comments. Liza Simpson, "I move to continue the consideration of a Resolution adopting the Revised Budget for Fiscal Year 2012-2013 and the Proposed Budget for Fiscal Year 2013-2014 for Park City Municipal Corporation and its related agencies to May 17th". Dick Peek seconded. Motion unanimously carried.

The Mayor Pro Tem encouraged the public to attend meetings on the budget. Tom Bakaly explained that cities are required to present a balanced budget by the first week in May. Revenues were discussed this afternoon and the process the City is using is called Budgeting for Outcomes which aligns the budget with Council goals by having departments bid for the cost to provide a service. This is very different from a line item budget. The Capital Improvement Program will be discussed on May 17 and May 24. The total budget, including all funds, is \$68 million but actual spending is in the \$45 million range. The General Fund is budgeted at \$25 million and all documents are on-line.

Mr. Bakaly continued to explain that the technical team estimated revenues and the results team looked at all of the proposals the teams submitted for services relating to some 139 programs. This is similar to a RFP process where the scope is determined and the manager submits a bid. It is a true BFO Budget this year.

The Mayor Pro Tem again invited input; there was none. Ms. Simpson felt this approach is easier for the public to understand. Cindy Matsumoto reported that on May 17, 2012, the Council will be focusing on capital projects and she invited the public to express its opinions. Tom Bakaly stated that this budget is proposed as a *no property increase tax budget*.

VI 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 2:30 p.m. Members in attendance were Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Mayor Dana Williams was absent and excused. Staff present was Tom Bakaly, City Manager; Wade Carpenter, Chief of Police; Diane Foster, Deputy City Manager; Tom Daley, Deputy City Attorney; Joan Card, Environmental Regulatory Specialist; Shaun McGrath, Legal Counsel; Jason Christensen, Environmental Counsel, Jim Blankenau, Environmental Regulatory Specialist; Jon Weidenhamer, Economic Development Manager; and Mark Harrington, City Attorney. Liza Simpson, "I move to close the meeting to discuss property and litigation". Alex Butwinski seconded. Motion carried unanimously. The meeting opened at approximately 3:15 p.m. Alex Butwinski, "I move to open the meeting". Andy Beerman seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott, City Recorder



City Council Staff Report

Subject: Resolution – National Invasive Weed Awareness Week
Author: Jan Scott
Department: City Manager
Date: May 17, 2012
Type of Item: Legislative, Administrative

Summary Recommendations:

The Parks Department recommends that the City Council consider adopting a Resolution recognizing National Invasive Weed Awareness Week.

Topic/Description:

Summit County adopted this Resolution last week and the Parks Department asked that the City also promote National Invasive Weed Awareness Week which has been designated the past couple of years by the City.

Resolution No.

**RESOLUTION DESIGNATING MAY 13 – 19, 2012
AS NATIONAL INVASIVE WEED AWARENESS WEEK
IN PARK CITY, UTAH**

WHEREAS, it is the role and duty of government to protect property from invasive weeds and proactively address measures for their control; and

WHEREAS, it is the City Council's desire to publicly support the Summit County Weed Board in its weed control programs to abate noxious and invasive species; and

WHEREAS, it is appropriate to recognize local, state and federal programs improving Park City's quality of life and observe National Invasive Weed Awareness Week;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council designate May 13 through the 19, 2012:

**NATIONAL INVASIVE WEED AWARENESS WEEK
IN PARK CITY, UTAH**

PASSED AND ADOPTED this 17TH day of May, 2012.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder



City Council Staff Report

Subject: 2012 Water Revenue Bond Hearing
Author: Nate Rockwood
Department: Budget, Debt, & Grants
Date: May 17, 2012
Type of Item: Legislative

Summary Recommendations:

Staff recommends that Council hold a public hearing related to the proposed 2012 Series Water Revenue bond issuance.

Topic/Description:

Water Revenue Bond Public Hearing

Background:

During the FY 2012 Budget process City Council approved the Capital Improvement Plan (CIP) for FY 2012. The CIP included budgeted water revenue bond funding for the following FY2012 projects: Judge Water Treatment, Boothill Transmission Line, PCWIP, Quinn's Junction Transmission Lines, and the Quinn's Water Treatment Plan.

On April 19, 2012 City Council approved a designation resolution in the amount not to exceed \$5,000,000 for the 2012 Series Water Revenue bond issuance and set a public hearing to take place on May 17, 2012. The bond is to be issued in the amount of \$4,160,000.

Analysis:

The attached bond resolution set the parameters of the water revenue bond issuance and initiated the process of public notice. The resolution set the maximum issuance amount at \$5 million and defines the purpose as follows:

(I) financing the cost of various capital improvements to the system, including a water treatment plant, a pump station, transmission lines, and related facilities and improvements (the "project"), (ii) satisfying a debt service reserve requirement, and (iii) paying costs of issuance of the series 2012

The resolution also established the format for public notice, which should be published in the Park Record for two consecutive weeks, the first notice not less than 14 days before the public hearing. The public notice announced a public hearing to be held on May 17, 2012, and initiated a 30 day period in which interested parties may contest the legality of the resolution or the bonds.

The resolution also established maximum terms of 6% interest, not more than 15 years, and 1% discount from par. These terms are intentionally set high to allow flexibility in the bond structure. Staff anticipates that the actual interest rate of the bond would be closer to the current rate of 2.40% than the maximum. The maturity of the bond is expected to be 15 years. The parameters allow for a maximum 1% discount from par, which would be necessary if interest rates were higher than the coupon rate on the bond.

The resolution set a public hearing to be held on May 17, 2012. After the public hearing the City Manager may authorize the final terms and sale of the water revenue bonds. It is anticipated that the sale of the bonds would occur on or around May 23, 2012. Staff would proceed with the bond closing on or after May 30, 2012. The bond will be sold by competitive sale. The City has previously sold water revenue bonds by negotiated sale, however it is the recommendation of the city's financial advisor and staff that, based on the current market for water bonds, the size of the bond, and the financially sound standing of the City, a competitive sale could provide better interest rates and therefore savings to the Water Fund and water users.

Department Review:

Budget, Debt & Grants; City Manager; Legal

Alternatives:

A. Approve:

Staff recommends that Council hold a public hearing related to the proposed 2012 Series Water Revenue bond issuance.

B. Deny:

This Bond was anticipated in the 2012 budget, not holding a public hearing would delay the sale of the bonds and consequently the Water Department would have inadequate funds to continue projects and operations this Fiscal Year.

C. Modify:

D. Continue the Item:

This would impact the bond schedule and would potential delay the sale of the bond. Proceeds from the bonds are required this fiscal year in order to meet the Water Funds obligations.

E. Do Nothing:

This would have a similar impact as B.

Significant Impacts:

A public hearing is required in order to issue the bond. This bond issuance is anticipated in the FY 2012 budget; proceeds from the bonds are required this fiscal year in order to meet the Water Funds obligations.

Consequences of not taking the recommended action:

This bond was anticipated in the 2012 budget, not holding a public hearing would delay the sale of the bonds and consequently the Water Department would have inadequate funds to continue projects and operations this Fiscal Year.

Recommendation:

Staff recommends that Council hold a public hearing related the proposed 2012 Series Water Revenue bond issuance.

Attachments:

A – Bond Resolution (4/19/2012 - Does not include Exhibits)

RESOLUTION NO. 12-12

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF WATER REVENUE BONDS; DIRECTING THE PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED; PROVIDING FOR THE HOLDING OF A PUBLIC HEARING AND THE PUBLICATION OF A NOTICE OF PUBLIC HEARING; EXPRESSING OFFICIAL INTENT REGARDING CERTAIN CAPITAL EXPENDITURES TO BE REIMBURSED FROM THE PROCEEDS OF SUCH REVENUE BONDS; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE THAT THE BONDS MAY BEAR AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; AUTHORIZING THE EXECUTION AND DELIVERY OF A SUPPLEMENTAL INDENTURE OF TRUST AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY FOR THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION

*** *** ***

Whereas, Park City, Utah (the "*City*") is a political subdivision and body politic duly organized and existing under the Constitution and laws of the State of Utah; and

Whereas, the City considers it necessary and desirable and for the benefit of the City and the users of the System (as hereinafter defined) to issue water revenue bonds as hereinafter provided for the purpose of financing the cost of acquisition, construction and completion of improvements to the water system of the City (collectively, the "*Project*").

Whereas, pursuant to and in accordance with the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the "*Utah Code*") and the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code (collectively, the "*Act*"), the General Indenture of Trust, dated as of December 1, 2002 (the "*General Indenture*"), between

the City and Zions First National Bank, as trustee (the "*Trustee*"), as amended and supplemented (the copy of which is attached hereto as *Exhibit A*), and an Eight Supplemental Indenture of Trust, dated as of May 1, 2012 (the "*Supplemental Indenture*" and, together with the General Indenture, the "*Indenture*"), between the City and the Trustee (the form of which is attached hereto as *Exhibit B*), the City has determined that it is in the best interest of the City to issue not more than \$5,000,000 Water Revenue Bonds, Series 2012 (Bank Qualified) (the "*Bonds*") pursuant to this Resolution and the Indenture to provide funds for the purpose of (i) paying a portion of the costs of the Project, (ii) funding a debt service reserve fund and (iii) paying costs of issuance relating to the issuance, sale and delivery of the Bonds and (b) to cause the proceeds of the sale of the Bonds to be applied in accordance with the Indenture; and

Whereas, the City is authorized by the Act to enter into the Indenture and to issue the Bonds; and

WHEREAS, a notice inviting electronic bids for the purchase of the Bonds will be advertised by electronic dissemination through the PARITY® electronic bid submission system;

WHEREAS, in the opinion of the City, it is in the best interests of the City that (a) the City Manager (or, in the event of the absence or incapacity of the City Manager, the City Treasurer, or in the event of the absence or incapacity of both the City Manager and the City Treasurer, the Mayor (collectively, the "*Designated Officer*")) be authorized to (i) accept or reject the bids received for the Bonds pursuant to the PARITY® electronic bid submission system and determine the best bid received that conforms to the parameters, deadlines and procedures set forth in the notice of sale prepared in connection with the advertisement for sale of the Bonds

and (ii) approve the final principal amount, maturity amounts, interest rates, dates of maturity and other terms and provisions relating to the Bonds and to execute the Certificate of Determination containing such terms and provisions and (b) the Mayor be authorized to execute the Official Statement with respect to the Bonds; and

Whereas, Section 11-14-318 of the Utah Code requires that a public hearing be held to receive input from the public with respect to the issuance of the Bonds and the potential economic impact that the Project will have on the private sector and that notice of such public hearing be given as provided by law, and the City desires to cause the publication of such a notice; and

Whereas, Section 11-14-316, Utah Code Annotated 1953, as amended, provides for the publication of a Notice of Bonds to be Issued and the City Council of the City (the "City Council") desires to publish such a Notice of Bonds to be Issued at this time in compliance with said section with respect to said Bonds; and

Whereas the expenditures relating to the Project (the "*Expenditures*") (i) have been paid from the City's Water Fund (the "*Fund*") within sixty days prior to the passage of this Resolution or (ii) will be paid from the Fund on or after the passage of this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Park City, Utah, as follows: *Section 1 Issuance of Bonds.* (a) In accordance with and subject to the terms, conditions and limitations established by the Act and in the Indentures and for the purposes set forth herein, a series of water revenue bonds of the City is hereby authorized to be issued in the aggregate principal amount of Five Million Dollars (\$5,000,000). Such series of bonds shall be designated "*Water*

Revenue Bonds, Series 2012 (Bank Qualified).” If the Designated Officer determines that the principal amount to be issued shall be less than Five Million Dollars (\$5,000,000), then the principal amount of such series of bonds shall be limited to the amount so determined by the Designated Officer.

The Bonds shall be dated as of their date of original issuance and delivery (the “*Dated Date*”), shall mature on the dates and in the principal amounts, and shall bear interest from the Dated Date, payable semiannually on June 15 and December 15 in each year, commencing December 15, 2012, at the interest rates provided in the Certificate of Determination, a form of which is attached hereto as *Exhibit C* (the “*Certificate of Determination*”). The Bonds shall be issued in authorized denominations and shall be executed and payable as provided in the Indenture.

(b) There is hereby delegated to the Designated Officer, subject to the limitations contained in the this Resolution, the power to determine and effectuate the following with respect to the Bonds and the Designated Officer is hereby authorized to make such determinations and effectuations:

(i) the aggregate principal amount of the Bonds; *provided* that the aggregate principal amount of the Bonds shall not exceed Five Million Dollars (\$5,000,000);

(ii) the maturity date or dates and principal amount of each maturity of the Bonds to be issued; *provided, however*, that the final maturity of all Bonds shall not be later than twenty years from their date or dates;

(iii) the interest rate or rates of the Bonds, *provided, however*, that the interest rate or rates to be borne by any Bond shall not exceed six percent (6.00%) per annum;

(iv) the sale of the Bonds to the purchaser of the Bonds (the "*Purchaser*") and the purchase price to be paid by the Purchaser for the Bonds; *provided, however*, that the discount from par of the Bonds shall not exceed one percent (1.00%) (expressed as a percentage of the principal amount);

(v) the Bonds, if any, to be retired from mandatory sinking fund redemption payments and the dates and the amounts thereof;

(vi) the optional redemption date of the Bonds, if any; and

(vii) the use and deposit of the proceeds of the Bonds; and

(viii) any other provisions deemed advisable by the Designated Officer not materially in conflict with the provisions of this Resolution.

Immediately following the date and time specified in the Official Notice of Bond Sale attached to the Official Statement for the receipt of bids for the purchase of the Bonds, the Designated Officer shall obtain such information as he or she deems necessary to make such determinations as provided above and to determine the bid of the responsible bidder that results in the lowest effective interest rate to the City (the "*Best Bidder*"). Thereupon, the Designated Officer shall make such determinations as provided above, shall award the bid to the Best Bidder and shall execute the Certificate of Determination containing such terms and provisions of the Bonds, which execution shall be conclusive evidence of the awarding of such bid to the Best Bidder and the action or determination of the Designated Officer as to the matters stated therein.

If the Designated Officer determines that it is in the best interest of the City, the Designated Officer may (1) waive any irregularity or informality in any bid or in the electronic bidding process; and (2) reject any and all bids for the Bonds.

(c) The Bonds shall be subject to redemption prior to maturity as provided in the Indenture.

(d) The form of the Bonds set forth in the Supplemental Indenture, subject to appropriate insertion and revision in order to comply with the provisions of the Indenture, is hereby approved.

(e) The Bonds shall be special obligations of the City, payable from and secured by a pledge and assignment of the Net Revenues (as defined in the Indenture) derived by the City from the operation of its System (as defined in the Indenture) for the distribution of water, and certain funds established under the Indenture, subject to the application of the Net Revenues upon the terms and conditions set forth in the Indenture. The Bonds shall not be obligations of the State of Utah or any other political subdivision thereof, other than the City, and neither the faith and credit nor the taxing or appropriation power of the State of Utah or any political subdivision thereof, including the City, is pledged to the payment of the Bonds. The Bonds shall not constitute general obligations of the City or any other entity or body, municipal, state or otherwise.

Section 2. Approval of General Indenture and Approval and Execution of Supplemental Indenture. The General Indenture and the Supplemental Indenture, in substantially the forms attached hereto as *Exhibits A* and *B*, respectively, are hereby authorized and approved,

and the Mayor is hereby authorized, empowered and directed to execute and deliver the Supplemental Indenture on behalf of the City, and the City Recorder is hereby authorized, empowered and directed to attest such execution and to countersign, and to affix the seal of the City to the Supplemental Indenture, with such changes to the Supplemental Indenture from the forms attached hereto as are approved by the Mayor, his execution thereof to constitute conclusive evidence of such approval. The provisions of the General Indenture and the Supplemental Indenture, as executed and delivered, are hereby incorporated in and made a part of this resolution. The General Indenture and the Supplemental Indenture shall constitute a “system of registration” for all purposes of the Registered Public Obligations Act of Utah.

Section 3. Approval of Continuing Disclosure Undertaking. The Continuing Disclosure Undertaking relating to the Bonds (the “*Continuing Disclosure Undertaking*”), in substantially the form attached hereto as *Exhibit D* is hereby authorized and approved, and the Mayor is hereby authorized, empowered and directed to execute and deliver the Continuing Disclosure Undertaking on behalf of the District, and the City Recorder is hereby authorized, empowered and directed to affix the seal of the District and to attest such seal, with such changes to the Continuing Disclosure Undertaking from the form attached hereto as are approved by the Mayor, his execution thereof to constitute conclusive evidence of such approval.

Section 4. Approval of Official Statement. (a) The Official Statement of the City is hereby authorized in substantially the form presented at this meeting and in the form attached hereto as *Exhibit E* (the “*Official Statement*”), with such changes, omissions, insertions and revisions as the Mayor shall deem advisable, including the completion thereof with the

information established at the time of the sale of the Bonds by the Designated Officer and set forth in the Certificate of Determination. The Mayor shall sign and deliver the Official Statement to the Purchaser for distribution to prospective purchasers of the Bonds and other interested persons. The approval of the Mayor of any such changes, omissions, insertions and revisions shall be conclusively established by the Mayor's execution of the Official Statement.

(b) The use and distribution of the Official Statement in preliminary form (the "*Preliminary Official Statement*"), in substantially the form presented at this meeting and in the form attached hereto as *Exhibit E*, is hereby authorized and approved, with such changes, omissions, insertions and revisions as the City Treasurer shall deem advisable. The Mayor, the City Recorder and the City Treasurer are, and each of them is, hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as may be necessary or advisable to deem final the Preliminary Official Statement within the meaning and for purposes of paragraph (b)(1) of Rule 15c2-12 of the Securities and Exchange Commission, subject to completion thereof with the information established at the time of the sale of the Bonds. The Mayor, the City Recorder and the City Treasurer are, and each of them is, hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as may be necessary or advisable to provide for the issuance, sale and delivery of the Bonds, and any actions taken thereby for purposes of deeming the Official Statement to be final for purposes of Rule 15c2-12 of the Securities and Exchange Commission are hereby authorized, ratified and confirmed.

Section 5. Other Certificates and Documents Required to Evidence Compliance with Federal Tax Laws. Each of the Mayor and the City Recorder is hereby authorized and directed to execute such other certificates and documents as are required to evidence compliance with the federal laws relating to the tax-exempt status of interest on the Bonds.

Section 6. Other Actions With Respect to the Bonds. The officers and employees of the City shall take all action necessary or reasonably required to carry out, give effect to, and consummate the transactions contemplated hereby and shall take all action necessary in conformity with the Act to carry out the issuance of the Bonds, including, without limitation, the execution and delivery of any documents required to be delivered in connection with the sale and delivery of the Bonds. If (a) the Mayor or (b) the City Recorder shall be unavailable to execute or attest and countersign, respectively, the Bonds or the other documents that they are hereby authorized to execute, attest and countersign the same may be executed, or attested and countersigned, respectively, (i) by the Mayor pro tempore or (ii) by any Deputy City Recorder.

Section 7. Public Hearing. (a) In satisfaction of the requirements of Section 11-14-318 of the Local Government Bonding Act, a public hearing shall be held by the City on Thursday, May 17, 2012, at 6:00 p.m., at the Marsac Municipal Building, Council Chambers at 445 Marsac Avenue, Park City, Utah, to receive input from the public with respect to the issuance by the City of the Bonds for the purposes set forth in Section 1 hereof and the potential economic impact of the Project on the private sector.

(b) The City Recorder shall cause the "Notice of Public Hearing," in substantially the form attached hereto as *Exhibit F*, to be published (a) once each week for two consecutive weeks

in *The Park Record*, a newspaper of general circulation in the City, with the first publication being at least 14 days prior to the date set for the public hearing and (b) on the Utah Public Notice Website no less than 14 days before the public hearing described in Section 8.

Section 8. Notice of Bonds to be Issued. In accordance with the provisions of Section 11-14-316 of the Local Government Bonding Act, the City Recorder shall cause the "Notice of Bonds to be Issued," in substantially the form attached hereto as *Exhibit G*, to be published one time in *The Park Record*, a newspaper of general circulation in the City, and shall cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in her office for public examination during the regular business hours of the City until at least thirty (30) days from and after the date of publication thereof.

For a period of thirty (30) days from and after publication of the Notice of Bonds to be Issued, any person in interest shall have the right to contest the legality of this Resolution or the Bonds hereby authorized or any provisions made for the security and payment of the Bonds. After such time, no one shall have any cause of action to contest the regularity, formality or legality of this Resolution or the Bonds or any provisions made for the security and payment of the Bonds for any cause.

Section 9. Reimbursement. For the purpose of satisfying certain requirements under the Internal Revenue Code of 1986, the City reasonably expects to reimburse the Expenditures with the proceeds of the Bonds to be issued in the maximum principal amount of \$5,000,000.

Section 10. Resolution Irrepealable. Following the execution and delivery of the Indenture, this resolution shall be and remain irrepealable until the Bonds and the interest thereon shall have been fully paid, cancelled, and discharged.

Section 11. Severability. If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

Section 12. Effective Date. This resolution shall be effective immediately upon its approval and adoption.

ADOPTED AND APPROVED by the City Council of Park City, Utah, this 19th day of April,
2012.

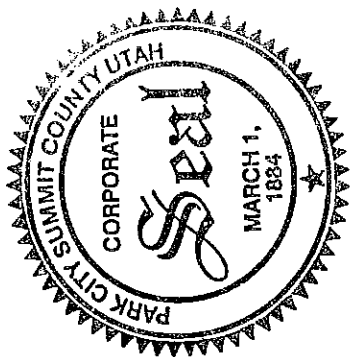
PARK CITY, UTAH

By Cynthia Matsumoto
Mayor ~~PROTEM~~

[SEAL]

ATTEST AND COUNTERSIGN:

By Joe McScott
City Recorder



APPROVED AS TO FORM:

By [Signature]
City Attorney

City Council Staff Report



Subject: QUINN'S JUNCTION PARTNERSHIP
ANNEXATION AND ZONING MAP AMENDMENT
Date: May 17, 2012
Project Number: PL-12-01473
Type of Item: Legislative-Annexation and Zoning Map amendment

Summary Recommendation

Staff recommends the City Council conduct a public hearing, discuss the proposed annexation application and MPD plans, provide direction, and continue this item to the May 24th meeting.

Purpose of this meeting

The purpose of this meeting is to: 1) introduce to the City Council the proposed Annexation and zoning application; 2) convey to the Council the Planning Commission's recommendation; 3) conduct a public hearing; 4) allow the Council an opportunity to provide direction to staff and the applicant regarding the progress on the site plan; and 5) provide direction and identify any specific issues or concerns regarding the MPD plans/development to enable action at the May 24th meeting.

Description

Project Name: Quinn's Junction Partnership Annexation
Applicant: Quinn's Junction Partnership ("QJP")
Representative: Michael Martin, General Partner Quinn's Junction Partnership
Location: Southwest quadrant of US 40 and SR 248 intersection
Proposed Zoning: Community Transition and Regional Commercial Overlay (CT-RCO)
Adjacent Land Uses: Dedicated open space, US 40 and SR 248, Quinn's Sports Complex and Open Space, Park City Heights MPD, Park City Medical Center, USSA Center of Excellence, Summit County Health Department, Medical Offices, Rail Trail recreation trail, Quinn's Water Treatment Plant, and vacant agricultural land.
Proposed Uses: Movie studio, offices/retail, hotel, and associated uses (total of 374,000 square feet)

Proposal

The applicant is requesting annexation into Park City and zoning, with Master Plan Development approval, for a 29.55 acre parcel of undeveloped land for the purpose of constructing 374,000 square feet of commercial uses, limited to a

movie studio and media campus, including a 100 room hotel, amphitheater, and associated uses.

The property is located in the southwest quadrant of the Quinn's Junction Planning Area, at the intersection of US Highway 40 and State Road (SR) 248 (Exhibit A). The annexation plat and legal description are attached as Exhibit B.

The proposed zoning is Community Transition- Regional Commercial Overlay (CT-RCO) for the entire parcel. The use of the overlay zone recognizes the unique circumstances of the project and acknowledges the County's vested density determination based upon prior applications as limited to the express terms of the proposed MPD, without creating a precedent for adjacent parcels in the CT zone. A further commercial up-zone of other parcels in the existing City CT zone would remain inconsistent under the current Land Use plan of the General Plan.

The property is subject to a County Settlement Agreement (Exhibit C) that acknowledges a vested development right for a Film and Media Campus of 355,000 gross commercial square feet, with possible future phases, if the City denies annexation and the project is developed in Summit County.

Background

Why is the City re-considering Annexation?

The owners of the property have been attempting to develop the property in the County for over twenty years. The owners asserted that these efforts resulted in part from prior representations and assurances in conjunction with UDOT's reconstruction of US 40 and the SR248 intersection and condemnation of some portion of their property. As the various zoning disputes evolved, the owner and the County ended up in litigation in both state and federal court, as well as going through the Utah Private Property Ombudsman arbitration process. Development proposals have run the gamut from a small commercial highway gas station and motel, evaluation as a potential for the IHC hospital, and to a large entertainment and ski resort venue.

In 2005, the applicant petitioned the City for annexation concurrent with (but by separate petition) the Park City Heights project. The City was in the process of considering the adoption of the Community Transition (CT) zone which acknowledged commercial uses for the property at 3:1 unit/acre which was considered an up-zone from Summit County base zoning, but the zoning was still at a much lower density than the owner proposed (over 10:1). The City rejected the petition out of concern for the proposed density and timing of the annexation as it related to other areas, including IHC, Park City Heights and Osguthorpe, which if were not handled correctly may have resulted in lack of contiguity, an unincorporated island, etc. The owner sued the City and the City prevailed in state District Court. The owner appealed.

The owner withdrew the appeal of the dismissal when the property was under

consideration for the U.S. Department of Defense/Air Force recreation facility and hotel in an effort to directly engage the City in negotiations towards a global settlement of all issues. While the City fairly successfully defeated federal attempts to circumvent local zoning by preemption, the project got new life under state legislation now known as MIDA (Military Installation Development Act), which extended broad powers of redevelopment authority on existing military bases to military land in other parts of the state, specifically in Summit (and later Wasatch) County. The legislation removed local planning authority over such military project area.

However, after another military hotel project area was chosen by MIDA, the QJP owners re-initiated their state and federal litigation against the County which had been largely stayed pending MIDA negotiations. QJP also secured an option with Raleigh Studios for a film and media campus and began lobbying the state for legislation similar to MIDA for a state economic development movie studio zone, again to remove local zoning authority from the County. Despite defeat of the legislation just last year, state legislative leadership strongly encouraged the County to resolve the matter prior to another legislative session, which likely would reconsider legislation introduced by studio supporters last year.

The City first asked the County if the parties could attempt to find an alternate location for the studio where it would comply with local zoning. The County agreed to let the City lead this effort and the parties explored several locations but ultimately could not arrange a land trade. When it became clear that QJP and the County were making significant progress towards settling their litigation and the settlement would likely result in density significantly above that previously contemplated, the City asked the County for the right to participate in the settlement so that the City could re-assess whether annexation would be appropriate in light of the newly proposed vested density in the County Settlement Agreement (Exhibit C).

Annexation Agreement

Because the County Settlement vests zoning with QJP based upon applications pre-dating the City's last decision on annexation of the project, the City Council determined that the City should have another bite at the apple and reconsider annexation under the original 2005 petition. Therefore, the City entered into an Annexation Agreement (Exhibit D) which re-opens the original annexation application from 2005, including applying the previously paid application fees towards the current review. Accordingly, the annexation petition is not subject to recent General Plan map amendments or pending changes to the General Plan.

The General Plan in effect for the 2005 review is the same as the current version, but for amendments made earlier this year for the CT zone and City boundary updates around the QJP property. Current Land Management Code provisions apply unless they conflict with express terms of the Annexation Agreement.

The City's efforts led to Planning Director Thomas Eddington's participation in

refining the proposed site plan prior to its inclusion in the County Settlement Agreement. The “give” was that the City had to consider slightly higher density, although, the applicant asserts the County would be more receptive to an additional phase in the future beyond the 355,000. In addition to commercial use restrictions aimed at preventing direct ambush activity regarding Sundance, two noteworthy planning “gets” were:

- 1) The development and incorporation of design standards for the QJP project drafted to ensure compatibility with adjacent community transitional uses (IHC, USSA and PC Heights).
- 2) Site plan changes which include: a) elimination of water tower/highway sign or billboard; b) elimination of setbacks in exchange for additional height limits and shift of the building pads to provide parking in the back of the parcel, and siting smaller structures so as to step up to and screen the larger studio buildings. The City was less concerned with the northern/front setbacks given the steep grade change close to the interchange, and instead focused on moving the best designed building architecturally (hotel) to the most visible building pad. This also provided the opportunity for an open central area for use as an amphitheater.

Per said Agreement, if developed in the City, parameters include:

- Limited to 374,000 gross commercial square feet, excluding roads, parking lots, parking structures, porches, balconies, patios, decks, vent shafts, and courts.
- One (1) enclosed atrium that serves as a pedestrian connection between two building pads that is not a stand-alone building and that may not be converted to habitable space and is excluded from the gross commercial square feet.
- The site plan and berming are to be installed as identified in Attachment A of the Agreement.
- Final design approval of the project shall be by administrative Conditional Use Permit reviewed by the Park City Planning Department for compliance with the LMC.
- Building design shall comply with the Architectural Standards as identified in Attachment B of the Agreement.
- Green Building design and construction shall meet minimum Shadow LEED Standards.
- All signs shall comply with the Park City Sign Code, with no icon, water tower, or highway billboard signs permitted.
- No open space, setbacks, or affordable housing requirements may be imposed.
- Uses, including the proposed amphitheater, shall be of the type shown in Attachment C of the Agreement and/or consistent with the Film Studio and

Campus concept and the gross square footage of those uses shall not exceed the allowed gross commercial square feet. The stage may not be oriented toward City open space and shall be reviewed for compliance with the Architectural Standards.

- The proposed hotel is limited to 100 rooms (keys).
- A maximum building height of 50 feet for sound stages, or a maximum height not to exceed 60 feet in Pad 7 of Attachment A (site plan), in the event a major, long –term film production contract necessitates the full studio height.
- No more than 70% of the remaining buildings are allowed a building height of 36-40 feet with all other buildings to be no more than 28 feet in height according to the CT Zone height limit.
- No building shall be greater than 28 feet in height unless it is located more than 150 feet from the center line of a public roadway.
- Smaller buildings are massed and/or placed strategically (from an overall design aesthetic) to break up the volumes of the Sound Stage Buildings to mitigate appearance of the vertical façade of the taller buildings.
- Visual impact of parking shall be mitigated by various methods.
- The Movie Studio portion of the campus may have perimeter and entry security controls.
- The applicant is responsible for coordinating water and utility service, which may include a third party provider, in compliance with applicable standards prior to annexation approval.
- Other provisions as outlined in the Annexation Agreement, including requirement that the applicant to create Covenants and Restrictions (CCRs) applicable to the entire property, including the Film Studio and all commercial owners and tenants, which prohibit commercial uses of any facility within the MPD which directly ambushes the Sundance Film Festival and other provisions as stated in said Agreement.
- If annexation is not approved, then development on this parcel will occur in Summit County subject to the County Settlement Agreement.

City Council approval of Annexation Agreement

In reviewing the Agreement the Council based the decision to approve the Agreement on the following “*Advantages to the City of Annexation*” as stated in the January 26, 2012 staff report:

- Influence the design: Where the proposed project is quite large and located at one of the City’s two entry points, it is in the City’s interest to ensure the project is well designed and consistent with the Park City brand. The design guidelines found in the Annexation Agreement (Exhibit D) will ensure that the look of the project will be similar to that of other

- large buildings in the area, such as the hospital and requires the design and construction to meet at minimum shadow LEED Silver standards.
- Better manage the impacts: Where this project is currently within Park City's Annexation Declaration Area and located at one of Park City's two egress points, the project will have a greater impact on Park City than on the County as a whole. Additionally, given this proximity, it is likely the City will have a greater concern about strict adherence to this agreement.
 - If the City will receive the impacts; the City should get the funds to mitigate those impacts: If the project is located within City limits, the City can use the tax revenue associated with the project to offset the impacts.
 - A potential for a partnership with Sundance could result in a long term win-win for the state and local economies and cultural offerings of the City.

Revisions to the MPD plans

In response to Planning Commission comments and discussion at meetings in February, March and April, the applicant made the following revisions to the initial site plan:

1. Moved the largest building closer to the interior for better screening by smaller buildings and less impacts to the south HW40 off-ramp view.
2. Moved the hotel away from Hwy 248 with greater building setbacks and eliminated the amphitheater in the center of the site and added a stage building with lawn area to the south of the hotel. Moved the stage area closer to the hotel and opened up the open space/lawn area south of the hotel and stage as a better transition to the City's adjacent open space parcel.
3. Increased berming, landscaping, and secondary/lower buildings and trellises in front of taller building masses to mitigate visual impacts of the buildings from adjacent highways.
4. Oriented and clustered tighter, the event/film screening building towards internal campus with pedestrian connectivity through the site and to proposed area trails. Reduced overall entertainment focus, in terms of size of tours, tourist elements, etc.
5. Proposed trails and trail connections to adjacent properties, including a connection to the Park City Heights rail trail connector trail. Indicated trail head amenities, information kiosk, parking, public restrooms.
6. Provided a revised open space analysis and plan and increased total open space by increasing landscaping and storm drainage storage areas and by decreasing total surface parking. Provided concept landscape plan with concept plan images.
7. Provided a parking construction phasing plan.

8. Provided additional visual analysis, building schematics and perspectives, building cross sections, and building floor area/height/square footage/use breakdown.
9. Provided fencing plan and design concepts.
10. Moved the previous furthest north building (Building 9) into the central studio area of the site close to the large sound stage building, connecting it in a manner that provides additional stepping of building mass and height. A building height exhibit was prepared and cross referenced to the site schematics exhibits. This decreases visual impacts on Hwy 248 as well as the southbound US 40 off ramp.
11. Moved the entire hotel out of the SR 248 setback line described in the Annexation Agreement, not just that portion with the extended height as required by the Annexation Agreement.
12. Removed the detached casitas from the SR 248 frontage area (these were shown on one early iteration).
13. Moved the small recording studio closer to the hotel with a connection from the underground parking area.
14. Added building articulation to address building massing with both horizontal and vertical elements, including both elevation and roof element variation.
15. Added several trellis features over areas of surface parking to reduce impacts of the parking as well as reduce the visible massing of the large sound stage as viewed from US40, design details of these trellis have not been decided. Increased width of interior parking landscaped areas.
16. Identified the location and described the atrium element as an enclosed “outdoor” space with large windows and plants to provide both a circulation area between the hotel and the meeting rooms and an area for pre-functions as further described in the Annexation Agreement. Located on the south side of the hotel towards the eastern wing. Eliminated a second atrium area over the retail uses.
17. Indicated green sloping away roofs for the smaller buildings along 248, including the stage, recording studio, and possibly the northern most building.
18. Further modified, re-oriented and clustered tighter, the event/film screening/office/entertainment buildings towards an internal campus with more direct pedestrian connectivity through the site and to proposed area trails with better relationship to the hotel.
19. Provided a revised bus turn around within the site to allow buses to enter and exit the site at the traffic signal to facilitate both inbound and outbound routes.

20. Provided architectural design objectives and concepts in illustrative form using precedent images for building design, form, elements, materials, and colors. The applicant proposes to group various building/activity areas into architectural zones to better develop architectural concepts for the different areas- in form and function and relationship to the site (e.g. 248 frontage zone, main/grand entry area, hotel and amphitheater area, sound stages, retail/public/entertainment, etc.) Provided additional architectural/materials details for the sound stage building (Building 7).
21. Provided building overlay comparisons with existing buildings in the area (Medical Center, Ice Rink, Hotel Park City, Summit Co Health, USSA).
22. Deleted the secondary access closest to the US 40 on ramp.
23. Further reduced parking and indicated the 14 long vehicle parking.

Annexation Review Process

On January 20, 2012, the applicant re-filed an annexation petition with the City Recorder for annexation of one (1) 29.55 acre metes and bounds parcel that is currently within the jurisdiction of Summit County. The petition was accepted by the City Council on January 26, 2012 and certified by the City Recorder on February 2, 2012. Notice of certification was mailed to affected entities on February 2, 2012, as required by the State Code. The protest period for acceptance of the petition ended on March 5, 2012. No protests were filed by that date.

On February 22, 2012, the Planning Commission met in work session to review background information, ask questions, and provide discussion points regarding the annexation and elements of the MPD site plan. On March 14th the applicant's directed a site visit and the Planning Commission conducted a public hearing later that evening.

The Planning Commission also conducted public hearings on March 28th, April 11th and 25th providing input on the site plan and architectural design and details.

On April 25th the Planning Commission forwarded a negative recommendation to the City Council (see detailed narrative below).

For additional background information, all reports, exhibits and minutes are available on the City's web site www.parkcity.org, under the Community Development tab and the Quinn's Junction Partnership Annexation web page, or from the Planning Department.

Planning Commission recommendation

The Planning Commission recommendation is outlined below. On April 25, 2012, the Planning Commission conducted a final public hearing and voted (4 to 2) to forward to City Council a negative recommendation on the Quinn's Junction Partnership

annexation and zoning petition, according to the findings of fact and conclusions of law outlined below (see Minutes in Exhibit E):

Findings of Fact

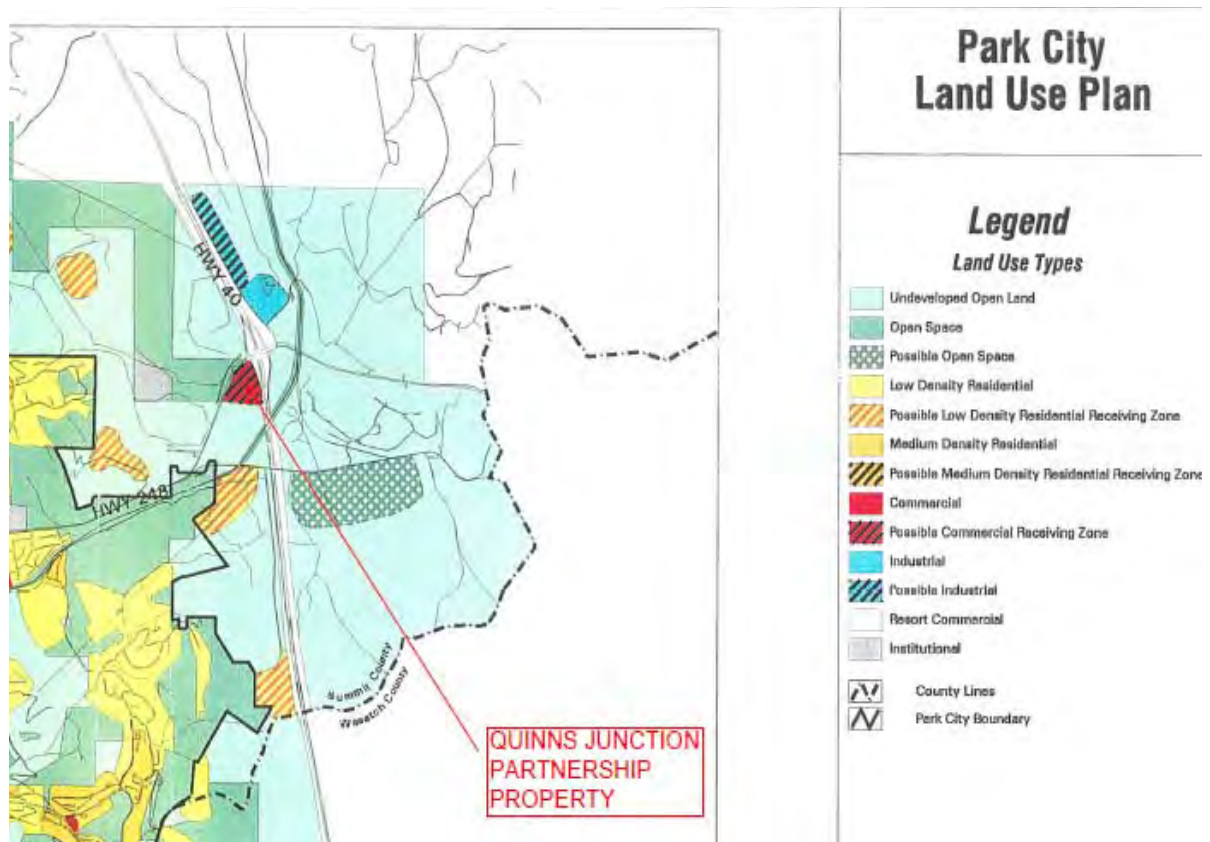
1. The proposed Annexation and Zoning does not comply with the Park City General Plan in that the proposed Raleigh Studios MPD development is specifically attached by Agreement to this Annexation, and creates the following compliance issues:
 - a. The proposed development is primarily an independent studio/warehouse use and as such is not a neighborhood or resort commercial use. The hotel and other support uses have the primary purpose of supporting the studio activity as opposed to resort economy and general plan principles.
 - b. The proposed development is primarily commercial and will substantially increase traffic on Highway 248 and the traffic impacts have not been sufficiently mitigated.
 - c. The proposed development does not meet the CT zone requirements for open space, parking, and setbacks due to the Settlement Agreement. These elements were alluded to in the goals for this planning area that became the CT zone.
 - d. The development does not enhance the visual experience for visitors and residents using this entrance to the City because the massing, density and setbacks are not compatible with adjacent properties due to the waiver of zone requirements.
 - e. The development does not improve vehicular access to this planning area with signalized intersections and grade separated trail crossings. Proposed additional access points without signalization will compound conflicting traffic movements and create additional traffic volume and back-ups.
 - f. The development proposes 3 entrances and does not limit driveways and intersections on Highway 248.
 - g. The development does not provide a diversity of housing opportunities.
 - h. The development does not retain the community amenity, enhance the open space buffer around the City, or preserve the gateways to the City.
 - i. The development does not preserve the mountain resort and historic character of Park City.
 - j. The development is not a case of working effectively with other government agencies to achieve goals of the General Plan.
 - k. The development does not maintain the unique identity and character of an historic community.
 - l. The development does not manage the amount, rate, form and location of growth.
2. Should the City Council determine to annex the property, the Planning Commission notes the conditions of approval as included in the attached draft Ordinance (see Attached Ordinance)?

Conclusions of Law

1. The proposed annexation is not consistent with the Annexation Policy Plan, Quinn's Junction Study Area, and the Park City General Plan (2005).
2. The annexation would harm the health, safety and welfare of the residents of Park City.

Planning Department Analysis

The General Plan (1997/2005) designates the QJP parcel as a potential "Commercial Receiving Zone" as part of the Park City Land Use Plan.



Obviously, the Annexation Agreement (as part of the broader County Settlement Agreement) waives several conditions typically applied to annexations by local code. The Council determination that these provisions are inapplicable due to the vested rights of prior County applications is consistent with LMC § 15-8-5(C), which provides that "unless the City Council finds that the circumstances of the annexation are such that a condition or conditions do not apply," and goes on to indicate that such a finding may happen when "unusual or unique circumstances may emerge from time to time where special conditions may apply."

This is not the first time the City has been forced into a pragmatic decision

whether to attempt to improve and mitigate a proposed project on its borders which already had vested rights in excess of City standards and code provisions.

The Deer Crest Annexation (including the St. Regis Hotel) is another example where the project had density and height approvals in Wasatch County in excess of those identified in our annexation planning area and proposed zoning. The City determined that control of access through old Keetley Road and protection of the Deer Valley resort brand outweighed normal planning conditions and entered into a similar settlement agreement with Wasatch County, Queen Ester HOA and the applicant which resulted in a compromised solution that achieved the City's primary planning objectives, while reducing impacts of the development to the greatest degree possible.

The Council is tasked with a similar difficult balancing act here. The Council must decide whether local authority over site planning and design, and limiting commercial uses consistent and hopefully in partnership with Sundance Film Festival, are worth waiving certain conditions in exchange for others.

As a legislative act, qualified by the express conditions of a settlement agreement, the annexation decision is a unique tool for the City to protect its entry corridor and fundamental General Plan and sustainability principles.

The property is located within the Park City Municipal Corporation Annexation Expansion Area boundary, as described in the adopted Annexation Policy Plan (Land Management Code (LMC) Chapter 8) and is contiguous with the current Park City Municipal Boundary along the south boundary with Park City Heights MPD. The property is the entirety of land owned in this location by this applicant.

Summit County recently considered their affected entity notice and communicated support for City annexation.

Access to the property is from State Road (SR) 248 a major highway and entry corridor to Park City. Proposed access point to the property is on the east side of the existing intersection of SR 248 and Round Valley Drive. The applicant participated with UDOT during the design and construction of the intersection during the IHC approval process to provide for access to the property.

As part of the County Settlement Agreement, the Council agreed to enter into the associated Annexation Agreement between the City and QJP. This Annexation Agreement stipulates that the Annexation shall include an approved Master Planned Development. MPD application material and supporting information have been reviewed by the Planning Commission and several revisions resulted (see above list).

Review pursuant to Utah Code Annotated (UCA) Sections 10-2-401, 10-2-402 and 10-2-403

The annexation petition has been reviewed pursuant to the Utah Code Annotated (UCA) Sections 10-2-401, 10-2-402 and 10-2-403.

The annexation petition requirements set forth in these sections of the UCA have been met; including issues of 1) contiguity and municipal annexation expansion

area, 2) boundaries drawn along existing local districts, special districts and other taxing entities, and 3) for the content of the petition.

Review pursuant to the Annexation Policy Plan- purpose

Chapter 8 of the Land Management Code is considered Park City's annexation policy plan and declaration. In Section 15-8-1 the Code states the following:

The annexation requirements specified in this Chapter are intended to protect the general interests and character of the community; assure orderly growth and development of the Park City community in terms of utilities and public services; preserve open space, enhance parks and trails; ensure environmental quality; protect entry corridors, view sheds and environmentally Sensitive Lands; preserve Historic and cultural resources; create buffer areas; protect public health, safety, and welfare; and ensure that annexations are approved consistent with the Park City General Plan and Utah State Law.

In addition the Annexation Policy Plan states:

If practical and feasible, boundaries of an Area proposed for annexation shall be drawn:

- (A) *Along the boundaries of existing special districts for sewer, water, fire, and other services, along the boundaries of school districts whose boundaries follow City boundaries... and along the boundaries of other taxing entities;*
- (B) *To eliminate islands and peninsulas of territory that is not receiving municipal type services;*
- (C) *To facilitate the consolidation of overlapping functions of local government;*
- (D) *To promote the efficient delivery of services; and*
- (E) *To encourage the equitable distribution of community resources and obligations.*

It is the intent of this Chapter to ensure that Property annexed to the City will contribute to the attractiveness of the community and will enhance the resort image which is critical for economic viability, and that the potential deficit of revenue against expense to the City is not unreasonable.

Review pursuant to the Annexation Policy Plan- requirements

The Annexation Policy Plan (see Section 15-8-5 (B)) requires an annexation evaluation and staff report to be presented that contains the following items:

1. General Requirements of Section 15-8-2
See below for detailed analysis of the annexation as it relates to Section 15-8-2.
2. Map and natural features

The property consists of a 29.55 acre parcel that is contiguous to the Park City Municipal boundary. The parcel is within the Annexation Expansion Area, as described by the adopted Annexation Policy Plan. The property is undeveloped pasture land.

The Pace-Homer irrigation ditch traverses the center of the property in a north-south direction. Staff will provide additional analysis of the Baseline Survey for the public hearing.

A small area of designated wetlands is identified on the far northeast boundary within the UDOT ROW. This area appears adjacent to the property and staff will likely recommend conditions as part of the Construction Mitigation Plan to mitigate any potential impacts.

There are no steep or very steep slopes as the property is relatively flat with an overall slope of less than 15%. The property is bordered by highways on three sides and open space along the south side.

The Baseline Survey did not indicate areas of flood plain hazard.

3. Density

The applicant seeks to develop 374,000 square feet of commercial uses, including a movie studio, a 100 room hotel, amphitheater, and associated uses. No residential density or population exists on the property and no new residents are proposed.

4. Land Uses-existing and proposed

Wildlife - The applicant provided wildlife information from the Utah Division of Wildlife. A specific wildlife study was not conducted. Deer, elk, and moose may be found on the property, which is adjacent to areas of undeveloped lands and designated open space. The area is also bounded on three sides by major highways and has very little cover for wildlife protection. Native and non-native grasses and low shrubs cover the property. In terms of species of special interest, the property is not within areas identified as critical sage grouse habitat.

Environmental Issues – The applicant provided a copy of an Environmental Baseline Survey for Quinn’s Junction completed in May 2007 by URS Corporation for Hill AFB. The baseline survey was completed for the property per ASTM Standard Practice for Environmental Site Assessments, E 1527-05. The intent of the survey was to determine if there are any documented environmental conditions on or near the property that provide a potential for contamination. The survey found no listed database findings for the subject property and two sites with environmental conditions were identified within a one-mile radius. These sites include the Richardson Flat Tailings, listed as a National Priority List, as well as a Comprehensive Environmental Response, Compensation, Liability Information System (CERCLIS) ENG, ROD site. Both sites are outside of the subject property boundaries and at lower elevation, down gradient from subject

property and therefore unlikely that these sites pose an environmental threat to the groundwater on the subject property.

The annexation is outside the City's Soils Ordinance District. The baseline survey did not find evidence of contamination from mine tailings or other contaminants that would have been brought to this property by the ditch and that would cause soil or groundwater contamination concerns. The sources for this ditch include Dority Spring, Pace Homer Spring, and other small springs in the Park City area to the west of the property. While the ditch parallels Silver Creek for most of its length, it is at a higher elevation protecting it from possible contamination by the waters of Silver Creek, and does not appear to have been used for many years.

The survey indicates that the annexation property has not been contaminated by historic mining impacts or other industry and though near contaminated sites, it is unlikely to be impacted by those sites.

Staff recommends an additional condition of approval that specific soils test pits be reviewed prior to building permit issuance and if environmental issues are present, a mitigation plan shall be required prior to issuance of any permits.

Utilities & Access

- At this time the applicant has proposed a preliminary utility and access strategy to serve the property. Water is proposed from Summit Water Distribution with lines stubbed in from the north. Sewer service is provided by SBWRD who shall approve the utility plan and plat prior to recordation. A line extension agreement with SBWRD to extend sewer to the Property is the applicant's responsibility and shall occur prior to recordation of the final subdivision plat. Other utilities are available in the area and will need to be extended to this site.
- A utility plan is required to be submitted with the final subdivision plat, for review and approval by the City Engineer, as a condition precedent to recordation of the subdivision plat.
- Appropriate guarantees for any public improvements associated with development on this property will be required prior to issuance of any building permits. Fire hydrant locations will need to be addressed to the satisfaction of the City Engineer and Fire Marshall.
- Access to the property is from State Road (SR) 248, a major highway and entry corridor to Park City, on the east side of the existing signalized intersection of SR 248 and Round Valley Drive. The applicant participated with UDOT during the design and construction of the intersection during the IHC approval process to provide for access to the property. The current proposal has one additional driveway. The previously shown northern secondary access has been abandoned. Final approval for the secondary access has not been granted by UDOT or the City as it requires an amendment to the Corridor Preservation Plan, an agreement between Park City, Summit County, and UDOT.

5. Character and Development of adjacent property

The applicant submitted information regarding surrounding areas within one mile of the annexation property. This information is described and mapped in the Environmental Baseline Survey. Information in the Survey includes land uses, topography, natural areas such as streams and wetlands, wildlife areas, historic and cultural sites, environmental sites, photos of existing conditions, utilities and roads, hydrology and flood plains, wells (water, gas, oil, other), radon, and FCC and FAA sites.

Surrounding land uses include dedicated open space, highways US 40 and SR 248, Quinn's Sports Complex and City open space, Park City Heights MPD, Park City Medical Center, USSA Center of Excellence, Summit County Health Department, Medical Offices, Rail Trail recreation trail, Quinn's Water Treatment Plant, and vacant agricultural land.

The character of development on adjacent properties is generally large buildings in a campus like setting, surrounded by connected open space, with a pattern of trails and connections providing an alternative to roadways. Adjacent properties also include Highways, utilities, Rail Trail, future residential development (Park City Heights), and open space.

6. Zoning- existing and proposed

The property is subject to a County Settlement Agreement which acknowledges a vested development right for a Film and Media Campus up to 355,000 square feet. The applicant is requesting the property be annexed and zoned Community Transition- Regional Commercial Overlay (CT-RCO). This zoning designation is Community Transition zoning with a Regional Commercial Overlay. The purpose of the RCO zone is to allow, through an MPD, specific commercial development and land uses per LMC Sections 15-2.17.3 – 15-2.17-5 as outlined in the Settlement Agreement. The Annexation Agreement (Exhibit D) further defines development parameters of the MPD for this property.

7. Goals and Policies of the Park City General Plan

(See (B) below.)

8. Assessed valuation

Annexation of the proposed area will have a positive impact on the property's assessed valuation and additional property tax revenue will be generated.

9. Demand for municipal services

All essential services will be provided by existing entities. These services include: Park City Fire District, Snyderville Basin Water Reclamation District (SBWRD - sewer), Park City School District, Questar gas, Rocky Mountain Power- power, Comcast - cable, Qwest - gas, and BFI trash removal. The property is subject to the Annexation Agreement that allows a third party water provider- Summit Water. A final utility plan will be submitted for approval by the City Engineer, as a condition precedent to recordation of the final subdivision

plat.

10. Effect on City boundaries

This annexation does not create an island, peninsula, or other irregular shaped City boundary. This annexation provides contiguity to the City Limits along the south boundary contiguous with the Park City Heights Annexation and MPD. The property is within the City's Annexation Expansion Area boundary and the City has expectations that this Property will be part of the City.

11. Timetable for extending services

The property is subject to an Annexation Agreement that allows a third party water provider. Other utilities are to be extended from utilities in the area. A final utility plan will be submitted for approval by the City Engineer, as a condition precedent to recordation of the final subdivision plat. A timetable of extending these services shall be provided with the final subdivision plat application. Sewer service is provided by SBWRD who shall approve the utility plan and plat prior to recordation. A line extension agreement with SBWRD to extend sewer to the Property is the applicant's responsibility and shall occur prior to recordation of the final subdivision plat.

12. Revenue versus costs

While the City's Budget Department does not prepare property assessments or typically make estimates on property tax values, the Department was asked to provide a second look at the preliminary estimates on the Quinn's Junction Raleigh Studios Project which have been provided to the City. The estimates provided to the City on January 20, 2012 appear to be from an analysis originally prepared for Summit County in 2006. It is the recommendation of the Budget Department that if revenue generation is a deciding factor in the approval of the annex, that the City consider retaining a firm which can provide a more accurate, up-to-date and Park City specific, assessment of the potential property value as well as potential sales tax generation.

Using the most up to date project estimates as to building use and square footage (3/12/2012), the Budget Department attempted to match existing building type and usage to those proposed, in order to have an idea of the potential property tax which might be generated for the City from the project. Based on similar properties in Park City and Summit County the Department estimates that the project may generate in the range of \$50,000 to \$75,000 in annual property tax revenue to the Park City General Fund at build out (this does not include property tax generated to pay GO bond debt service). Using the same square footage and use type, the property tax estimate for value per square foot provides by SAGE would estimate that the project would generate \$180,000 annually for the Park City General Fund. Staff will provide additional economic analysis for the public hearing.

13. Tax consequences

The property will be entirely privately owned. Revenue will be generated through

property taxation, sales taxation, and other forms of taxation specific to the uses (resort sales and lodging taxes, transit taxes, etc) The City will gain revenue if this parcel is annexed and developed within the City limits.

14. Impact on Summit County

Summit County will lose that portion of sales tax revenue that will be paid to Park City; however Park City not Summit County will be responsible for providing municipal services.

15. Historic and cultural resources

The Environmental Baseline Survey identified the area as adjacent to a Federal Historic Area due to the existence of the Union Pacific Park City Branch Railroad Grade in the area, which is on the National Register of Historic Places. No other historic or cultural resources were mapped. No historic sites or structures are on the property.

Review pursuant to the Annexation Policy Plan- Section 15-8-2- General Requirements

City Staff has reviewed the proposed annexation and preliminary plat against the following general requirements established for annexation to Park City as presented in LMC Section 15-8-2, as follows:

- (A) Property under consideration of annexation must be considered a logical extension of the City boundaries.

The property is contiguous to the Park City Municipal boundary at the southern boundary with Park City Heights Master Planned Development. The property west across SR 248 is within the Park City Municipal Boundary. The property is a logical extension of the City boundaries and is within the Park City Annexation Expansion Area boundary.

- (B) Annexation of Property to the City must be consistent with the intent and purposes of this Chapter and the Park City General Plan.

This annexation proposal has been submitted and processed consistent with the intent and purposes of LMC Chapter 8, the Annexation Policy Plan. The annexation petition has been accepted by the City Council and the petition certified by the City Recorder. The applicant submitted all required documents and information, per LMC Section 15-8-3 (A)-(J). Affected entities have been noticed of the petition acceptance by the City Council.

The property has been posted for all public hearings. Affected property owners were notified of the public hearings and legal notice of the hearing will be published in the Park Record. The property falls within the Park City Annexation Expansion Area boundary. A public open house was conducted by the Applicants on March 27th.

Although not within the City Limits, the Annexation Policy Plan anticipates that this property will be annexed and the General Plan identifies this

parcel as being in the Highway 40/248 Southwest planning area. Applicable objectives and goals of this planning area are as follows:

- There may be an opportunity to create a special development concept at the southwest corner for some anticipated neighborhood or resort support commercial uses.*
- This area should not be developed with commercial uses that substantially increase traffic on Highway 248.*
- Establish guidelines for mixed-use, clustered, commercial development on the southwest corner parcel.*
- The design of future structures in this area should be in scale and character with the rural mountain character of the area. This area when developed should enhance rather than detract from the aesthetic quality of the entry corridor. A standard highway strip commercial development would not be favorably considered.*
- Parking should be at the back or sides of the buildings to avoid a foreground of asphalt for the visitor traveling along the entry corridor (SR 248).*
- Landscaping will be critical along the entry corridor to soften the view toward the commercial structures.*
- Landscape material native to the region should be used as the dominant material.*
- Focus on gateway aspects of site design.*
- Modify the existing entry corridor overlay zone (ECOZ) as necessary to assure adequate setbacks for structures, parking standards, lighting regulations, design criteria, and landscaping.*
- Enhance the visual experience for visitors and residents using this entrance to the City.*
- Improve vehicular access to this Planning Area (i.e. with signalized intersections, grade separated trail crossing, etc.).*
- Limit driveways and intersections on Highway 248.*

Additionally, the General Plan establishes goals designed to address foreseeable problems and express community aspirations (General Plan p. 5-10). The applicable key goals include:

- Preserve the mountain resort and historic character of Park City.*
- Preserve environmental quality, open space, and outdoor recreational opportunities.*
- Maintain the high quality of public services and facilities.*
- Work effectively with other governmental agencies to achieve the*

goals of the General Plan.

- ***Maintain the unique identity and character of an historic community.***
- ***Manage the amount, rate, form, and location of growth.***
- ***Involve the community in decision making.***
- ***Plan for realistic population growth consistent with the City's vision***

(C) Every annexation shall include the greatest amount of Property possible that is a contiguous Area and that is contiguous to the City's municipal boundaries.

The annexation includes the greatest amount of Property possible that is a contiguous area and that is contiguous to the municipal boundaries.

(D) Piecemeal annexation of individual small Properties shall be discouraged if larger contiguous Parcels are available for annexation within a reasonable time frame in order to avoid repetitious annexations.

The annexation area constitutes the largest area possible owned by the applicant (see above) and is not a piecemeal annexation of individual small Properties.

(E) Islands of county jurisdiction shall not be left or created as a result of the annexation and peninsulas and irregular boundaries shall be avoided.

This annexation does not create an island or peninsula of County property. The proposed annexation boundary follows the City's Annexation Expansion Area boundary and is not an irregular boundary. A separate annexation petition is being prepared for the adjacent SR 248, Osguthorpe and all of the City-owned Round Valley open space.

(F) In addition to services provided by existing districts, such as sewer, fire protection, and public schools, the following urban level services, consistent with those normally provided in the rest of the incorporated boundaries will be provided to the annexed Areas:

- Police protection - ***City Police protection will be provided if annexed.***
- Snow removal on Public Streets- ***No public streets.***
- Street maintenance- ***No public Streets.***
- Planning, zoning, and Code enforcement- ***Currently by Summit County Planning and Building Department and would transfer to the City departments of planning, building, and engineering.***
- Availability of municipal sponsored parks and recreational activities and cultural events and facilities ***Parks are public and open to County and City residents. This annexation will provide trail connections to existing trails within the City and to future open space and recreation parcels, such as a connection to the Rail Trail recreational trail system and a continuation of the existing sidewalk system along SR 248 to the intersection with Round Valley Drive***

and south to the property line.

- Water services as the Area is developed. Existing water treatment and storage facilities may currently be inadequate to provide services to the annexed Area. Developers of the annexed Area are required to pay for the cost of improvements related to the extension of and connection with the City lines and systems as well as participate in additional improvements such as storage capacity and distribution as necessary for safe, reliable, and efficient water flows. ***Annexation Agreement allows a third party water provider. A final utility plan will be submitted for approval by the City Engineer, as a condition precedent to recordation of the final subdivision plat.***
- (G) If feasible and practical, water and sewer lines shall be extended to the Area proposed for annexation. Expenses associated with such extension shall be the responsibility of the Applicant(s). The City shall determine timing and capacity of extending water to the proposed annexation area. The Water Reclamation district shall determine timing and capacity of extending sewer service to the proposed annexation area. ***Annexation Agreement allows third party water provider. A final utility plan will be submitted for approval by the City Engineer, as a condition precedent to recordation of the final subdivision plat. Sewer service is provided by SBWRD who shall approve the utility plan and plat prior to recordation.***
- (H) Before considering requests for annexation the City shall carefully analyze the impacts of annexation of an Area, taking into consideration whether the Area will create negative impacts on the City and considering whether the City can economically provide services to the annexed Area. Community issues such as location and adequacy of schools and community facilities, traffic, fire protection, particularly in Wildfire/Wildland Interface Zones, useable open space and recreation Areas, protection of Sensitive Lands, conservation of natural resources, protection of view corridors, protection and preservation of Historic resources, affordable housing, balance of housing types and ownership, adequate water and sewer capacity to serve the future needs of the proposed annexation Areas shall also be considered. ***The property is subject to an Annexation Agreement the purpose of which is to facilitate development of a movie/film studio and associated uses, with local influence over the design, construction, and restrictions of the CCRs. Impacts of this development have been taken into consideration in said Agreement. Review of the MPD site plan will consider issues of traffic, fire protection and access, open space, trails, protection of Sensitive Areas, protection of view corridors, and whether adequate water and sewer capacity exist to serve the future needs of the annexed area.***
- (I) Situations may exist where it is in the public interest to preserve certain lands from Development where there exist Geologic Hazards, excessive Slopes, flood plains or where the need for preservation of community open space

and/or agricultural lands is consistent with the General Plan. In such circumstances, annexation may occur as a means of retaining those lands in a natural state. ***The property of this annexation does not contain existing Geologic Hazards, excessive Slopes, or flood plains. The property is currently vacant pasture land with native grasses and an existing irrigation ditch that has not been used for several years.***

- (J) The City shall consider annexation of unincorporated Areas of Summit County that are within the annexation expansion Area. ***The property is within unincorporated Summit County and is within City's annexation expansion Area.***
- (K) In general, the City does not favor annexation of territory, which should be located within another municipality, nor does it favor the annexation of unincorporated territory solely for the purpose of acquiring municipal revenues, or for retarding the capacity of another municipality to annex. ***The property is not within another municipality and the annexation is not solely for the purpose of acquiring municipal revenues or for retarding the capacity of another municipality to annex this property.***
- (L) Annexations that expand the resort and/or tourist economy provide second home or rental residential Properties, preserve environmentally Sensitive Lands, and provide significant public open space and community facilities are preferred.
- ***The purpose of this annexation is to facilitate a well designed movie/film studio complex that meets established Design Guidelines of the LMC as well as specific guidelines that are part of the Annexation Agreement (Exhibit D). In addition, the Planning Commission and Staff have reviewed the MPD plans that further establish development and design guidelines by which to review the administrative Conditional Use Permit.***
 - ***A movie/film studio and associated uses could contribute to an expanded resort and/or tourist economy and help diversify the predominantly seasonal economy depending on the quality of the final development.***
 - ***Being able to influence the design of a development at one of Park City's primary entry corridors is a consideration of this annexation as well as establish local control for future projects, activities, sign applications, special events, etc.***
 - ***If the development is constructed within the Park City municipal boundary the project will be built to LEED Shadow Standards and per the Annexation Agreement will be required to create CCRs that protect the Sundance Film Festival from direct ambush uses, thus***

further enhancing the existing tourist economy.

- *The is adjacent to and across from existing public open space and community facilities.*

Review of MPD pursuant to the Annexation Agreement and LMC and compared with the County Code

- A matrix of the MPD requirements and Annexation Agreement items comparing the City and County requirements has been provided for Council's consideration (Exhibit H). Upon completion of the review, Staff finds that the City's LMC, combined with the Annexation Agreement, provides the benefit of additional review criteria, particularly for architectural design elements, materials, finishes, parking lot landscaping, lighting standards, and signs, when compared to the County Code and County Settlement Agreement.
- Final MPD Plans and administrative CUP applications must comply with LMC requirements that are not in conflict with stipulations of the Annexation Agreement.

Planning Department – An Overall Assessment of the Annexation and MPD

There are general goals within the General Plan where this project may fall short and where the portfolio approach as identified in the City's 2009 Visioning Plan may be a better way to measure the pros and cons of this annexation and associated development. Given that annexation is a legislative act and that, qualified by the express conditions of the Settlement and Annexation Agreements, it is a unique tool that the Council can utilize to annex this parcel and protect the entry corridor. Annexation of the parcel will provide local control of land uses, activities, signs, site planning, design and architectural character (e.g. form, vernacular, materials, colors, finishes, details).

This annexation is a unique situation. Staff has always said the remaining development opportunities in Park City will be the most challenging; this project is an example of that. Given the Settlement Agreement that has placed this annexation before the City Council, Staff recommends that the Council consider assessing the pros and cons of annexing this project in a broader sense with consideration given to the 2009 Visioning Plan (e.g. filters) and to the future of Park City (e.g. economic diversification).

Staff's assessment of this annexation, and recommendation that this property be annexed into Park City, is not intended to replace the narrow focus of the General Plan, but rather serves as a broader look at a unique dilemma.

This project is likely to be built on this site, regardless of whether it is in the

County or within the City limits. The Annexation Agreement contains a set of Design Guidelines that will allow City Staff to address site design, building design, landscaping, parking, lighting, and a number of other concerns. City Staff does not believe that the County's Agreement and Code address these issues to the same degree.

City Staff believe that the opportunity to effectuate good design and planning outweigh the strict and narrow interpretation of the General Plan. There is a real community benefit to annexing this property and incorporating the specific Design Guidelines outlined in the Annexation Agreement. to realize a site that comes as close as possible to reflect the Park City "brand" in terms of site design and architectural character.

The opportunity to work with the developer utilizing OUR tools to control land use, create a well-designed product, realize possible economic development opportunities, implement protections for Sundance and the film festival, et al. is significantly better than having no control over development in our entry corridor. The visual impact will exist whether it is developed within the City's boundary or just outside the boundary.

Staff recommends that the City Council consider annexing this key property that is within the City's Annexation Expansion Area, and consider that the proposed project will likely be built regardless of annexation and that future uses, activities, impacts, etc. will be better addressed by the Council. That this property is within the Annexation Declaration Area (ADA) is indicative that the City considers this area as appropriate for annexation. Given that the property lies within our ADA boundary, it is likely that if not annexed now it will be in the future.

Again, the particular development that is associated with annexation of this parcel, may not meet all of the goals of the General Plan; however with the right controls and design requirements, the City gets closer to meeting these goals, as well as meeting other goals and the Visioning Plan, than if the project is left in the County. This is especially true given the unique situation presented by the existing agreements made regarding this annexation.

Discussion requested

Staff requests the Council discuss the annexation application and provide direction on the following items. All annexation submittal information (Exhibit G) is available on a Quinn's Partnership Annexation web page linked to from the City's web site www.parkcity.org

1. Does the City Council agree with the staff recommendation that LMC §15-8-5(C) applies and justifies the waiver of certain elements of the General Plan as stated in the Annexation Agreement?
2. If the answer to #1 is no, Council should focus discussion on the Findings as recommended by the Planning Commission for a denial of the annexation application.

3. If the answer to #1 is yes, Council should focus discussion on the Findings of Fact and Conditions of Approval as outlined in the Draft Ordinance (attached) as forwarded to Council from the Planning Commission.
4. Are there additional substantive MPD plan revisions or issues that Council wishes to discuss and provide input on (e.g. site layout, architecture, fencing, lighting, parking, utilities, drainage, and access)?
5. Staff has identified additional discussion items as follows:
 - **Soils testing** and mitigation for environmental concerns/contaminated soils. Staff added a condition of approval to address this concern.
 - **Phasing of construction** (in addition to phasing of parking) - with construction of the sound stages and studio support to occur prior to the hotel and retail/support area.
 - **Bonding issues** for completion of project at various stages.
 - **Operational** issues, such as special events, outdoor music, outdoor events.
 - **Surface Parking** in terms of 1) the total number of spaces 2) the ability (support or not from the Council) to use the Richardson Flats Park and Ride facility to support further reductions and 3) triggers for phasing of parking.

The applicants are still showing 886 total spaces (736 surface and 150 under the hotel). Staff has prepared an Exhibit I to illustrate the 668 total spaces (518 surface) as recommended in the conditions of approval in the Ordinance. Staff based this number on the preliminary information provided regarding the uses/sf of the Raleigh Studios Program with typical reductions for shared parking and support uses (a 300 space reduction). This is approximately 400 spaces less than the applicant initially proposed.

All parking is required to be phased with the construction and justified with the administrative CUP.

Condition of Approval #15 provides for a 20% increase or decrease approved by the Planning Director based upon information provided with the administrative CUP regarding uses, employees, sf of buildings, etc.

Notice

The property was posted and notice of the public hearing was published in the Park Record and mailed to affected property owners in accordance with requirements of the Land Management Code.

Public Input

Public input was received at hearings conducted by the Planning Commission on

March 14th and 28th and April 11th and 25th. A public open house was conducted by the applicant at the Park City Ice Center on March 27, 2012. Public input was primarily concerned with noise, lighting, total number of parking spaces and the minimum open space, design of security fencing, disruptive studio and concert activities, access, and traffic impacts. There was public input that encouraged green roofs along Hwy 248 and quality architecture and materials to mitigate impacts of the development on the Hwy and input to maintain control of the site to keep the ambiance of Park City. There was input to make sure that the scope of the project and uses is fully understood. Additional input expressed hope that the City would hold high expectations for the project to make sure the project would be an amenity that contributes to the community.

Future Process

Annexations require Planning Commission recommendation and City Council approval. Annexations become pending upon publication of the ordinance in compliance with state code. An annexation development agreement is required by the LMC, to be approved by the City Council and recorded with the Annexation plat. City Council action may be appealed to a court of competent jurisdiction per LMC Section 15-1-18.

If the annexation is approved then the Final MPD plans, as approved by the City Council, become the basis for review of the administrative Conditional Use Permit. The administrative Conditional Use Permit application is required to be submitted to and reviewed by the Planning Director for compliance with the Settlement Agreement, the LMC, and the Final MPD plans, as a condition precedent to issuance of any building permits for development on this site.

A subdivision plat, to create legal lot(s) of record and dedicate utility, drainage, and access easements and trails, etc. is a requirement prior to site work and issuance of building permits. Subdivision plats are reviewed by the Planning Commission with final approval by the City Council.

The applicants agreed to a 30 day extension of the review deadline, outlined in the Settlement Agreement, to May 25th (Day 120) from January 26th (Day 1). Staff outlines the possible timeline as follows:

- The City Council is the final decision maker regarding annexation of land into Park City. A site visit with Council was conducted on May 3rd. Public hearings have been noticed for May 17th and 24th **(Day 112 and 119)**.
- Final action by the City Council on the Annexation, including the zoning and MPD review is anticipated on May 24th **(Day 119)**.
- If the Annexation is approved then other items are required prior to issuing a building permit for the development. These items include a final subdivision plat, an administrative Conditional Use permit, utility plans and site work approval. All building permit review is conducted by Planning,

Building, and Engineering, with input from other City Departments as required.

Recommendation

Staff recommends the City Council conduct a public hearing, discuss the proposed annexation application and MPD plans, provide direction per discussion items outlined above, and continue this item to the May 24th meeting.

Exhibits

Ordinance

Exhibit A- Vicinity map

Exhibit B- Annexation plat and legal description

Exhibit C- County Settlement Agreement

Exhibit D- City Annexation Agreement

Exhibit E- DRAFT Minutes of the April 25, 2012 Planning Commission meeting

Exhibit F- MPD Plans package

Exhibit G- Annexation application and reports (**not attached**, but available at the Planning Department and on the City's web page under Living Here/Community Development/Quinn's JP Annexation)

Exhibit H- Comparative Matrix of LMC and County Code

Exhibit I- Site plan illustrating 668 parking spaces per Conditions of Approval

Ordinance 12- DRAFT

AN ORDINANCE ANNEXING APPROXIMATELY 29.55 ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE SR248 AND US40 INTERCHANGE IN THE QUINN'S JUNCTION AREA, KNOWN AS THE QUINN'S PARTNERSHIP ANNEXATION, INTO THE CORPORATE LIMITS OF PARK CITY, UTAH, AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY TO ZONE THE PROPERTY COMMUNITY TRANSITION (CT) WITH A REGIONAL COMMERCIAL OVERLAY (RCO) DESIGNATION

WHEREAS, on January 24, 2005, the property owner, Quinn's Junction Partnership, of the property shown on the attached Annexation Plat "Exhibit A", the "Property", first petitioned the City Council for approval of an annexation into the Park City limits; and

WHEREAS, the Property is approximately 29.55 acres in area and is located southwest of the intersection of State Road 248 and US-40 as described in the attached Legal Description "Exhibit B"; and

WHEREAS, the Property is included within the Park City Annexation Expansion Area, and is not included within any other municipal jurisdiction; and

WHEREAS, on January 17, 2012, an Annexation Agreement "Exhibit D" was entered into by and among the Quinn's Junction Partnership and Park City Municipal Corporation; and

WHEREAS, on January 18, 2012, Summit County and the Quinn's Junction Partnership executed a Settlement Agreement "Exhibit C" regarding vested development rights for this parcel; and

WHEREAS, on January 20, 2012, a revised annexation petition, including a zoning map amendment request to zone the property Community Transition (CT) with a Regional Commercial Overlay (RCO) was submitted. Additional information related to the annexation petition and the Master Planned Development for a 374,000 sf (Gross Floor area as described in the January 17, 2012 Annexation Agreement) movie/film studio campus, with associated uses and a 100 room hotel, was submitted to the City, and the submittal was deemed complete; and

WHEREAS, the Park City Council accepted the Quinn's Junction Partnership Annexation petition on January 26, 2012; 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 found the petition complied with all applicable criteria of the Utah Code; and

WHEREAS, On February 2, 2012, 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 were filed by any “affected entities” or other jurisdictions within the 30-day protest period and the petition was considered accepted on March 5, 2012; and

WHEREAS, the Planning Commission, after proper notice, conducted public hearings regarding the Annexation petition application on March 14th, March 28th, April 11th, and April 25th; and

WHEREAS, on April 25, 2012, the Planning Commission voted to forward to City Council a negative recommendation on the proposed annexation and zoning of Community Transition (CT) with a Regional Commercial Overlay (RCO) as described in the Annexation Agreement; and

WHEREAS, on May ____ and May ____, 2012, the City Council conducted public hearings and discussed the annexation, MPD, and zoning map amendment and took public testimony on the matter, as required by law; and

WHEREAS, the January 17, 2012, Annexation Agreement outlines parameters, conditions, and restrictions regarding the Master Planned Development (the “Proposed MPD”) on the 29.55 acres for a film and media campus, with associated uses; and.

WHEREAS, the MPD Plans dated _____ as “Exhibit F” submitted by the Applicant, set forth further conditions, design objectives and standards, building massing and articulation, site plan requirements, landscaping and buffering, materials, and other specific items that have a goal of enhancing rather than detracting from the aesthetic quality of the entry corridor; and

WHEREAS, a Development Agreement, between the City and Petitioner pursuant to the Land Management Code, Section 15-8-5 (C), setting forth further terms and conditions of the Annexation and Master Planned Development is herein included as Exhibit G.

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

SECTION 1. ANNEXATION APPROVAL. The Property is hereby annexed into the corporate limits of Park City, Utah according to the Annexation Plat executed in substantially the same form as is attached hereto as “Exhibit A” and according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated below.

The Property so annexed shall enjoy the privileges of being in Park City as described in the Annexation Development Agreement attached as “Exhibit G” and shall be subject to all City levies and assessments as described in the terms of said Annexation Development Agreement.

The Property shall be subject to all City laws, rules and regulations upon the effective date of this Ordinance.

SECTION 2. ANNEXATION DEVELOPMENT AGREEMENT. Council hereby authorizes the Mayor to execute the Annexation Development Agreement in substantially the same form as is attached hereto as “Exhibit G” and as approved by the City Attorney.

SECTION 3. COMPLIANCE WITH STATE LAW, GENERAL PLAN, AND ANNEXATION POLICY PLAN. This annexation meets the standards for annexation set forth in Title 10, Chapter 2 of the Utah Code, the Park City General Plan, and The Annexation Policy Plan - Land Management Code Chapter 8, Annexation. The CT zoning designation with Recreation Commercial Overlay (RCO) is consistent with the Annexation Agreement approved by the City Council and executed on January 17, 2012.

SECTION 4. OFFICIAL PARK CITY ZONING MAP AMENDMENT. The Official Park City Zoning Map is hereby amended to include said Property in the CT zoning district, with an RCO overlay as shown in “Exhibit E”.

SECTION 5. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND CONDITIONS OF APPROVAL.

Findings of Fact

1. The property is subject to the January 17, 2012 Annexation Agreement between Park City and Quinn’s Junction Partnership that sets forth certain requirements and waivers for the MPD development. These waivers are due to pre-existing vesting in Summit County and the terms of the January 18, 2012 County Settlement Agreement.
2. Land Uses proposed in the MPD Plans include a 100 room/key hotel and associated lodging uses, a film studio campus with sound stages, and associated uses, including support commercial, recording studio, outdoor stage amphitheater, enclosed atrium area between the hotel and ballroom/meeting space, screening rooms and theater, related mixed use office/retail/entertainment, sound stages, film school and related educational uses, associated offices, workshops, and production support and offices. The Gross Floor Area allowed per the Annexation Agreement is 374,000 square feet. Exceptions to the Floor Area, including porches, balconies, patios and decks, vent shafts, courts, and one atrium subject to further restrictions, are spelled out in the Annexation Agreement.

3. Proposed uses as identified in the MPD Plans (Exhibit F) are consistent with the January 17, 2012 Annexation Agreement.
4. The Planning Commission may decrease the number of Off-Street Parking Spaces within MPDs based upon a parking analysis and recommendation from the Planning Department per Section 15-6-5 (E).

Conclusions of Law

1. Due to the unique circumstances of the terms and conditions of the County Settlement Agreement, the Annexation and Zoning Map amendment are consistent with the Annexation Agreement (Exhibit D), the City's Annexation Policy Plan, Quinn's Junction Study Area, and the Park City General Plan (2005).
2. Approval of the Annexation and Zoning Map amendment does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval (extracted from Draft Ordinance and redlined with Planning Commission changes from the meeting)

1. The Official Zoning Map shall be amended to designate the Quinn's Junction Partnership Annexation property with Community Transition (CT) zoning, with a Regional Commercial Overlay (RCO) limited to the commercial uses of the MPD approved herein.
2. The attached Exhibits, including the Annexation Development Agreement, shall be fully executed and recorded at Summit County, along with the Annexation Plat.
3. The Master Planned Development Plans hereby approved and all final design, Administrative CUP and building permits shall comply with all applicable Land Management Code "LMC" provisions that are not contrary to the Annexation Agreement.
4. The required Administrative Conditional Use permit application for final design shall be reviewed for consistency with the MPD Plans package, these conditions of approval including site design, building massing and height, setbacks, architectural design and vernacular, materials, colors, landscaping, lighting, fencing, grading, berming, trails, circulation for buses and emergency vehicles, parking and phasing, etc. and conditions of the Annexation Development Agreement. Rendered elevations, material and color samples, shall be provided for Planning Department review prior to approval of the Administrative Conditional Use permit. Maximum building height of Building 8 (formerly Pad 7) is limited to 50 feet unless a production contract is entered into in compliance with Paragraph 2.5(e) of the Annexation Agreement. Final Architectural Review pursuant to 15-2.23-6 shall be concurrent with the Administrative CUP. Commissioner Jack Thomas shall participate in the Administrative CUP as a liaison for purpose of further input on final design and architectural elements.
5. A landscape plan, provided by a licensed landscape architect, and including landscape site design and materials consistent with those identified in the MPD Plan package is required to be submitted with the

- Administrative Conditional Use permit application. The landscape plan shall identify grading, heights, and undulation of the perimeter berming to soften the view of the commercial structures. The landscape plan shall include a planting plan and an irrigation plan. Ground cover for green roofs shall also be included in the landscape plan. Perimeter landscaping should be of a substantial size and shall be reviewed and approved by the City Arborist and Landscape Architect. The landscape plan shall indicate how the landscaping will be phased and shall indicate perimeter plantings to be installed prior to vertical construction to provide screening of construction work. Temporary irrigation will be required to ensure these plantings survive.
6. Parking lot and all other exterior lighting shall meet requirements of the LMC with additional restrictions on the overall wattage, automatic timers, and lighting designed in zones and shall comply with best lighting practices as recommended by the Dark Skies organization. A lighting plan, provided by a qualified lighting professional, shall be submitted with the Administrative Conditional Use permit application.
 7. Security fencing on the property perimeter shall not exceed 7' in height and shall generally be 5' to 6' in height and shall not include razor wire or other details that read as "high security" fencing. Use of electronic monitoring is allowed. Fencing details shall be provided with the Administrative Conditional Use permit application and shall be consistent with the Final MPD Plan Package (page 39____) in terms of location, design, materials, colors, and extent. Perimeter fencing shall be phased consistent with the phased parking lot construction described in #16 below.
 8. All vehicular access points to the development from SR-248 shall comply with any and all existing Corridor Preservation Agreements. Changes to these Agreements must be approved by the Utah Department of Transportation working cooperatively with Park City Municipal Corporation Transportation Department. The Applicant will be responsible for filing application for required access approvals with the Utah Department of Transportation. Without additional approvals, there will be a single public access to the property at the signalized intersection of Round Valley Drive and SR 248, and emergency access as approved by UDOT, and the Fire and Building departments.
 9. In the event that the south secondary access point is approved, this access shall be located in such a way as to not preclude access to the adjacent City open space parcel. Necessary cross access easements shall be provided, preferably on the subdivision plat, through the public area of the MPD to provide access to the signalized intersection for the City parcel.
 10. Traffic Management Plans for special events shall be approved by the City's Special Events staff as well as by the City's Police Departments of Transportation and Public Safety. All necessary special event permits and conditional use permits shall be obtained prior to commencing the Special

Event or Master Festival. No overcrowding permits may be granted by the Building Department.

11. Outdoor activities and noise shall be limited to 7AM to 10 PM and shall not exceed the City's noise ordinance, unless otherwise allowed through a Special Event/Master Festival permit in accordance with the Municipal Code.
12. Applicant shall coordinate with UDOT and adjacent property owners to pursue alternative access to the Park and Ride facility from SR 248 east of US 40. This access would provide a true community benefit and would mitigate traffic on SR 248 from US 40 to Richardson's Flat Road. Contributions to this access road could be acknowledged by allowing the development to utilize the Park and Ride lot to further reduce both traffic and parking impacts of the development.
13. The applicant should work with the City and State in good faith to find funding for additional underground parking to mitigate the impact of the large amount of surface parking.
14. At the time of the Administrative Conditional Use permit application, the applicant shall identify the square footage of all parking areas and all hard surfaced areas. Interior and perimeter parking lot landscaping shall meet requirements of the LMC Chapter 3. Snow storage areas shall be provided in accordance with the LMC Sections 15-3-3(E) and 15-3-4.8(E).
15. At the time of the Administrative Conditional Use permit application, the applicant shall provide a detailed parking analysis to identify specific uses, square footage, employee, hours of operation, shared parking ratios, and other items that will allow the Planning Staff to understand the parking demands. The parking analysis shall look at the extent to which alternative modes of travel (bus, shuttle, carpool, bike, etc.) can reduce the demand for parking at the site, on a day to day basis. The parking analysis shall also provide information about special events and parking demand. Staff's initial parking analysis recommends reductions for shared parking as well as support uses which reduce the required parking spaces from a total of 957 to a maximum of 668 spaces, based on the information provided with the MPD, with 150 of those 668 spaces proposed underground. In addition to addressing the total permitted parking spaces, the Administrative CUP shall limit the total square footage of impervious surface in a like percentage of the total project area. Based upon the Administrative CUP submittal, the Planning Director may approve a change in the parking up to 20% either way. Any request beyond 20% for additional parking or impervious surface area or further reductions would have to return to the Planning Commission.
16. A phased parking plan shall be provided with the Administrative Conditional Use permit for approval by the Planning Department. The plan shall identify only essential paving with each phase of development, strive to reduce parking demand with various programs and incentives, and strive to find funding for additional underground parking. Prior to building phase 2 parking, the applicant shall provide a professional parking

- analysis of existing conditions and needs, including established and proposed traffic mitigation.
17. Construction of public trail connections to the Park City Heights Rail Trail connector and trail head amenities as shown on the MPD Plans shall be completed by the applicant and at the expense of the applicant prior to issuance of a certificate of occupancy for any building.
 18. Bike racks shall be provided for the various uses, as required by LMC Section 15-6, Master Planned Developments (hotel, mixed use, trail head area, sound stage, etc.).
 19. Construction of a bus loop/bus shelter shall be provided prior to issuance of a certificate of occupancy for the hotel or mixed use buildings.
 20. A grading plan shall be submitted with the Administrative Conditional Use permit application. Excavated materials shall remain on site to the greatest extent possible.
 21. Grading of the site, including the undulating berms and swales along SR 248 shall be consistent with the grading proposed in the MPD Plans.
 22. All landscaping, parking lots, driveways, roads, plazas, sidewalks, trails on the property, and other common areas shall be maintained by the property owner, or an Owner's Association, as the City will not maintain such areas.
 23. Recycling centers shall be installed in the hotel, mixed use, and sound stage areas prior to issuance of a certificate of occupancy for the building.
 24. The hotel shall provide shuttle service for guests within Park City and encourage guests to utilize shuttles from the airport as well as around town. The shuttle service shall be in place prior to issuance of a final certificate of occupancy for the hotel.
 25. In accordance with Paragraph 2.5(h) of the Annexation Agreement, the applicant shall pay all applicable fees, including development, Building and Planning, Business licensing, and all other legally imposed fees and taxes collected by City Departments for services, utilities, etc.
 26. A storm water management plan, prepared by a licensed professional, shall be submitted with the Administrative Conditional Use permit application. The plan shall be consistent with best management practices for storm water management, including pre versus post run-off, water oil separators for parking facilities, and 100 year storm event detention on site.
 27. Roof top mechanical equipment shall be architecturally screened from public view.
 28. Trash and recycling enclosures shall be screened with landscaping, fencing, buildings, berms, etc. per the LMC.
 29. Shadow LEED Silver construction per the Annexation Agreement is required; however no third party certification is required.
 30. Areas of plazas, pedestrian walk ways, patios, etc. shall not be heat melted. Solar panels and skylights are allowed on rooftops per the LMC Chapter 5.
 31. Hours of operation shall be proposed and approved by the Planning Director as part of the Administrative CUP to mitigate traffic of employee

- loading and unloading. Support commercial uses, such as food service, deli, café, etc. shall be open during filming hours and office hours to mitigate vehicular trips off site for breaks and lunch.
32. Additional Building articulation as required by LMC Chapter 5 shall be demonstrated on the final building plans prior to issuance of a building permit.
 33. Permanent power shall be provided for the trailer parking area and the applicant shall use best effort to utilize solar or other renewable energy resource if technically and economically feasible.
 34. A sign plan must be filed with the Administrative CUP in compliance with LMC Title 12. No icon, water tower, or billboards are allowed.
 35. Final Subdivision approval shall contain covenants and restrictions (CCRS) in compliance with Paragraph 2.6 of the Annexation Agreement.
 36. Water service is provided by Summit Water, with an emergency connection to the City system. Should City service be necessary in the future, applicant shall pay applicable impact and user fees in effect at such time and make such dedications as required by LMC 15-8-5(C) (1-3).
 37. This MPD approval and zoning approved herein are limited to the terms of the Annexation Agreement and due to the unique circumstances regarding a legal settlement of historic claims in the Summit County Settlement Agreement, such approval shall not be considered precedent for future zoning amendments or annexation petition to this or neighboring properties in the Quinn's/CT zone area. All future development applications, changes in commercial use, or rezone requests shall be processed in accordance with the General Plan, zoning and LMC in effect at the time of application. The densities approved herein shall not be considered in terms of neighborhood compatibility in the event of a rezone or CT amendment request by other properties within the CT zone.
 38. As part of the required Construction Mitigation Plan, to be submitted prior to issuance of any building permits on the property, the landscape guarantee shall insure phased and adequate berming along SR248 in the event the project is not completed, and the construction guarantee bond shall take into consideration the location of this property on the entry corridor and mitigation of physical and visual impacts of construction at this property.
 39. No wood burning devices are allowed on the property.
 40. Specific soils test pits shall be reviewed prior to building permit issuance and if environmental issues, such as contaminated soils are present, a mitigation plan shall be required prior to issuance of permits.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect upon publication of this Ordinance, recordation of the Annexation Plat and Annexation Agreement, and compliance with state annexation filing requirements, pursuant to the Utah Code Annotated Section 10-2-425.

PASSED AND ADOPTED this ____ day of _____, 2012.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, MAYOR

ATTEST:

Janet M. Scott, CITY RECORDER

APPROVED AS TO FORM:

Mark D. Harrington, CITY ATTORNEY

Exhibits to the Ordinance (to be attached prior to recordation)

Exhibit A- Annexation plat

Exhibit B- Legal Description

Exhibit C- County Settlement Agreement executed January 18, 2012

Exhibit D- City Annexation Agreement

Exhibit E- Zoning map amendment

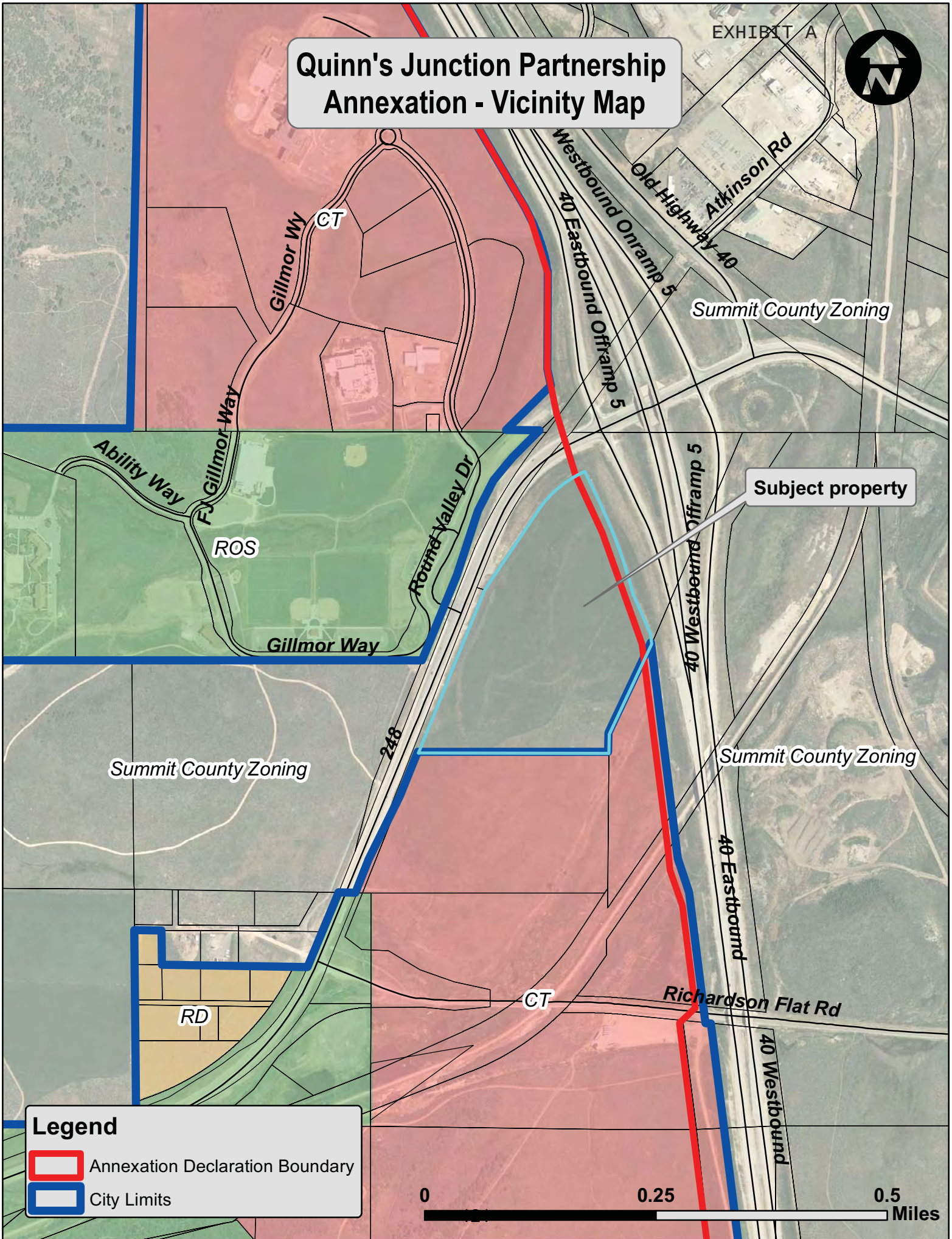
Exhibit F- Final MPD Plans packet

Exhibit G- Annexation Development Agreement

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Quinn's Junction Partnership Annexation - Vicinity Map



Legend

-  Annexation Declaration Boundary
-  City Limits

0 0.25 0.5 Miles

SURVEYOR'S CERTIFICATION
I, Ted M. Biehn, do hereby certify that I am a Registered Land Surveyor, and that I had been duly sworn by the authority of the state, and that I have made a survey of the tract of land shown on this plat and described below.

DATE _____

TED M. BIEHN
PLS 16461

BOUNDARY DESCRIPTION

QUINN'S JUNCTION PARCEL
Beginning on the easterly line of State Highway 248 at a point which is S89°53'10"E 153.19 feet along the Section Line (Basis of Bearing) and S70°00'00"E 1834.09 feet from the NW corner of the Northeast Corner of Section 2, Township 2 S, Range 4 E, Meridian 2, to the NE corner of the Northeast Corner of said Section 2, bearing S89°53'10"E 530.21 feet; thence S2°00'40"E 1005.18 feet along the easterly Right-Of-Way Line of said Highway to a 1000' brass cap monument; thence S2°00'40"E 544.70 feet along said Right-Of-Way Line to a 1000' brass cap monument and the beginning of a 638.50 foot radius curve the center of which bears S55°14'3"E; thence S55°14'3"E 338.83 feet along said Right-Of-Way Line and said curve to the right through a central angle of 30°24'19" (chord bearing = N49°20'26"E 334.87 feet) to a 1000' brass cap monument; thence S55°14'3"E 223.71 feet along said Right-Of-Way Line to a 1000' brass cap monument and the beginning of a 2684.79 foot radius curve the center of which bears S55°14'3"E; thence S55°14'3"E 223.71 feet along said Right-Of-Way Line to a 1000' brass cap monument and the beginning of a 2684.79 foot radius curve the center of which bears S55°14'3"E; thence S55°14'3"E 223.71 feet along said Right-Of-Way Line and said curve to the right through a central angle of 11°30'26" (chord bearing = S19°45'29"E 534.30 feet) to a 1000' brass cap monument; thence S2°00'40"E 244.42 feet along said Right-Of-Way Line to a 1000' brass cap monument; thence S70°00'00"E 58.39 feet along said Right-Of-Way Line to a rebar with aluminum cap at the North Quarter Corner of Section 2; thence S70°00'00"W 130.00 feet from the PK nail marking the North Quarter Corner of Section 2; thence S2°00'40"W 568.97 feet to a rebar with aluminum cap on the North-South Center Line of said Section 2; thence S2°00'40"W 109.84 feet along said North-South Center Line of Section 2 to a rebar with aluminum cap, said point being S70°00'49"W 1834.13 feet from said North Quarter Corner of Section 2; thence S70°00'49"W 109.84 feet to a rebar with aluminum cap and the point of beginning. Contains 29.5330 acres.

COMMENTS

1. This Survey was requested by Quinn's Junction Partnership.
2. The Basis of Bearing = S89°53'10"E between the NW Cor. and the NE Cor. of Section 2, as shown herein.
3. The Survey was made on the same as the Record of Survey by Shuchert & Associates recorded at Entry No. 423883 11-2-2-1992.

EXHIBIT B

ANNEXATION PLAT

AN ANNEXATION TO PARK CITY

LOCATED IN THE NORTH HALF OF SECTION 2,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

RECORDED # _____

STATE OF UTAH, COUNTY OF SUMMIT COUNTY,
RECORDED AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE \$ _____ DEPUTY COUNTY RECORDER _____ SUMMIT COUNTY RECORDER _____

ANNEXATION PLAT
AN ANNEXATION TO PARK CITY

LOCATED IN THE NORTH HALF OF SECTION 2,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

NE COR. SEC. 2
T2S, R4E, S12E
FOUND G.L. MARKED STONE

35° 08' 11.5"

2852.70'

1103.83'

1557.19'

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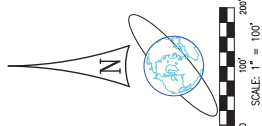
1557.19'

1103.83'

1557.19'

1103.83'

PARK CITY RECREATION
COMPLEX AMEND. (2008)



LEGEND

—	SECTION BOUNDARY (FOUND)
—	SECTION BOUNDARY (CALCULATED)
—	BOUNDARY BOUNDARY LINE
○	BOUNDARY CORNER
●	LOOT P-C-W MARKER
—	ALUMINUM PARCEL LINE
—	EDGE OF ASPHALT
—	FOUR

SITE MAP



PARK CITY COUNCIL
APPROVED THIS _____ DAY OF _____ AD, 2012
BY THE PARK CITY COUNCIL

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS
APPROVED BY THE PARK CITY COUNCIL
THIS _____ DAY OF _____ AD, 2012

CITY ATTORNEY
APPROVED THIS _____ DAY OF _____ AD, 2012
BY THE PARK CITY ATTORNEY

CITY ENGINEER APPROVAL
APPROVED THIS _____ DAY OF _____ AD, 2012
BY THE CITY PARK CITY ENG.

PLANNING COMMISSION APPROVAL
APPROVED THIS _____ DAY OF _____ AD, 2012
BY THE PARK CITY PLANNING COMMISSION

Robinson, Biehn & Biehn, Inc.
Professional Land Surveyors
3338 South 900 East, Suite 120
Salt Lake City, Utah 84143
(801) 262-5111 (801) 262-5111 fax



ATTEST: CITY CLERK _____ MAYOR _____

PARK CITY RECORDER _____

PARK CITY ATTORNEY _____

PARK CITY ENGINEER _____

CHAIRMAN, PLANNING COMMISSION _____

WHEN RECORDED RETURN TO

David L. Thomas
Chief Civil Deputy
Summit County Attorney
P.O. Box 128
60 N. Main Street
Coalville, Utah 84017

**SETTLEMENT AGREEMENT
FOR FILM AND MEDIA CAMPUS**

THIS SETTLEMENT AGREEMENT (the "Agreement") is entered into as of this 18th day of January, 2012, by and among QUINNS JUNCTION PARTNERSHIP (Michael Martin, General Partner), the sole owner of certain undeveloped real property in the Snyderville Basin, including all legal claims belonging to Ralph Merrill (the "QJP"), and SUMMIT COUNTY, a political subdivision of the State of Utah, by and through its County Manager (the "County").

RECITALS:

A. QJP is the owner of approximately 29 acres of land and appurtenant real property rights, located on the southwest corner of Quinn's Junction, which is at the intersection of U.S. 40 and S/R 248 in the Snyderville Basin, Summit County, Utah (the "Property"). QJP desires to build a mixed use development on the Property consisting of a Motion Picture Studio and Media Campus, ancillary and support commercial and lodging (the "Film Studio").

B. The Property is claimed to be within the Annexation Policy Plan of Park City Municipal Corporation (the "City") and its Expansion Area (the "Park City Annexation Declaration Area") in accordance with Utah Code Annotated ("UCA"), §10-2-201.5. The provisions of UCA, §10-2-402 have been satisfied. QJP has filed an Annexation Petition with Park City (the "QJP Annexation Petition" or "Petition") in accordance with UCA, §10-2-403.

C. QJP has asserted claims and commenced litigation against the County in two separate lawsuits and other administrative actions that are currently pending in State and Federal Courts.

D. As a result of this litigation several disputes have arisen between Summit County and QJP.

E. The parties desire to settle all claims, actions, and litigation between them (the "Litigation").

F. This Agreement implements the agreed upon conditions for settlement of the Litigation.

F. This Agreement provides that QJP shall attempt in good faith to annex into the City. In the event of a rejection of the annexation petition by the City, QJP will be vested with certain development rights within unincorporated Summit County.

G. Summit County, acting pursuant to its authority under Utah Code Annotated, Section 17-27a-101, et seq. and the Code, has made certain determinations with respect to the proposed Film Studio, and, in the exercise of the discretion afforded the County Manager in Summit County Code §1-14-10(F)(17) to settle lawsuits, has elected to approve of this Agreement.

SUMMIT COUNTY AND QJP HEREBY AGREE AS FOLLOWS:

ARTICLE I

Vested Rights within Unincorporated Summit County

1.1 Legal Description of Property. The legal description of the Property included with the Film Studio is attached hereto as Exhibit A, which is incorporated into this Agreement by this reference. No other property may be added to the legal description of the Film Studio for purposes of this Agreement, except by written amendment. Except as expressly set forth in this Agreement, this Agreement shall not affect any land other than the Property.

1.2 General Description of Film Studio. The Film Studio covered by this Agreement consists of approximately 29 acres of land located generally nearby and on the southwest corner of U.S. 40 and S.R. 248 in Summit County, Utah.

1.3 Vested Development Right. As a compromise of claims and in settlement of the Litigation, the County hereby recognizes that the Property has a vested development right to the following commercial uses, densities, and configuration as part of a Motion Picture Studio and Media Campus:

1.3.1 Total Density not to exceed a maximum of 355,000 gross square feet.

1.3.2 One Hotel/Lodging facility which shall not exceed 100 keyed rooms within the gross square footage granted herein without further approval by the County.

1.3.3 Heights not to exceed 32 feet except in the cases of sound stages/studios and entry way fire suppression water tank, which shall not exceed 60 feet.

1.3.4 Setback of buildings from the centerline of SR 248 and US 40 shall not be less than 150 feet from any building over 28 feet in height. Setback of all other buildings or structures shall not be less than 100 feet from the centerline of SR 248 and US 40.

1.3.5 All exterior street and other lighting shall be kept to a minimum, directed downward, and ensure that light sources are fully shielded. Only high pressure

sodium, incandescent, LED or other sources appearing to be amber in color consistent with the Code provisions for the protection of the night sky shall be allowed.

1.3.6 Permitted Uses shall be Recreation, International Film School, Commercial Support Retail, Entertainment Center, Hotel/Lodging, Motion Picture Media Campus, Sound Stages/Studios, and Event Center. All other uses are prohibited.

1.3.7 All other provisions of Summit County Code, §§ 10-1 thru 10-11, and all other County ordinances, which are not in conflict with §§1.3.1 – 1.3.6 herein, shall be applicable to the Property.

- 1.4 Process. §1.3 shall be subject to the approval of an appropriate form of Development Agreement.

ARTICLE II

Annexation to Park City

2.1 Annexation Declaration Area. Utah law favors that development take place within the boundaries of cities and towns where land is located in a city's annexation declaration area. The Property is claimed to be within the Park City Annexation Declaration Area.

2.2 Annexation Agreement. As a condition subsequent to the vesting of uses, densities, and configuration of the Film Studio contained in §1.3, QJP and the City have executed an Annexation Agreement, a copy of which is fully set forth at "Exhibit B" herein.

2.3 Petition. As a further condition subsequent to the vesting of uses, densities, and configuration of the Film Studio contained in §1.3, QJP has filed the QJP Annexation Petition with the City and QJP agrees it will not withdraw the petition prior to the City Council rendering a final decision/vote or the expiration of the time periods set forth in paragraph 2.3 of the Annexation Agreement, whichever occurs first.

2.4 Decision on Petition. The City shall either approve or reject the QJP Annexation Petition within ninety (90) days of the acceptance of the Petition by the City consistent with UCA, §10-2-405(1).

2.5 Effect of Petition Approval. Upon approval of the QJP Annexation Petition, the provisions of §§1.3 and 1.4 as they pertain to the Film Studio shall be vacated. The remainder of this Agreement shall remain in full force and effect.

2.6 Effect of Petition Rejection. Upon rejection of the QJP annexation petition, the provisions of §§1.3 and 1.4 as they pertain to the Film Studio shall be effective and in full force and effect.

ARTICLE III

Releases and Hold Harmless

3.1 Mutual Releases. At the time of, and subject to, the execution of this Agreement, and the acceptance of the QJP Annexation Petition by the City pursuant to UCA, §10-2-405(1), and excepting the parties' respective rights and obligations under this Agreement, QJP, on behalf of itself and QJP's partners, officers, directors, employees, agents, attorneys and consultants, hereby releases the County and the County's board members, council members, officials, employees, agents, attorneys and consultants, and the County, on behalf of itself and the County's board members, officials, employees, agents, attorneys and consultants, hereby releases QJP and QJP's partners, officers, directors, employees, agents, attorneys and consultants, from and against any and all claims, demands, liabilities, costs, expenses of whatever nature, whether known or unknown, and whether liquidated or contingent, arising on or before the date of this Agreement in connection with the Property or the application, processing or approval of applications relating to the Property or the Film Studio, to include any past claims for vested development rights that are not provided for in this Agreement and those lawsuits styled Merrill v. Summit County, Case No. 2:08-cv-723 pending in the U.S. District Court in and for the State of Utah, Central Division, and Merrill v. Summit County, Case No. 050500052 pending in the Third District Court, Summit County, Utah. Said lawsuits shall be dismissed with prejudice within five (5) calendar days of the acceptance by the City of the QJP Annexation Petition in accordance with UCA, §10-2-405(1).

ARTICLE IV

General Terms and Conditions.

4.1 Agreements to Run with the Land. This Agreement and its accompanying Exhibits shall be recorded against the Property described in Exhibit A. The agreements contained herein shall be deemed to run with the land and shall be binding on and shall inure to the benefit of all successors in ownership of the Property. As used herein, QJP shall include the parties signing this Agreement and all successor owners of any part of the Property.

4.2 State and Federal Law. The parties agree, intend and understand that the obligations imposed by this Agreement are only such as are consistent with state and federal law. The parties further agree that if any provision of this Agreement becomes, in its performance, inconsistent with state or federal law or is declared invalid, this Agreement shall be deemed amended to the extent necessary to make it consistent with state or federal law, as the case may be, and the balance of the Agreement shall remain in full force and effect.

4.3 Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements, whether oral or written, covering the same subject matter. This Agreement may not be modified or amended except in writing mutually agreed to and accepted by both parties to this Agreement.

4.4 Notices. All notices hereunder shall be given in writing by certified mail, postage prepaid, at the following addresses:

To the County:

Summit County Manager
Summit County Courthouse
60 N. Main
P.O. Box 128
Coalville, UT 84017

With copies to:

David L. Thomas
Chief Civil Deputy Summit County Attorney
60 N. Main
P.O. Box 128
Coalville, UT 84017

To Developer:

Quinns Junction Partnership
Attn: Greg S. Ericksen
Law Offices of Greg S. Ericksen
1065 South 500 West
Bountiful, UT 84010

With copies to:

Scott M. Lilja
VanCott Bagley Cornwall & McCarthy
36 South State Street, Suite 1900
Salt Lake City, UT 84111

4.5 Applicable Law. This Agreement is entered into under and pursuant to, and is to be construed and enforceable in accordance with, the laws of the State of Utah.

4.6 Rights of Third Parties. This Agreement is not intended to affect or create any additional rights or obligations on the part of third parties.

4.7 Execution of Agreement. This Agreement may be executed in multiple parts as originals or by facsimile copies of executed originals; provided, however, if executed and evidence of execution is made by facsimile copy, then an original shall be provided to the other party within seven (7) days of receipt of said facsimile copy.

4.8 Duration. The term of this Agreement shall commence on, and the effective date of this Agreement shall be, the date upon which the last signature appears hereon. The Term of this Agreement shall extend for a period of ten (10) years following the effective date unless the Agreement is earlier terminated, or its term modified by written amendment to this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed by Summit County, acting by and through the County Manager, and by a duly authorized representative of QJP as of the above-stated date.

COUNTY:

COUNTY MANAGER OF SUMMIT COUNTY,
STATE OF UTAH

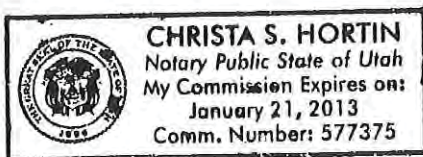
By: 
Robert Jasper, County Manager

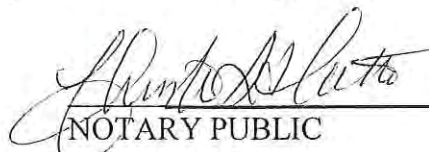
APPROVED AS TO FORM:


David L. Thomas
Chief Civil Deputy

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 18th day of January, 2012, by Robert Jasper, the County Manager of Summit County, State of Utah.




NOTARY PUBLIC
Residing at: Wanship, Utah

My Commission Expires: 1-21-13

Quinns Junction Partnership, by its General Manager:

By

Michael Martin, Its General Manager

)

: SS.

)

The foregoing instrument was acknowledged before me this 12th day of January, 2012, by Michael Martin, General Manager of Quinns Junction Partnership.



Louis Summer

NOTARY PUBLIC

NOTARY PUBLIC
Residing at: West Jordan, Utah

10/10/13

EXHIBIT A

EXHIBIT "A"

That certain real property located in Summit County, State of Utah described as follows:

Beginning on the Easterly line of State Highway 248 at a point which is South 89°53' East along the Section line 1557.19 feet and South 00°00'00" East 1834.09 feet from an aluminum pipe monument at the Northwest corner of Section 2, Township 2 South, Range 4 East, Salt Lake Base and Meridian (from which Section corner the Glo Stone Monument at the Northeast corner of said Section 2 bears South 89°53'00" East 5320.725 feet); thence along the Easterly right-of-way line of said Highway North 22°00'40" East 1005.180 feet to a UDOT brass cap monument; thence along said right-of-way line North 34°07'00" East 544.699 feet to a UDOT brass cap monument; thence along said right-of-way line 338.834 feet along the arc of a 638.500 foot radius curve to the right (chord bears North 49°20'26" East 334.872 feet) to a UDOT brass cap monument; thence North 64°25'25" East 14.394 feet to a UDOT brass cap monument; thence along the Westerly right-of-way line of the new U.S. Highway 40 South 25°33'14" East 223.713 feet to a UDOT brass cap monument; thence along said Westerly right-of-way line 535.196 feet along the arc of a 2664.790 foot radius curve to the right (chord bears South 19°45'25" East 534.297 feet) to a UDOT brass cap monument; thence along said right-of-way line South 23°49'09" East 243.421 feet to a UDOT brass cap monument; thence along said right-of-way line South 7°02'43" East 58.383 feet to a rebar with aluminum cap at a point that is South 89°53' East along the Section line 800.00 feet and South 25°20'00" West 1336.802 feet from the PK nail marking the location of the North Quarter corner of said Section 2; thence South 25°20'00" West 568.966 feet to a rebar with aluminum cap on the North-South Quarter-Section line of said Section 2; thence along said Quarter-Section line South 0°30'48" West 109.935 feet to a rebar with aluminum cap at a point that is South 0°30'48" West 1834.13 feet from said North Quarter corner of Section 2; thence North 89°53'00" West 1087.396 feet to a rebar with aluminum cap at the point of beginning.

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT (the "Agreement") is entered into as of this 17th day of January, 2012, by and among QUINNS JUNCTION PARTNERSHIP (Michael Martin, General Partner), the sole owner of certain undeveloped real property in the Snyderville Basin, including all legal claims belonging to Ralph Merrill (the "QJP"), and PARK CITY MUNICIPAL CORPORATION, a political subdivision of the State of Utah, by and through its City Manager (the "Park City").

RECITALS:

A. QJP is the owner of approximately 29 acres of land and appurtenant real property rights, located on the southwest corner of Quinn's Junction, which is at the intersection of U.S. 40 and S/R 248 in the Snyderville Basin, Summit County, Utah (the "Property"). QJP desires to build a mixed use development on the Property consisting of a Motion Picture Studio and Media Campus, ancillary and support commercial and lodging (the "Film Studio").

B. QJP has asserted claims and commenced litigation against Summit County ("the County") in two separate lawsuits and other administrative actions that are currently pending in State and Federal Courts. QJP anticipates consolidating the cases and adding the Park City as a defendant to the litigation.

C. As a result of this litigation several disputes have arisen between the Park City, the County and QJP.

D. The parties desire to settle all claims, actions, and litigation between them (the "Litigation").

E. This Agreement is part of that certain *Settlement Agreement For Film And Media Campus* (the "Settlement Agreement") which is expected to be entered into by and between the County and QJP. This Agreement and the Settlement Agreement collectively implement the agreed upon conditions for settlement of the Litigation.

F. This Agreement provides that QJP shall attempt in good faith to annex into Park City. In the event of a rejection of the annexation petition, QJP will be vested with certain development rights within unincorporated Summit County as defined in the County Settlement Agreement.

PARK CITY AND QJP HEREBY AGREE AS FOLLOWS:

ARTICLE I

Property

1.1 Legal Description of Property. The legal description of the Property included with the Film Studio is attached to the County Settlement Agreement as Exhibit A, which is incorporated into this Agreement by this reference. No other property may be added to the legal description of the Film Studio for purposes of this Agreement, except by written amendment. Except as expressly set forth in this Agreement, this Agreement shall not affect any land other than the Property.

1.2 General Description of Film Studio. The Film Studio covered by this Agreement consists of approximately 29 acres of land located generally nearby and on the southwest corner of U.S. 40 and S.R. 248 in Summit County, Utah.

1.3 Vested Development Right. As a compromise of claims and in settlement of the Litigation, Park City hereby recognizes that the Property has a vested development right to the commercial uses, densities, and configuration as part of a Motion Picture Studio and Media Campus as stated in the County Settlement Agreement.

ARTICLE II

Annexation to Park City

2.1 Annexation Declaration Area. Utah law favors that development take place within the boundaries of cities and towns where land is located in a city's annexation declaration area. The Property is within the Park City Annexation Declaration Area.

2.2 Petition. Park City shall expedite its review process to decide whether to annex the Property or not within 90 days of acceptance of the petition. The petition shall include the most recent traffic study and the most recent Environmental report on the QJP property.

2.3 Decision on Petition. Park City shall use all reasonable efforts to either approve or reject the QJP Annexation Petition within ninety (90) days. If reasonable circumstances require additional time (such as QJP failure to provide legally required information, third party protest, or state or local mandated notice provisions), both parties shall continue to cooperate to expedite the review and QJP shall provide at least 14 days written notice after the expiration of 90 days of its intent to withdraw the petition unless the City Council votes to annex. QJP agrees it will not withdraw the petition prior to the City Council rendering a final decision/vote or the expiration of the above time periods, whichever occurs first.

2.4 Zoning. The annexation petition will propose Regional Commercial Overlay- CT (Community Transition) zoning for the Property, which Park City will adopt

concurrently if the annexation is approved to enable the Master Plan discussed in Section 2.5.

2.5 Master Plan. The intent of the parties is to include such Master Plan components in a development agreement to be approved by the City Council concurrently with the annexation of the Property. The City Council shall receive the recommendation of the Planning Commission regarding the annexation, zoning and Master Planned Development ("MPD"). Due to the pre-existing vesting in the County and the terms of the County Settlement Agreement, QJP shall be exempt from any conflicting Park City Land Management Code provisions as expressly stated in the MPD. The following shall form the basis of the final MPD:

- a. Total Development Activity shall be limited to a Gross Commercial Floor Area of 374,000 square feet. Gross Commercial Floor Area shall include all enclosed areas of a building but shall not include roads, parking lots, or parking structures. Unenclosed porches, balconies, patios and decks, vent shafts, courts and one atrium subject to the restrictions below are not calculated in Gross Commercial Floor Area. As part of the MPD Site Plan in subsection (b), QJP may propose an enclosed atrium which primarily serves as a pedestrian connection between two building pads but which may also be used for studio film/set work provided such atrium is not a stand-alone studio/building and may not be converted to habitable space, is in an area screened from SR 248, and is approved as part of the Annexation, such approval not to be unreasonably withheld.
- b. The Site Plan and berming shall materially be the same as Site Plan included as Attachment A, unless modified by the City Council and accepted by QJP. Final design approval shall be an administrative conditional use permit reviewed by the Planning Department in compliance with LMC Chapter 5 and the Architectural Standards attached as Attachment B. This Annexation Agreement shall govern in the event of any conflict with Attachment B. Green Building design and construction shall meet minimum shadow LEED standards. All signage must comply with generally applicable Park City codes and no icon, water tower, or highway billboard is permitted.
- c. No open space, setbacks or affordable housing requirements may be imposed. QJP shall post City affordable housing information in a work place accessible to all its employees.
- d. Uses, including the amphitheater, shall be of the type as shown on Attachment C and/or consistent with the Film Studio and Campus concept and the gross square footage of those uses shall not exceed the limitation of paragraph 2.5 a. above. The hotel shall limited to 100 rooms and keys. The amphitheater stage may not be oriented toward City open space and shall be reviewed for compliance with Attachment B.
- e. Maximum building height 50 feet for sound stages, or a maximum height not to exceed 60 feet in Pad 7 of Attachment A in the event a major, long-term film production contract necessitates the full studio height. Non- Sound Stage Buildings:

- No more than 70% of the remaining buildings on the campus are between 36 - 40 feet in height.
 - Remaining building(s) on the campus are not greater than 28 feet in height (the CT Zone height limit).
 - No building shall be greater than 28 feet in height unless located more than 150 feet from the centerline of a public roadway.
 - Smaller buildings are massed and/or placed strategically to break up the volumes of the Sound Stage Buildings. This "stepping" will mitigate the appearance of the vertical façade of the taller buildings.
- f. Park City acknowledges that the Movie Studio portion of the campus shall have perimeter and entry security controls. Otherwise, internal circulation and trails shall otherwise comply with generally required MPD requirements.
 - g. The City shall request state funding for structured/underground parking and QJP shall support the City's request including the use of lobbyists to coordinate such joint request for the 2012 legislative session. Mitigation of the visual impacts of the parking and its relation to public transit planned for the project are acknowledged to be a material element of this settlement. Both parties must agree in advance on any legislative strategy regarding film studios in Park City or in the County or associated parking as stated above.
 - h. QJP shall pay all normal and legally imposed fees associated with planning review, permits and subsequent Development Activity, and all generally applicable impact fees, levies and taxes, all of which shall be nonrefundable unless otherwise provided by Park City ordinance. Park City acknowledges prior receipt of the annexation fee and no additional annexation fee is required.
 - i. QJP is responsible for coordinating water and utility service, which may include a third party provider, in compliance with applicable standards prior to annexation approval.
 - j. As a result of QJP's rights vesting as a result of County applications prior to the Quinns Junction Area Study (the "QJAS"), Park City hereby finds the terms of this Agreement exempt from the findings of the QJAS.

2.6 Non-compete and Sundance Sponsorship. QJP shall encourage the owner/operator of the Film Studio (currently anticipated to be Raleigh Studios) to consult with and enter into such sponsorship and use agreement with the Sundance Institute regarding the 2012 Sundance Film Festival (and thereafter so long as the studio is operational). Any agreements reached between Raleigh and Sundance shall be confidential but shall be provided to Park City prior to the approval of annexation of the property. QJP shall create covenants and restrictions (CCRs) applicable to the entire Property, including the Film Studio and all commercial owners and tenants, which prohibit commercial uses of any facility within the MPD which directly ambushes the Sundance Film Festival. Nothing herein shall prevent independent negotiations and agreements between the film studio operator and Park City or any Park City Master Festival License (MFL) holder. If such agreements are reached either prior to or subsequent annexation of the property, QJP shall incorporate such provisions into the CCRS so as to apply to all commercial tenants or owners. Direct ambush commercial

uses shall be defined to include but not be limited to event rental or subleasing during the dates of the Sundance Film Festival for the purposes of commercial business activity, marketing or promotional gifting not approved by Sundance which directly and materially competes with existing, official Sundance sponsorship. In the event annexation is not approved, this paragraph 2.6 shall apply to the vested development rights as defined in the County Settlement Agreement.

ARTICLE III

Release

3. Mutual Releases. At the time of, and contingent upon approval or rejection of the completed annexation, and excepting the parties' respective rights and obligations under this Agreement, QJP, on behalf of itself and QJP's partners, officers, directors, employees, agents, attorneys and consultants, hereby releases Park City, council members, officials, employees, agents, attorneys and consultants, and Park City, on behalf of itself and Park City's board members, officials, employees, agents, attorneys and consultants, hereby releases QJP and QJP's partners, officers, directors, employees, agents, attorneys and consultants, from and against any and all claims, demands, liabilities, costs, expenses of whatever nature, whether known or unknown, and whether liquidated or contingent, arising on or before the date of this Annexation Agreement in connection with the Property or the application for annexation, processing or approval of applications relating to annexation of the Property or the Film Studio, to include any past claims for vested development rights, not including those recognized by Summit County, that are not provided for in this Agreement and any claims or potential claims arising out those lawsuits styled Merrill v. Summit County, Case No. 2:08-cv-723 pending in the U.S. District Court in and for the State of Utah, Central Division, and Merrill v. Summit County, Case No. 050500052 pending in the Third District Court, Summit County, Utah. Nothing herein shall alter or effect the terms and conditions of the Settlement agreement or subsequent agreements if annexation fails as provided herein between QJP and Summit County.

ARTICLE IV

General Terms and Conditions.

4.1 Agreements to Run with the Land. This Annexation Agreement and its accompanying Exhibits shall be recorded against the Property described in Exhibit A to the County Settlement Agreement. The agreements contained herein shall be deemed to run with the land and shall be binding on and shall inure to the benefit of all successors in ownership of the Property. As used herein, QJP shall include the parties signing this Agreement and all successor owners of any part of the Property.

4.2 State and Federal Law. The parties agree, intend and understand that the obligations imposed by this Agreement are only such as are consistent with state and federal law. The parties further agree that if any provision of this Agreement becomes, in its performance, inconsistent with state or federal law or is declared invalid, this Agreement shall be deemed amended to the extent necessary to make it consistent with

state or federal law, as the case may be, and the balance of the Agreement shall remain in full force and effect.

4.3 Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements, whether oral or written, covering the same subject matter. This Agreement may not be modified or amended except in writing mutually agreed to and accepted by both parties to this Agreement.

4.4 Applicable Law. This Agreement is entered into under and pursuant to, and is to be construed and enforceable in accordance with, the laws of the State of Utah.

4.5 Rights of Third Parties. This Agreement is not intended to affect or create any additional rights or obligations on the part of third parties.

4.6 Execution of Agreement. This Agreement may be executed in multiple parts as originals or by facsimile copies of executed originals; provided, however, if executed and evidence of execution is made by facsimile copy, then an original shall be provided to the other party within seven (7) days of receipt of said facsimile copy.

4.7. City Council Approval. This Agreement is subject to the legislative approval of the City Council at an appropriately noticed open and public meeting.

4.8. Notices. Notices pursuant to this Agreement shall be deemed to have been properly given when deposited, postage prepaid, with the U.S. Postal Service, addressed to the parties as follows:

Quinns Junction Partnership
Attn: Greg S. Ericksen
Law Offices of Greg S. Ericksen
1065 South 500 West
Bountiful, UT 84010

With copies to:

Scott M. Lilja
VanCott Bagley Cornwall & McCarthy
36 South State Street, Suite 1900
Salt Lake City, UT 84111

Park City Municipal Corporation
Attention: City Attorney
P. O. Box 1480
Park City, Utah 84060
Tel.: (435) 615-5025
Fax: (435) 615-4901

- 4.9 Legislative Decision. The parties acknowledge that the decision to annex is purely a legislative decision by the City Council and nothing herein shall limit the City Council's discretion or power to make that legislative decision. While certain staff members of Park City have provided preliminary input to Quinn's and interested purchasers of the Property, and staff will continue to do so, such input is merely advisory as the final authority and decision to annex rests solely with the legislative body of Park City. Nothing herein shall limit the Park City's ability to annex the Property so long as an annexation petition is in conformance with U.C.A. § 10-2-403, and all other applicable requirements of Park City ordinances, the Park City General Plan, and Title 10, Chapter 2, Part 4 of the Utah Code.
- 4.10 This Agreement is contingent on QJP and Summit County entering into the *Settlement Agreement for Film and Media Campus* referred to in Recital E. above. In the event that *Settlement Agreement* is not entered into within 10 days from the date of this Agreement, this Agreement is null and void.
- 4.11 In the event Park City does not annex the property into the City jurisdiction in good faith as provided in this agreement, the parties hereby agree that QJP may apply to Summit County for development without protest ("protest" does not include public comment on final site planning and aesthetic design) from Park City provided that the application is consistent with the County Settlement Agreement. Nothing herein shall prevent Park City from public hearing participation or submitting comments on Settlement Agreement amendments or any subsequent development plan amendments.

DATED this 17th day of January, 2012.

QUINN'S JUNCTION PARTNERSHIP

By:  General Partner.
Q.J.P.

PARK CITY MUNICIPAL CORPORATION

By: TL [Signature]
Thomas Bakaly, City Manager

Attest:

Sharon C Bauman
City Recorder's Office

Approved as to Form:

[Signature]
City Attorney's Office



LEGAL DESCRIPTION
EXHIBIT A

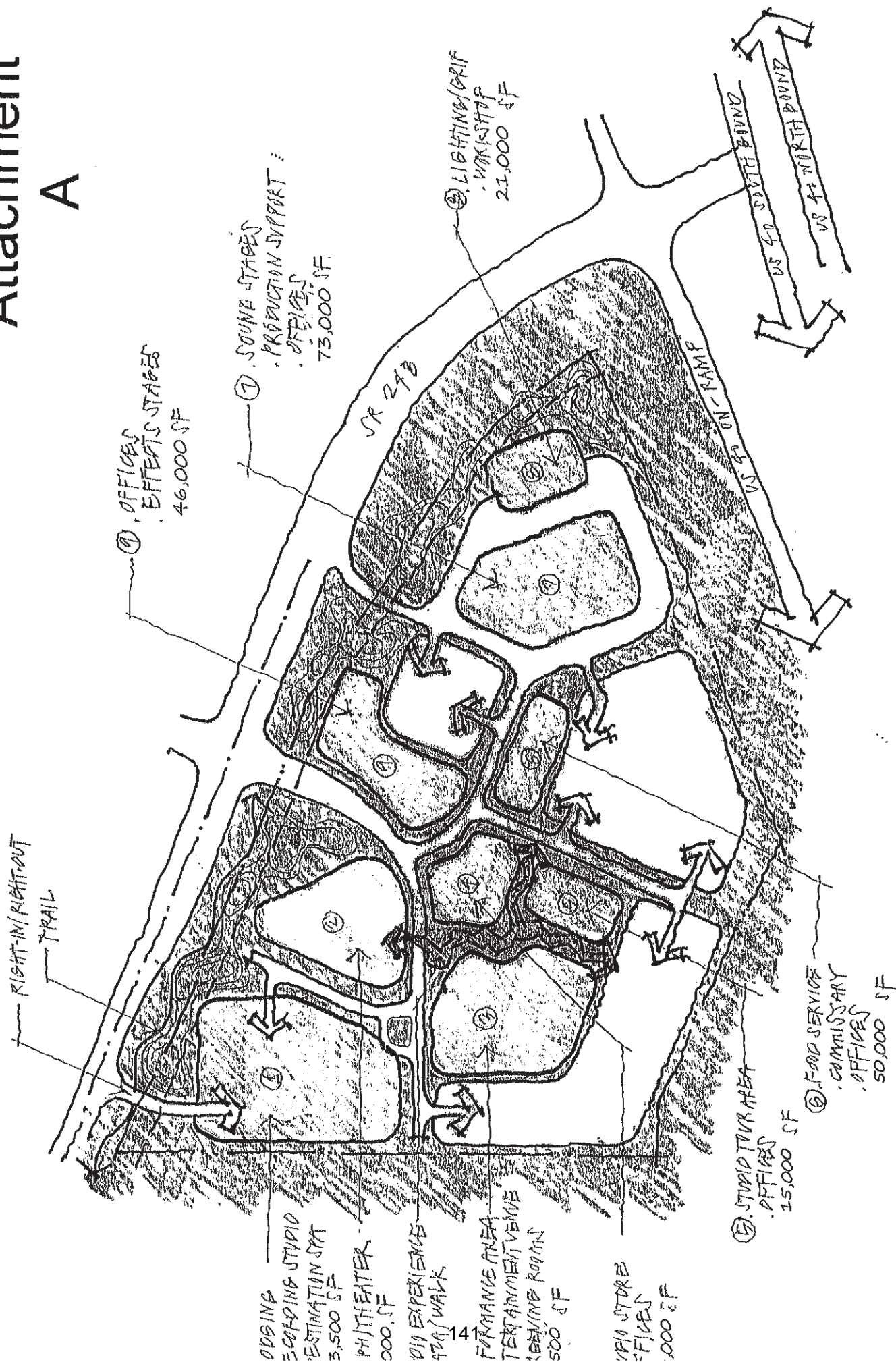
Order No. 161891

The land referred to in this exhibit is situated in the county of Summit State of Utah, and is described as follows:

Beginning on the Easterly line of State Highway 248 at a point which is South 89°53' East along the Section line 1557.19 feet and South 00°00'00" East 1834.09 feet from an aluminum pipe monument at the Northwest corner of Section 2, Township 2 South, Range 4 East, Salt Lake Base and Meridian (from which Section corner the Glo Stone Monument at the Northeast corner of said Section 2 bears South 89°53'00" East 5320.725 feet), thence along the Easterly right of way line of said Highway North 22°00'40" East 1005.180 feet to a UDOT brass cap monument, thence along said right of way line North 34°07'00" East 544.699 feet to a UDOT brass cap monument, thence along said right of way line 338.834 feet along the arc of a 638.500 foot radius curve to the right (chord bears North 49°20'26" East 334.872 feet) to a UDOT brass cap monument, thence North 64°25'25" East 14.394 feet to a UDOT brass cap monument, thence along the Westerly right of way line of the new U.S. Highway 40 South 25°33'14" East 223.713 feet to a UDOT brass cap monument, thence along said Westerly right of way line 535.196 feet along the arc of a 2664.790 foot radius curve to the right (chord bears South 19°45'25" East 534.297 feet) to a UDOT brass cap monument, thence along said right of way line South 23°49'09" East 243.421 feet to a UDOT brass cap monument, thence along said right of way line South 7°02'43" East 58.383 feet to a rebar with aluminum cap at a point that is South 89°53' East along the Section line 800.00 feet and South 25°20'00" West 1336.802 feet from the PK nail marking the location of the North Quarter corner of said Section 2, thence South 25°20'00" West 568.966 feet to a rebar with aluminum cap on the North-South Quarter Section line of said Section 2, thence along said Quarter Section line South 0°30'48" West 109.935 feet to a rebar with aluminum cap at a point that is South 0°30'48" West 1834.13 feet from said North Quarter corner of Section 2, thence North 89°53'00" West 1087.396 feet to a rebar with aluminum cap at the point of beginning.

Tax ID No: SS-91-A

Attachment A



Architectural Design Guidelines

The purpose of the architectural design guidelines is to provide direction for development of the vertical elements of the Film Studio Campus in order to achieve a built environment that is in harmony with the natural setting, existing structures where appropriate, and provides a comfortable, distinctive, and stimulating environment. The buildings currently located west of the US 40 and SR 248 Interchange and also located in the Park City Municipal limits were developed as a gathering of buildings to support sport, recreation and health.

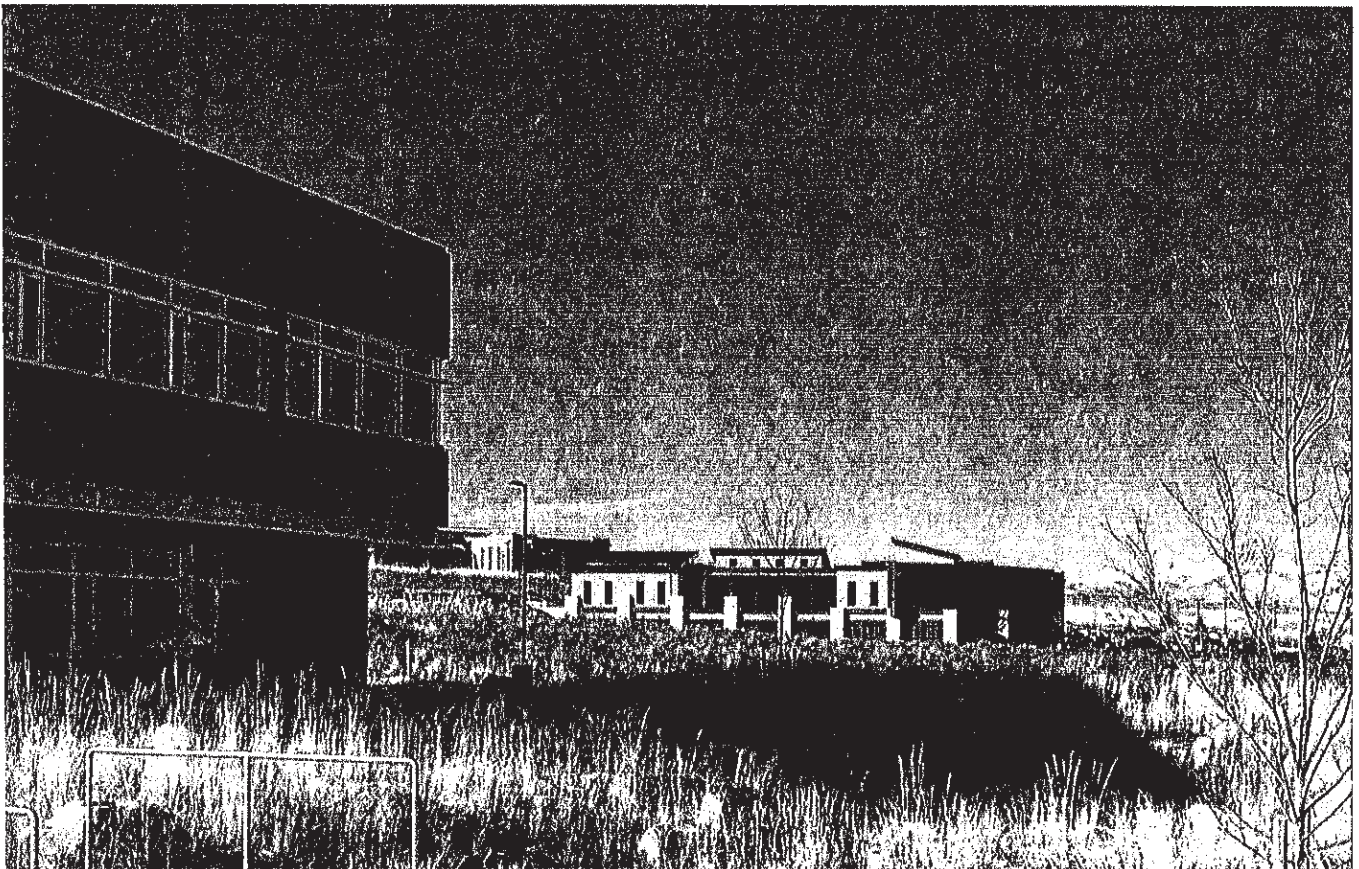
In the design process, the existing buildings were reviewed by the Park City Planning Staff and Planning Commission. As such, the building designs capture the essence of the mountain setting while at the same time honoring the architecture of the era. Varying examples of this style can be found in the IHC Hospital, Summit County Public Health Center and Park City Ice Arena.

The goal of these design guidelines is to synthesize the proposed Film Studio Campus design into an architectural expression that connects to the surrounding structures and respects the importance of the Park City entry corridor.



General Guidelines

- Each new building should have a distinct architectural concept that is consistent in theme but rich in subtle variation.
- Buildings should be designed to provide a clear, unified, and easily identifiable image. Methods to achieve this include using similar architectural styles and materials, complementary roof forms, signs, colors, and pavement.
- All buildings should relate visually to one another and be compatible with adjacent buildings.
- Encouraged architectural and landscape design qualities and elements for the Film Studio Campus buildings are:
 - Using buildings to screen parking areas, service areas and storage areas;
 - Providing building modulation, entry accentuation and rich architectural details;
 - Incorporation of water conservation site design;
 - Use of shielded exterior lighting, protecting the night sky and creating path illumination; and
 - Natural landscaping to soften building exteriors and buffer between uses.
 - Green Building design and construction to meet minimum LEED Silver Standards.



View of three compatible buildings showing natural landscaping as a buffer between uses.

Height and Mass

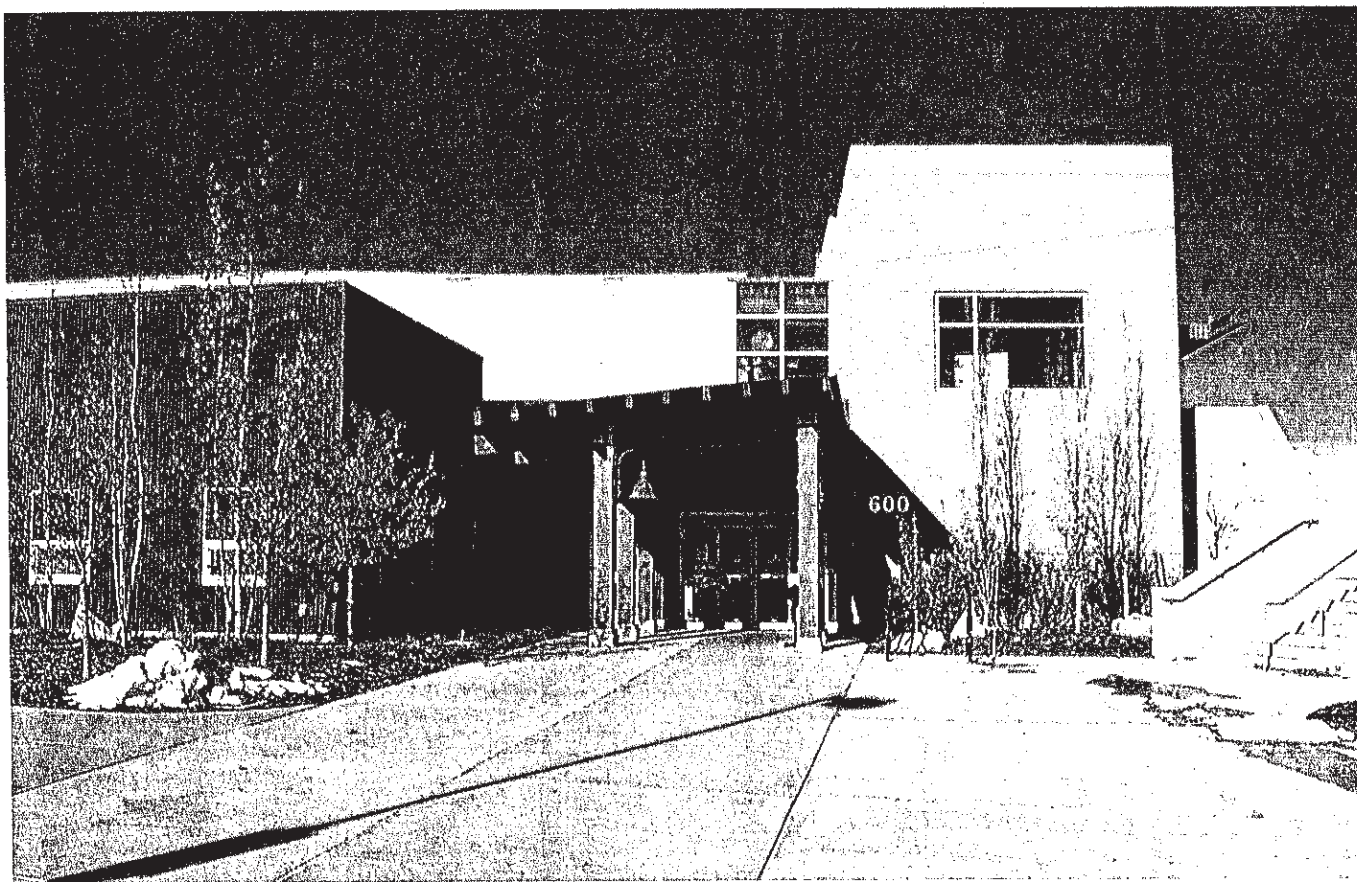
- The height and mass of the Film Studio Campus buildings should consider the visual and physical relationship to adjacent uses. A structure that dominates its environment by its relative size is strongly discouraged.
- The mass of a larger building should be broken down into a group of buildings clustered into traditional building compounds or a campus setting to create a sense of community.
- Building design should employ clean, simple, geometric forms and coordinated massing to produce overall unity, scale, and interest.
- Varying building heights, massing, roof forms and setbacks to define different functions such as offices, residential, hotel, studio and other uses is encouraged.
- Buildings should relate to the terrain and each other in their massing and forms. Larger masses should be located at the centers of building compositions, with smaller forms stepping outwards and down.



IHC Hospital showing variation in building mass and roof form.

Building Design

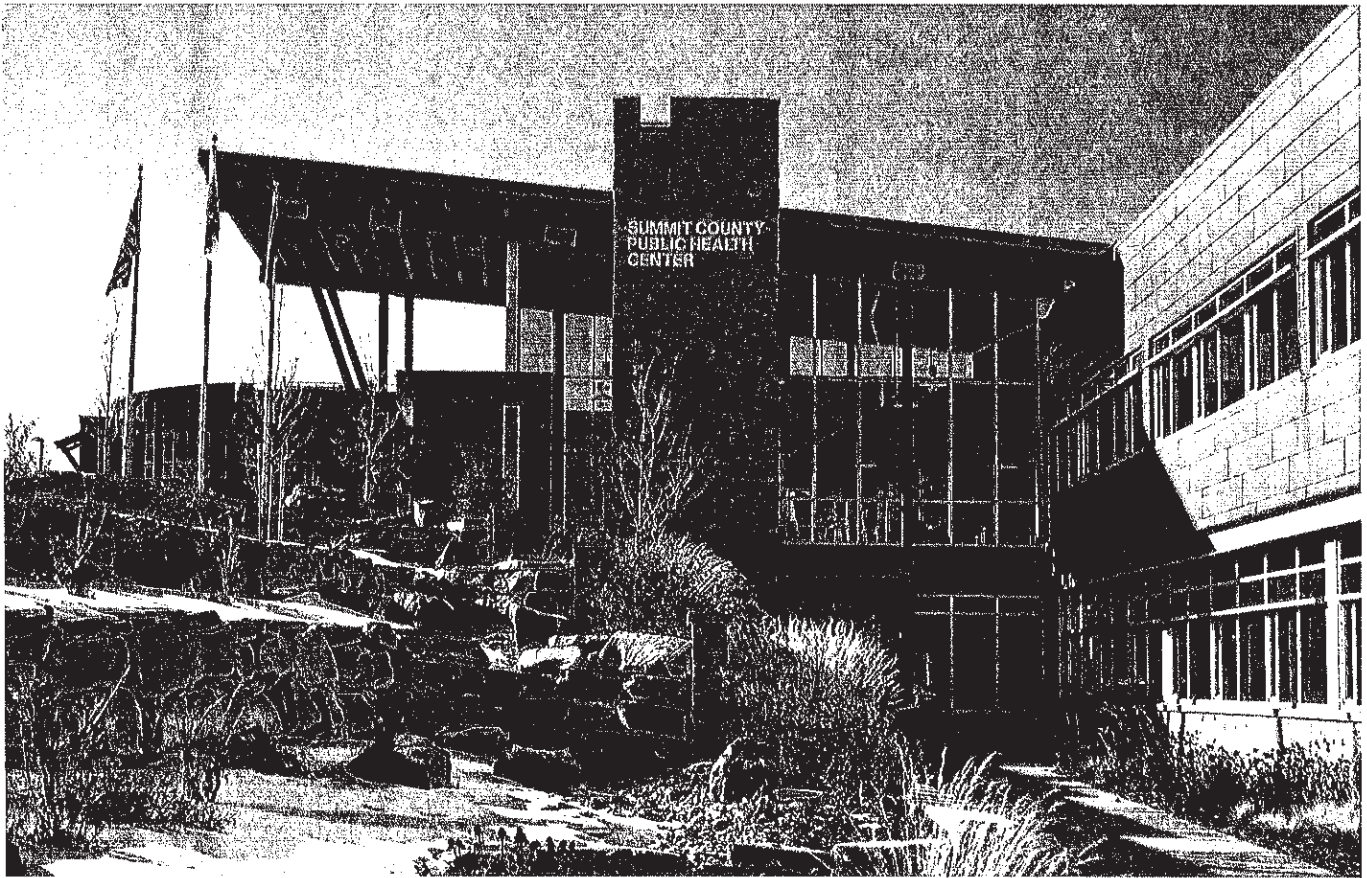
- Variety in building forms should be employed to create visual character and interest.
- Facades with a high level of visual interest from both vehicular and pedestrian viewpoints are encouraged. The exterior character of all buildings should enhance pedestrian activity in their immediate vicinities.
- Long building facades should be broken up with architectural details. Facades with varied setbacks are encouraged to provide visual interest.
- Rear and side wall elevations should provide building offsets and architectural details similar to the front facade.
- Entrances to individual buildings should be readily identifiable to visitors through the use of recesses or pop-outs, roof elements, columns, or other architectural elements.



Park City Ice Arena showing a variety of form and identifiable entry.

Roofs

- Roofs should be integral to the architectural theme of the Film Studio Campus buildings and contribute to the visual continuity. Rooflines of buildings should include variations to avoid long, continuous planes.
- Rooftops should be considered as design elements from various viewpoints: at ground level, from other buildings, and from adjacent perimeter roadways. Mixing roof forms on buildings creates variety in the “roofscape.” Roofs should also be interesting when seen from above from upper levels of the mountain terrain.
- Rooftop equipment should be screened from view on all four sides by architectural features integrated with the design of the building.
- Roof design shall allow solar panels to be integrated into the roof design. Building orientation and shading design should minimize solar gain and maximize daylight harvesting.



Summit County Public Health Center showing a roof as a design element.

Materials and Color

- Materials should be chosen to withstand abuse or accidental damage by machinery. False facades and other simulated materials and ornamentation are not allowed.
- Clear or lightly tinted low-e glass (glazing) should be used, particularly at pedestrian levels where transparency between indoor and outdoor spaces is desirable.
- The use of various siding materials (i.e. masonry, concrete, metal, or wood siding to produce effects of texture and relief that provide architectural interest) is required.
- The use of compatible colors in a single facade or composition is required. Compatible colors add interest and variety while reducing building scale and breaking up plain walls.
- A color palette should be used on the Film Studio Campus buildings to help reduce their perceived size. Contrasting design elements and material colors that help break up the vertical monotony of large walls is necessary.



Example of Material Palette.

ADG6

Attachment C

FILM AND TELEVISION/RECORDING STUDIO -PARK CITY

	Squae Footage	Bldg Number	Bldg Total SF
STUDIO LODGING	85,000	1	
RECORDING STUDIO	2,500	1	
DESTINATION SPA	6,000	1	93,500
AMPITHEATER	6,000	2	6,000
SPECIAL EVENT STAGE	15,000	3	
SCREENING ROOMS	14,000	3	
ENTERTAINMENT VENUE	3,000	3	
PERFORMANCE AREAS/ OTHER VILLAGE VENUES	17,500	3	49,500
STUDIO STORE/ OTHER VILLAGE VENUES/OFFICES	20,000	4	20,000
STUDIO TOUR AREAS	6,000	5	
OFFICES/ OTHHER VILLAGE VENUES	9,000	5	15,000
FOOD SERVICES COMMISSARY/ OFFICES ANCHOR TENANT	50,000	6	50,000
SOUNDSTAGES	48,000	7	
PRODUCTION SUPPORT/OFFICES	25,000	7	73,000
LIGHTING & GRIP	10,500	8	
WORKSHOP/EQUIPMENT STORAGE	10,500	8	21,000
EFFECTS STAGE/ OFFICES	46,000	9	46,000
TOTAL SF			374,000

Planning Commission Meeting DRAFT
April 25, 2012
Page 4

the plans, one of the owners wanted to tweak the proposal. The Staff was comfortable with the requested continuance.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

MOTION: Commissioner Pettit moved to CONTINUE the 7700 Marsac Subdivision and Condominium conversion applications to May 9, 2012. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

4. Quinn's Junction Partnership - Annexation

Planner Whetstone reviewed the request to annex 29.55 acres of undeveloped land into Park City, located at the southwest quadrant of SR248 and US40. She presented items that the Planning Commission had requested at the last meeting, which included the Annexation Declaration Boundary Map. Planner Whetstone also provided a redlined map showing the annexation declaration boundary, and noted that everything to the west of the line was planned annexation. The map did not include the Park City Heights city limits, which was below the studio project. Planner Whetstone presented another map showing the context and a massing study, which was amended to tie in the buildings with the visual analysis showing the stepping and the building articulation and layout from several locations.

Planner Whetstone noted that this project was unique because it was tied to a settlement agreement and an annexation agreement that was entered into by the City Council and the applicant. Planner Whetstone remarked that the Planning Commission had provided good direction regarding General Plan compliance; however, due to the unique situation, the Master Planned Development was attached to the annexation, which made the decisions more difficult. She stated that in looking at the actual parcel, it was clear that the property should be in Park City and the City should have control over this project and future projects and activities. It made sense for this property to be included within the annexation expansion area.

Commissioner Savage understood that the square shown on the map was the subject property. Planner Whetstone replied that this was correct. The green line on the map was the annexation boundary, which was determined when the annexation policy plan was written and incorporated into the Land Management Code. The area shown in red was the existing boundary, with the exception of Park City Heights. Commissioner Savage asked if Park City Heights was the only significant change that was not shown on the map for that area. Planner Whetstone answered yes.

Commissioner Savage indicated an area that he assumed would be an island of unannexed property. City Attorney, Mark Harrington, explained that there is a pending application for the area

to the west, which is the Osguthorpe area and the rest of the Gillmore area. An insert triangle would remain, but it is contiguous to County land to the east. It would not create an island; however, a peninsula inward to the City would be left out.

Planner Whetstone stated that after significant consideration, the Planning Staff recommended that the Planning Commission forward a positive recommendation to the City Council based on the findings of fact and conclusions of law in the attached ordinance that the Staff had used to determine their recommendation. She noted that 37 conditions of approval were drafted in the ordinance that the Staff believed were appropriate for the master planned development. Most of the conditions relate back to the future conditional use permit. Any conditional use permit submitted would be compliant with the annexation agreement, the LMC, and the master planned development. Planner Whetstone stated that the Commissioners were given a packet prepared by the applicant which was the MPD. Another packet that was not provided to the Planning Commission contained 50 pages of documents that the Commissioners had seen in previous submittals.

Planner Whetstone requested that the Planning Commission review the conditions of approval in detail and make any amendments. She noted that the conditions addressed administrative CUPs, site planning, building layout and circulation, building massing, heights, articulation, architecture, parking, traffic mitigation, support uses, landscaping, lighting, fencing details, best management practices for storm water, access, special events and outdoor activities, trails, transit turnaround and bus shelters, grading, recycling conditions, LEED conditions, rooftop mechanicals screened, permanent power for the trailers, signs and utilities.

Doug Rosecrans with IBI Group and representing the applicant, reviewed the packet they had provided this evening. Page 2 of the packet outlined a list of changes that were made since the last meeting. Pages 12 and 13 showed the updated massing study. The trees were shrunk down to reflect what the initial plantings would be in reality. Page 14 was the same condition with the size of the trees reduced to show the screening they would provide. Page 17 was a view from US40 northbound. In response to a request by Commission Hontz, the white strip was darkened to make it less visible.

Mr. Rosecrans stated that pictures were taken of Park City Heights from the frontage road, as requested by Commissioner Savage. They were unable to go onto the property because it is private. Therefore, because the pictures taken were similar to the same view previously shown, they were not created as an exhibit for the revised packet.

Mr. Rosecrans referred to page 27 and noted that square footage was added to the snow storage plan to meet the Code requirement for 88,000 square feet of snow storage area. Page 28 responded to the request to estimate the number of acres of parking. He reported that the calculation was 8.33 acres of surface parking. The hotel underground parking was not included in the calculation. Page 31 was an updated transit plan. He noted that earlier a transit stop was added to the center of the parcel, but it was not reflected on the plan until this evening. On Page 39 one of the undesirable fencing images was removed. The images shown were ones the Planning Commission was willing to consider.

Commissioner Thomas asked for clarification of the sketches on page 149 of the Staff report. Planner Whetstone stated that she had hoped to have a new replacement sheet but the applicant had not provided that until this evening. She referred to page 2 of the packet handed out by the applicant, and noted that the area identified as long vehicle parking would be for trailers and longer vehicles. Planner Whetstone stated that the intent is to have 5+ feet of additional landscaping between the trellises and the long vehicle parking, which would add to the depth and screening and add ambiance for the trailers. The area would be striped for long vehicle parking and not available for individual parking spaces as originally shown on page 149. Planner Whetstone remarked that the Staff also requested that the applicant provide shade trees in the public parking area. Another item was to look into whether the applicant could receive permission from UDOT to feather the landscaping into the UDOT right-of-way.

Planner Whetstone requested that the applicant provide the notes and information that were missing this evening for the City Council meeting. Mr. Rosecrans stated that it would be provided.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

Based on comments at the last meeting from individual Commissioners, the Staff had prepared findings of fact, conclusions of law and conditions for approval, as well as findings and conclusions for denial, for whichever way the Planning Commission would vote. If the majority of Commissioners supported forwarding a negative recommendation to the City Council, the motion could request that the conditions of approval be considered if the negative recommendation was overturned. The Planning Commission reviewed and revised the conditions of approval and findings as follows:

Chair Wintzer referred to Condition #9, and asked if reference to the west secondary access was the right direction; or whether it was south. Planner Whetstone replied that the correct direction was south.

Commissioner Hontz referred to Condition #1 which talked about amending the Official Zoning Map. She stated that in order for the Zone Map to be amended to have an annexation properly listed, an updated and accurate annexation plat must be provided. The annexation plat that was submitted was not recent and it did not tie into the fact that the adjacent property has already been annexed in. It also references old ownerships. Commissioner Hontz noted that the updated map would need to be submitted in order to have a complete application.

Commissioner Hontz referred to Condition #4 the references to an Administrative Conditional Use permit. She understood that it was the process but it was not consistent. She preferred that the language consistently say Administrative Conditional Use Permit. Planner Whetstone agreed, noting that the Staff had already identified the inconsistency.

In Condition #4, Commissioner Thomas referred to the sentence addressing his participation as a liaison in the CUP process relative to design and architecture. He requested clarification on his role as liaison and who he would be interacting with. City Attorney Harrington explained that Commissioner Thomas would interact with the Staff and report back to the Planning Commission as the liaison between the two. It was suggested that the language be revised to read, "Liaison with Staff."

Commissioner Hontz referred to Condition #5 and asked if they should include timing with regards to putting in the landscaping. Director Eddington stated that at the CUP level the Staff would require a phasing and construction plan for buildings and landscaping, and everything would need to be completed prior to the certificate of occupancy.

Commissioner Hontz referred to Condition #6 and recommended strengthening the language by replacing the word to with shall, to read "...and lighting design in zones **shall** comply with best lighting practices as recommended by the Dark Skies organization". She thought the current lighting standards were insufficient to accomplish the goals they have discussed.

Commissioner Hontz asked if the lighting ordinance was updated prior to the time this project was built, whether it would have to comply with the new code. Assistant City Attorney Harrington replied that it would depend on the timing of the submittal.

Commissioner Hontz noted that security fencing was not called out in either the annexation agreement or the settlement agreement in terms of amount of fencing. Therefore, she believed the Planning Commission could have more control over fencing. She was terrified by the amount of fencing and the nebulous understanding of it. Commissioner Hontz stated that in reducing the amount of parking, the amount of fencing should also be reduced. She thought the fencing could be eliminated from below Buildings 7A, 7 and around and over.

Commissioner Hontz recommended that they strike the last sentence in Condition #7, which gave the owner latitude for having taller security walls.

Chair Wintzer asked if Commissioner Hontz was concerned with the amount of fencing or what it could look like. Commissioner Hontz replied that it was both. Chair Wintzer stated that the language could be amended to say, "Security fencing would follow the phased parking plan, if amended." Therefore, if the parking is reduced, the fencing is reduced. Commissioner Hontz agreed with that to address her first concern. She believed that striking the last sentence would help alleviate her second concern; and the details of the fencing could be negotiated under the CUP. Commissioner Thomas thought it was appropriate to strike the last sentence.

Commissioner Hontz referred to Condition #8 and preferred that the language indicate that the applicant is allowed one ingress/egress access point from the site per the agreements. As the project is being built, they can come back to the City to demonstrate why another access would make the project better. Commissioner Hontz was uncomfortable putting the decision on to UDOT because they do not have concern for the well-being of the community. The purpose of this exercise is to gain local control, and she could not understand why they would pass it off again.

City Attorney Mark Harrington noted that the condition as written incorporates the current Corridor Preservation Agreement which limits access to one point. Commissioner Hontz understood that the Corridor Preservation Agreement was through UDOT. Mr. Harrington replied that it was through the City; however, any amendment would need to be approved by the City and UDOT.

Commissioner Hontz referred to Condition #15, the 8th line, "The Planning Commission hereby approves the Staff's parking analysis including reductions for shared parking as well as support uses from the number of 957 to 668, based on the information provided with the MPD..." For better clarification, she suggested including the words, from 957 to 668 **total parking spaces**.

Commissioner Pettit stated that this condition of approval goes with the ordinance and the Planning Commission would not be approving the initial parking analysis. City Attorney Harrington agreed that there was a lack of clarity in the language because the Staff and the applicant were still proposing different numbers. The Staff provided their best analysis based on the information given to date. The condition should be clear that regardless of whether this moves forward with a positive or negative recommendation, the Planning Commission wanted a reduction in parking to at least what the Staff recommended in their analysis, and adjusting that number 20% either way based on data as the project moves forward.

Commissioner Hontz remarked that in addition to the number of parking stalls, the Planning Commission wanted a reduction in the actual impervious surface. Commissioner Thomas suggested revising the language to say, 668 or less parking stalls. Commissioner Hontz did not want the applicant to have the ability to decide up to 20% either way. If they want additional parking they should have to come back to the City with that request.

Chair Wintzer wanted the Staff to tie square footage to the number of parking stalls. He would not want the applicant to think they could leave the hard surface as long as it was not striped.

Commissioner Savage wanted to know why the Staff calculation of 668 parking spaces was so different from the 886 total stalls the applicant was proposing. He asked if the Staff calculation included the underground parking. Planner Whetstone answered yes. City Attorney Harrington explained that the Staff had done a preliminary analysis based on their assumption of the uses inside the building and the buildings that would have shared uses, and applied that under the parking ratios of the LMC. That calculation came up to 668 parking spaces. The applicant had not yet agreed with the Staff number, which is why it was addressed in a condition of approval.

Commissioner Savage asked if he was correct in assuming that there were very few significant discrepancies between the MPD application and the conditions of approval. City Attorney Harrington believed that parking was the primary discrepancy.

Commissioner Worel wanted to know how they would address the impervious area. Chair Wintzer did not think it was necessary to put the actual language in Condition #15. The Planning Commission could recommend that the Staff tie the number of parking stalls to a square footage of impervious surface, and let the Staff calculate the number.

Director Eddington stated that the Staff would tie the 668 total number of parking spaces to the phasing and assign a square footage.

Commissioner Strachan thought the language in Condition #15 was fine, but the 20% should be tied to the square footage of surface and not the number of stalls. Commissioner Pettit suggested that they strike the language, Planning Commission hereby approves, and build into the condition of approval what the applicant can and cannot do.

Commissioner Worel returned to the fencing issue in Condition #7. If they phase parking, she asked if they also needed to phase the security fencing. Chair Wintzer believed the issue had been addressed with the revised language in Condition #7 stating that the security fencing would match the phased amount of parking. The fencing would shrink or grow with the parking plan.

Commissioner Pettit referred to Condition #30, which specified the use of PV Solar panels to generate the power for heat melt and such systems. Given the variety of different technologies available, she preferred to add, "...or other renewable energy resource to generate the power for such systems". Commissioner Pettit was concerned with the wording, "technically and economically reasonably feasible".

Commissioner Thomas stated that research has shown that PV panels and ground source heat pumps may not be a great option long term because of the impacts that occur. He noted that the City could not force the applicant into technology that may not be safe or practical. He suggested that they eliminate the reference to heating surfaces completely. Mr. Rosecrans stated that there were no specific plans for heat melt at this time, but that could change. Commissioner Pettit questioned whether the Planning Commission had the purview to prohibit heated surfaces. Chair Wintzer thought they should let the City Council make the decision. Commissioner Pettit proposed to revise the language in Condition #30 to read, "Areas of plazas, pedestrian walkways, patios etc., **shall not be** heat melted."

Commissioner Pettit thought Condition #33 had a similar issue in terms of building and the use of some type of renewables. The condition specified the use of solar PVs. Commissioner Pettit recommended eliminating solar PVs and revised the condition to read, "Permanent power shall be provided for the trailer parking area and the applicant shall **use best efforts to use solar or other renewable energy resource if technically and economically feasible**".

Commissioner Worel was concerned that there was no penalty for abandoning the project for whatever reason after construction had started. City Attorney Harrington explained that bonding is required by the Building Department and the bond varies depending on the plan. Commissioner Pettit shared Commissioner Worel's concern, particularly since the project is in the entry corridor. Commissioner Thomas asked if there was a way to reinforce the bonding for the landscaping and berming along the edge.

City Attorney Harrington suggested adding Condition #38 to state that as part of the construction plan, the bonding shall sufficiently address revegetation of the site and berming along the edges if the project is not completed.

Chair Wintzer suggested that the Staff find a way in the phasing plan to make sure that as the project moves forward the berms are put in and landscaped in a timely manner. Planner Whetstone agreed and thought it should be addressed as a finding of fact.

Planner Whetstone noted that Condition #37 addressed concerns raised at the public open house regarding future uses in the neighborhood.

Commissioner Strachan referred to Condition #37 and added language to the end of the first sentence to read, "...such approval should not be considered precedent for future zoning amendments **or annexation petitions** to this or neighboring properties in the Quinn's/CT zone area." He wanted it clear that any other annexation petition should never be decided in any way other than whether it comports with the General Plan.

Condition of Approval #39 was added to prohibit woodburning devices on the property.

The Planning Commission reviewed the findings for a negative recommendation.

Commissioner Savage asked if the findings of fact for a positive recommendation that were discussed at the previous meeting were incorporated into the conditions. Mr. Harrington replied that they were included in the ordinance itself. If the majority of the Commissioners vote to forward a negative recommendation, it would be done in accordance with the findings of fact on page 121 of the Staff report. Mr. Harrington explained that if the majority of Commissioners voted to forward a positive recommendation, those who dissent could still reference the findings for a negative recommendation as the basis for their vote and ask that those be considered by the City Council.

Commissioner Savage clarified that neither the findings for a negative recommendation or the conditions for a positive recommendation were meant to imply a consensus position of the Planning Commission. He was told that this was correct.

City Attorney Harrington stated that one option would be for the Planning Commission to take a straw poll to see where the majority was leaning, and then discuss the appropriate findings based on that outcome.

Commissioner Strachan disagreed with the idea of a straw poll. He preferred to review the findings first because the discussion could influence a Commissioner's decision.

Commissioner Strachan thought Finding of Fact #2 for a negative recommendation was poorly written and it was difficult to understand. In his opinion, the finding did not make sense. He thought the finding should be stricken, unless someone could explain what it meant.

Commissioner Savage interpreted the finding to mean that the primary reasons for making a positive recommendation fall outside the purview of the Planning Commission. As a consequence, it is not their business to try and make decisions on the bigger picture. They should only focus on issues specific to the Land Management Code. Commissioner Strachan agreed with Commissioner Savage's statement, but he did not believe that was what the finding said.

Commissioner Pettit revised the finding to read, "The unique circumstances due to the County settlement agreement and some of the perceived vision of the "gets" are beyond the scope of the Planning Commission's authority in applying the Land Management Code and the City's General Plan". Commissioner Strachan thought that language was more understandable. After further discussion, Commissioner Pettit thought it would be appropriate to strike the finding completely. Commissioner Strachan stated that the Planning Commission should take the application and apply the General Plan to see if the two comport, and then make findings accordingly. He did not believe they should make findings about their perceived purview.

Commissioner Hontz stated that from the beginning, the framework that they continued to see in the Staff reports was that the Planning Commission should focus on the potential benefits of design control and that the City would be better at this than other entity. She rejected that idea primarily because how the LMC describes the role of the Planning Commission and what they are allowed to do is outside of the scope of what the City typically lets them do. The Planning Commission should not be able to ignore the Land Management Code or ignore or waiver the General Plan. The Planning Commission is supposed to operate within a small box and she was uncomfortable with the fact that this was even put on them. It was a responsible exercise for the Planning Commission to review the application since this body is where MPDs and Annexations are supposed to be reviewed. It was important to go through the process, but they were at the point where they needed to say absolutely not based on what they are and are not allowed to do. Commissioner Hontz was sorry she could not help the City Council in the possible benefit scenarios, but she felt obligated to do her job.

Commissioner Strachan stated that if the Planning Commission decided to forward a negative recommendation, he would suggest striking Finding #2 and strike the word However out of Finding #3. That would be part of the motion made to support the negative recommendation.

Commissioner Pettit withdrew the language she originally proposed for Finding #2 because after further thought she did not believe it was necessary. Everything that precedes it was the Planning Commission doing their job in terms of making findings as to whether it does or does not comply. Commissioner Pettit stated that an outside litigation settlement agreement and perceived benefits of taking ownership of the project should not matter in what the Planning Commission is assigned to do. She pointed out that the Commissioners have taken the position that it either complies with the General Plan or not. If it does not comply, other things that may be important to the City are not for the Planning Commission to decide.

Commissioner Strachan felt that Finding #3 was more of a recommendation to the City Council than an actual finding for the Planning Commission doing their job. He suggested that the Planning Commission could state on the record that they would like the City Council to consider all the conditions of approval that the Commissioners worked hard on over the past four meetings; but it was not a finding.

City Attorney Harrington stated that it would be appropriate for the Planning Commission to recommend that the conditions were necessary in order for the current proposal to be more compliant. He stated that typically they try to incorporate the integration either through a condition

or finding, but it could be incorporated into the motion. He noted that Finding #3 was a finding of the work that was done by the Planning Commission and the changes that were made, versus what was the original submittal. Mr. Harrington stated that if the intent is to acknowledge the record, a finding would carry more continuity and be incorporated into the record.

Commissioner Savage stated that regardless of the ultimate decision of the Planning Commission, he asked if it was reasonable to have a similar list of findings for a positive recommendation as part of the document. He was not convinced that the ordinance in a point by point basis conveys the same information as the negative recommendation. City Attorney Harrington replied that the Planning Commission had that ability; however the City Council has already put the annexation steps in process based on assumptions, and he did not believe they needed to be as forceful in an advocacy role for a positive recommendation.

Chair Wintzer asked if there was consensus to delete Findings #2 and #3. Commissioner Strachan thought they should delete Finding #2 and leave Finding #3 with revisions to remove the word However and the words based upon #2 above. Commissioner Strachan also recommended changing the word recommends to **notes**. If the Planning Commission chooses to forward a negative recommendation, it is important to send a clear message that the project was so far out of line with the General Plan that they could not come close to finding compliance; and that the City Council should think long and hard about whether to consider denying this annexation because it does not meet any goals of the General Plan. With the proposed revisions, Finding #3 would read, "Should the City Council determine to annex the property, the Planning Commission **notes** the conditions of Approval as included in the attached draft ordinance".

Chair Wintzer understood what Commissioner Strachan was trying to convey, and he agreed that it did not meet even one goal of the General Plan. However, he did not believe that meant that the City would be better off having the project occur through the County. Chair Wintzer was not ready to make that determination. Commissioner Strachan clarified that he was not going that far. He was only suggesting that they strike the word "recommend" and replace it with "notes" as a way to tell the City Council that the Planning Commission worked hard to come up with 39 conditions of approval that reflect their best efforts to polish this "turd", but they were not forwarding a positive recommendation to annex.

Commissioner Pettit agreed with Commissioner Strachan's comment about the use of the word "recommend". However, she suggested language stating that, "In order for the annexation petition and the MPD to be more compliant or closer with the LMC and General Plan, the Planning Commission notes the conditions of approval in the attached ordinance". She asked if that language was still too much endorsement. Commissioner Strachan remarked that using the words more compliant assumes that it was compliant in the first place.

Chair Wintzer stated that if the matter ends up in court, he would not be comfortable having the word "recommends" in the findings. He favored replacing it with "notes". The Commissioners concurred.

Commissioner Hontz stated that one thing she has learned while sitting on the Planning Commission is that she never says enough personally and they never say enough as a Planning

Commission. When she reads old minutes that reference either approvals or denials, they are helpful in trying to get a flavor for what people were thinking at that time and how they reached their decisions. She wanted it crystal clear that whether the project is developed in the County or the City, lawsuit or not, the proposed use does not fit the site. To take a County property that at most should have one unit of density in the entry corridor, she was devastated that it had come down to this. Commissioner Hontz stated that it never mattered to her how they were dealing with the situation, the issue was that it did not fit. There was never a grasping at straws moment when she looked at the ways it did not meet the General Plan or the things deficient in the LMC. In her opinion, nothing works and it did not make sense.

Commissioner Hontz commented on items that were required as part of the annexation, the MPD and the zoning, but were never submitted. An accurate annexation plat was never submitted. A report was provided on the assessed valuation of revenues versus costs and the tax consequences and impact of Summit County, but it was horrific and the information was never submitted to the quality and level required in the LMC. Commissioner Hontz pointed out that the wildlife study submitted did not meet the standards of the Code. In addition, wild fire or additional information required as part of the overlay was not provided.

Commissioner Hontz recalled mentioning that submittals were missing at the very first work session, and that the required information would need to be submitted in order for the application to be complete. She was told that due to the 90 day timing issue the materials did not need to be submitted. Commissioner Hontz read from page 2 of the Annexation Agreement, "Park City shall use all reasonable efforts to either approve or reject the QJP Annexation Petition within 90 days. If reasonable circumstances require additional time, such as QJP failure to provide legally required information, both parties shall..." She noted that the Planning Commission had the ability to lengthen out the process. Commissioner Hontz recommended a thorough review of the required information. She pointed out that some of the information may not seem important, but it is demanded by the Code and they demand it of every applicant. Commissioner Strachan noted that the Forensic County Report was included on page 146 of the packet from the first meeting on February 22, 2012.

Commissioner Hontz stated that part of the game of approval is to submit something subpar and then make the Planning Commission feel good about making the project look better. She was not fooled because this project would never look as bad as when it first came in. She was not willing to buy into the idea that they had even "polished the turd". What the applicant did was try to make the Planning Commission and the public feel that progress was made. Commissioner Hontz stated that at the end of the day she would feel good about her decision because she can tell future generations that she did her job and what she felt was right.

Commissioner Pettit stated that as a practical matter she understood why the City took the action it did. From the beginning of the process she struggled with how to get from that decision to where the Planning Commission has to apply the Code and make findings they could believe in. She recalled her initial comment at the first meeting that it would be a tough sell to get her to the point where she could embrace this project and support it. She appreciated that the applicant's representatives listened to the Planning Commission and worked with the Staff to make improvements in response to their comments and concerns. However, in spite of the changes,

she could not make findings that the project somehow complies with the General Plan and the LMC. Commissioner Pettit stated that she, too, would like to tell people 10 or 20 years from now that she did her job. It was not an easy decision and the Planning Commission tried to be sensitive to what the City Council faced and to the growing tension in that particular part of town. It is another entry corridor and she questioned whether they would be happy with some of what already occurred in that area, without adding this project. Commissioner Pettit stated that she would not be able to forward a positive recommendation for this use.

Commissioner Worel thanked the IBI Group for the work they did and for listening to the Planning Commission as the plan progressed. She thought it was unfortunate that there was not more public input in the process; and more unfortunate that the applicant chose not to attend even one meeting to provide input. Commissioner Worel felt that the Planning Commission was making important decisions without all the facts. She stated that the Planning Commission is charged with long-range planning for Park City, and in her opinion, part of that is the need to protect the entry corridors. They cannot provide that protection if they cannot control the corridors. Commissioner Worel noted that Goal 6 of the General Plan says that Park City should expand its boundaries when expansion helps to preserve gateway into the City. She remarked that this project was not what anyone would have chosen for the area, but it is what they were given. Commissioner Worel stated that part of the development area policy of the General Plan says to, "Design large scale commercial buildings and development to reflect traditional Park City patterns, as well as to support the mountain character and charm of Park City by making sure that new commercial development relates to the mining historical architecture in Park City". She recognized that this project was not there, but she felt they had made tremendous strides in the process and she had a lot of confidence in the talent of the Planning Department to continue the project in that direction.

Commissioner Worel stated that based on the conclusions of law in the ordinance, the application meets the requirements of the annexation policy plan and Quinn's Junction Study area, and the 2009 General Plan. She particularly liked Condition #37, which makes sure that approval would not be considered precedent in future zoning amendments to this or neighboring properties in the CT zone area.

Commissioner Worel had mixed feelings; however, she believed the Park City Planning Department could effectuate a far better result than the County. She would vote to forward a positive recommendation.

Commissioner Strachan stated that with General Plan projects he always asks himself if the project a) meets the requirements; and b) Knowing that everything in life is a compromise to some degree, whether you feel good about it at the end of the day. As a community representative on the Planning Commission, he needs to be able to defend his actions when he attends the next public event. He cannot defend this project. When the project is built and someone asks how it was ever allowed to happen, he would have to engage in a long explanation about a settlement agreement and an annexation petition, and why the Planning Commission forwarded a negative recommendation with conditions of approval. Commissioner Strachan believed a better answer for the person asking the question would be to say he voted against it because it did not meet the General Plan and because it was ill-conceived from day one. This project was nothing he would

want to have happen on his watch as a Planning Commissioner. Those are the reasons why you vote against projects. It has nothing to do with their hand was forced and this was the best they could come up with, or that the County would do a worse project. Commissioner Strachan stated that this project did not meet any of the goals in the General Plan or any of the visioning goals identified by the community. In his opinion, if built, it would be a disgrace to future generations. This project is not close to anything he could feel good about. He believed this was the time for the Planning Commission to draw a line in the sand and say that projects like this, in whatever form they come to them, would be denied if they do not meet the General Plan, the Land Management Code or the community desires. Commissioner Strachan stated if it ends up that the County builds this project, at least the Planning Commission did what the General Plan required them to do and they said no. He would vote to forward a negative recommendation.

Commissioner Savage stated that he spent a lot of time trying to think about the issues from both sides. It was hard to quantify but not to qualify. Going through the process he looked at it from the standpoint of a Planning Commissioner and a citizen. He was not willing to say that the County would do a worse job than the City; but if this project is going to be in Park City's front yard, he would like the opportunity to participate in the process that determines the outcome. Commissioner Savage remarked that his position was based on the assumption that this project is inevitable and it would be built in a gateway location. The City has the opportunity to condition the uses and he felt the Planning Commission has an obligation to support the City Council's ability to make things happen in a positive way. Commissioner Savage stated that his reference point was also what future generations might think. This is an opportunity to orchestrate a process through Staff to come up with a project that the City can be proud of as opposed to what might be achieved if they give the County total control. As a consequence of that analysis and looking at it from a bigger picture point of view, he would vote to forward a positive recommendation.

Commissioner Thomas remarked that he took an active role as an architect to participate with the IBI Group to improve the plans. He took issue with the concept of "polishing the turd" because the applicant came forth with a reasonable design given the massing they were trying to accomplish. He also believed the IBI Group made an honest effort to represent what was actually occurring and he did not believe there was any gaming involved. Commissioner Thomas stated that this was a difficult decision and he was certain that the project would move forward and be built. The question was whether they should positively affect it or negatively affect it. To some extent he was influenced by the fact that he shared in the design process. It bothered him to recommend changes that were adhered to and then vote against it. However, as a Planning Commissioner he has consistently adhered to the General Plan and it was clear that this project was absolutely inconsistent with the General Plan. Commissioner Thomas stated that he could not support this project based on the principles of the General Plan and he would vote to forward a negative recommendation.

Commissioner Thomas thanked his fellow Commissioners for their passion and objectivity.

Chair Wintzer appreciated the work that Commissioner Thomas and the IBI Group did to revise this project and make it better. He felt the Planning Commission was clear at every meeting that the process was backwards, since typically they talk about the General Plan before the design.

Chair Wintzer did not feel bad asking the applicant to make the change and then determine that it still did not meet the General Plan. The idea was to pass on as much information as possible to the City Council. He was not conflicted at all with the General Plan decision because the project did not meet any one of the goals. He agreed that regardless of their recommendation this project would be built, but the reasons for their decision would be on the record and possibly used in future litigations. Chair Wintzer pointed out that the City Council knew the Planning Commission's position on the matter from the beginning. If he had to break a tie vote, he would probably vote against it.

MOTION: Commissioner Pettit moved to forward a NEGATIVE recommendation for the Quinn's Junction Partnership Annexation in accordance with the proposed Findings of Fact and Conclusions of Law in the Staff report with the amendment to strike Finding #2 in its entirety, renumbering Finding #3 to Finding #2, and changing the new Finding #2 to read, "Should the City Council determine to annex the property, the Planning Commission notes the conditions of approval as amended and included in the attached draft ordinance". Commissioner Strachan seconded the motion.

VOTE: The motion passed 4-2. Commissioners Strachan, Thomas, Hontz and Pettit voted in favor of the motion. Commissioners Savage and Worel voted against the motion.

Chair Wintzer complimented the Planning Commission and the Staff on their efforts. It was an uncomfortable project and a lot of good work was done.

Mr. Rosecrans agreed with Chair Wintzer. He was disappointed with the vote, but he completely understood the reason. Mr. Rosecrans thought the plan was much better having gone through the process.

The Park City Planning Commission meeting adjourned at 8:00 p.m.

Approved by Planning Commission: _____



Raleigh Studios – List of Updated Plans/Images

- 1 Page 03 – Updated Site Context
- 2 Page 09 – Updated Conceptual Site Plan
- 3 Page 23 – Note to see Conceptual Grading Plan for Berm Plan



Raleigh Studios – Context



Healthcare Campus

Quinns Rec Complex

National Ability Center

Proposed Film Studio

Park City Heights

Raleigh Studios – Connectivity (Roads)



Healthcare Campus

Quinns Rec Complex

National Ability Center

Proposed Film Studio

Park City Heights

Raleigh Studios
Park City, UT

Conceptual Site Plan
March 14, 2012

Raleigh Studios – Connectivity (Trails)

Healthcare Campus

Quinns Rec Complex

National Ability Center

Proposed Film Studio

Park City Heights



Raleigh Studios
Park City, UT

Conceptual Site Plan
March 14, 2012

Raleigh Studios – Conceptual Site Plan

Conceptual Site Plan
03/14/2012 Planning Commission



Raleigh Studios
Park City, UT

Conceptual Site Plan
April 11, 2012



Raleigh Studios – Conceptual Site Plan Revisions

Conceptual Site Plan
03/28/2012 Planning Commission



Raleigh Studios
Park City, UT

Conceptual Site Plan
April 11, 2012



Raleigh Studios – Conceptual Site Plan Revisions

Conceptual Site Plan
04/25/2012 Planning Commission



Raleigh Studios
Park City, UT

Conceptual Site Plan
April 11, 2012



Raleigh Studios – Conceptual Site Plan

Conceptual Site Plan w/ SR-248 access changes



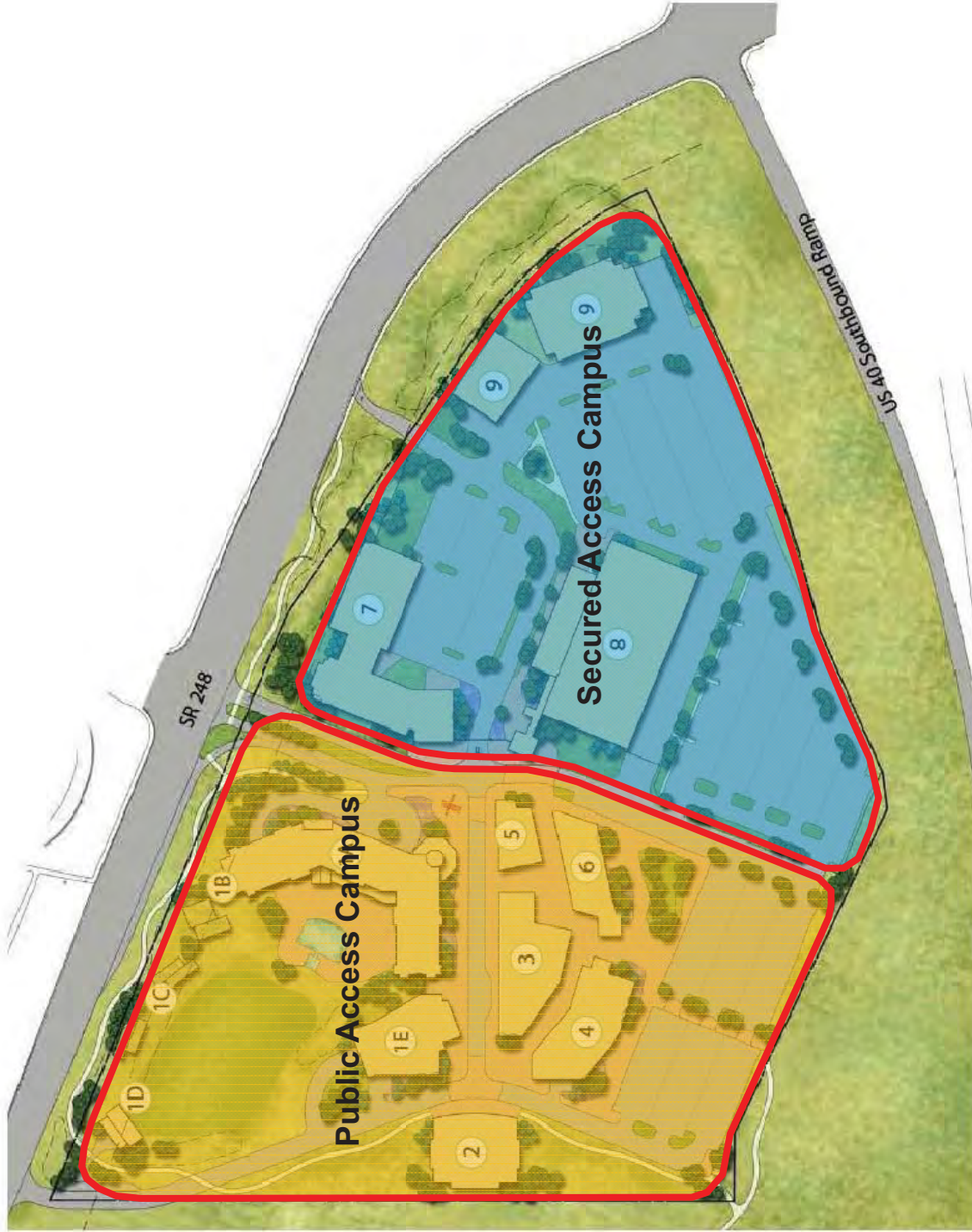
Raleigh Studios – Building Heights/Sizes

Bldg #	Bldg Use	Sqft (Gross)	Building Hts (Ft)
1A	Hotel Lodging (100 Keys)	112,000	40'
1B	Recording studio	2,500	16'
1C	Stage Venue	700	28'
1D	Residence (Omitted)	0	
1E	Grand Ballroom	16,000	28'
1F	Atrium	0	28'
2	Screening Rooms / Theater	15,000	40'
3	Entertainment Venue	14,500	40'
4	Mixed Use	33,350	28'
5	Mixed Use	25,625	28'
6	Sound Effects Stage	15,700	40'
6A	Office	37,200	38'
7	Sound Stages	47,375	60'
7A	Workshop	20,000	28'
7B	Production Support/ Offices	24,000	34'
8	Workshop Office	10000	18'
9	Guard House	50	10'
Total		374,000	

- Building heights and percentages comply with requirements of the Annexation Agreement
- See 3D massing for building heights



Raleigh Studios – Conceptual Site Plan





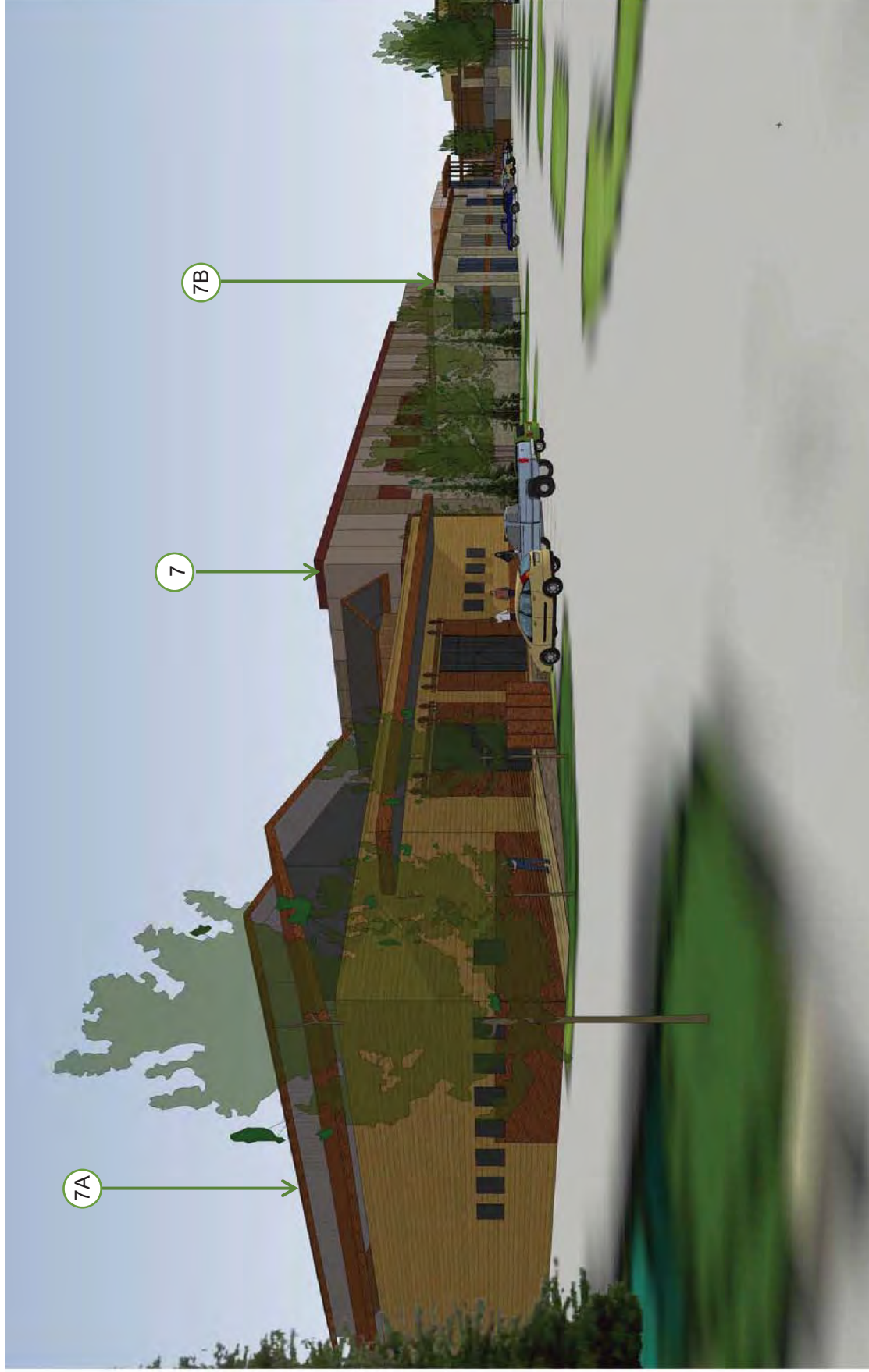
Massing Study Looking South



Massing Study Looking South



Massing Study Looking SE



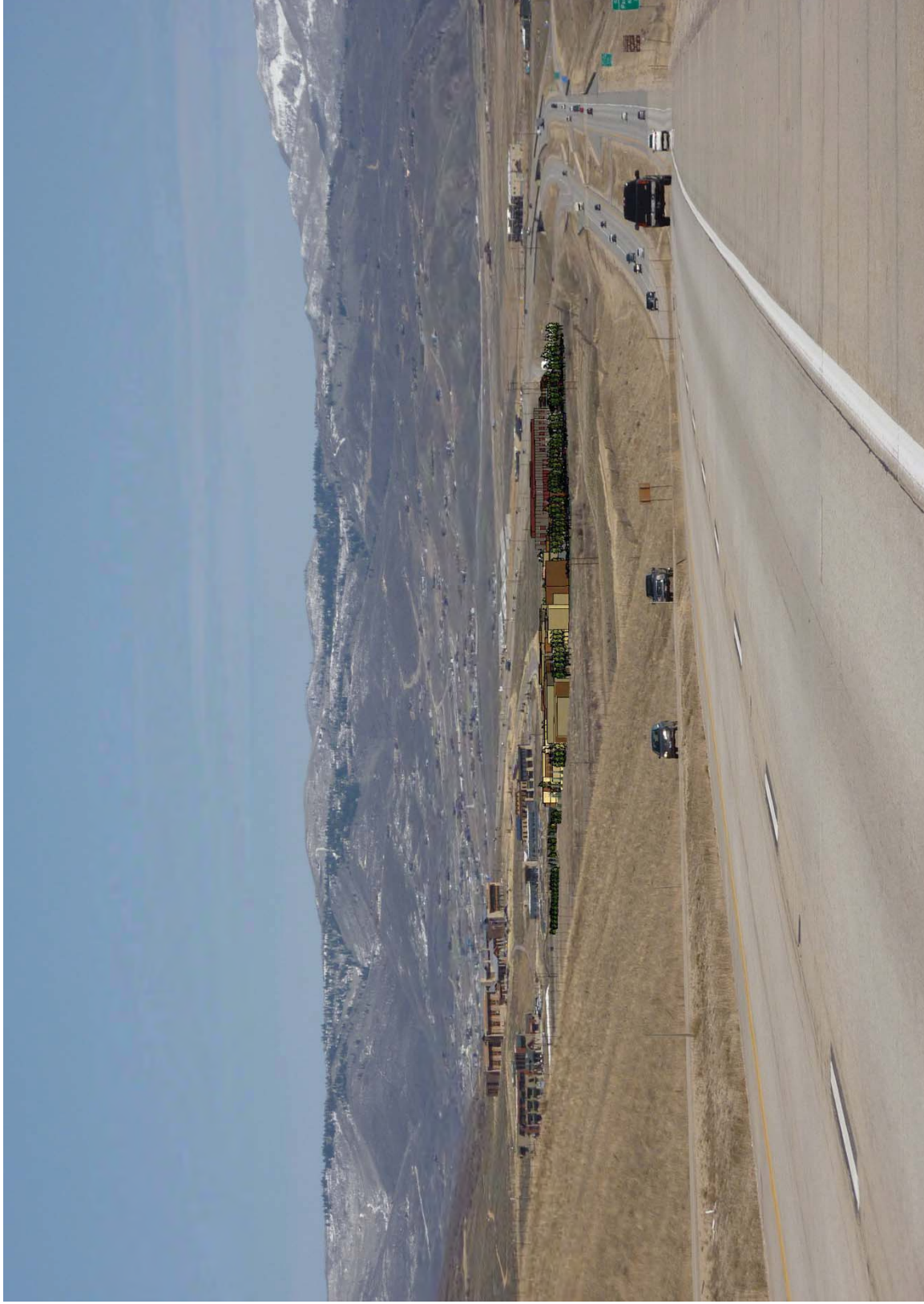
Buildings 7, 7A and 7B Massing Study Looking S



Building 7B and Entry Gate Massing Study Looking NE



Buildings 5 and 7 Massing Study Looking NW

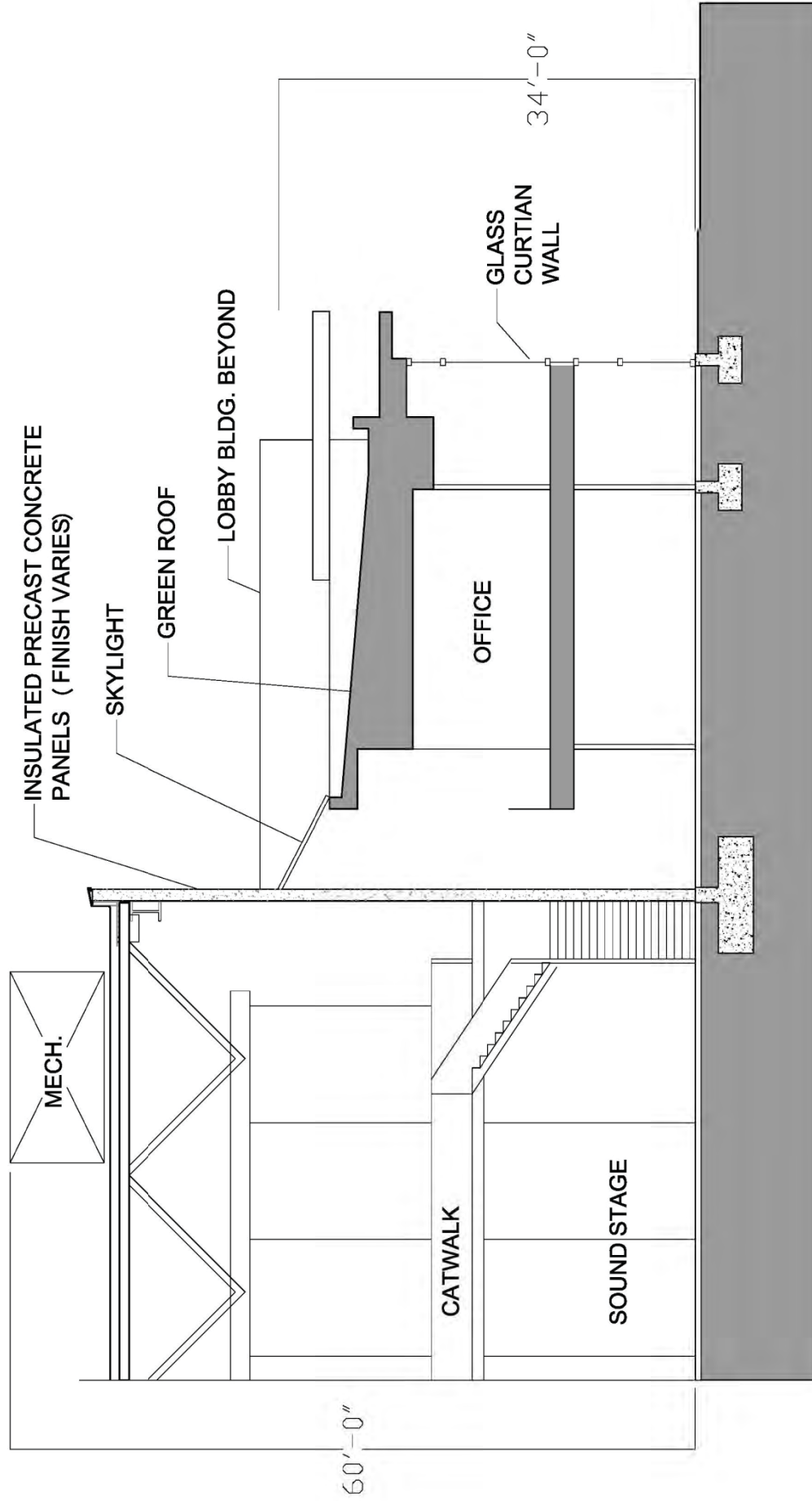


View from US40 Northbound

Raleigh Studios – Building 7 Wall Section



Raleigh Studios – Building 7 Wall Section





Existing Buildings

- ① Hospital with Surrounding Parking

Raleigh Studios – Existing Building Overlay



Existing Buildings

- ① Hospital
- ② Ice Rink
- ③ Hotel Park City
- ④ Summit County Health
- ⑤ USSSA

Proposed Open Space

- 495,713 sf = 11.60 acres = 39.3% (On-Site)
- 713,077 sf = 16.60 acres = 56.2% (Top of Cut Slope)
- 841,579 sf = 19.54 acres = 66.1% (Edge of Pavement)

*See Conceptual Grading Plan for Berm Plan
Page 36



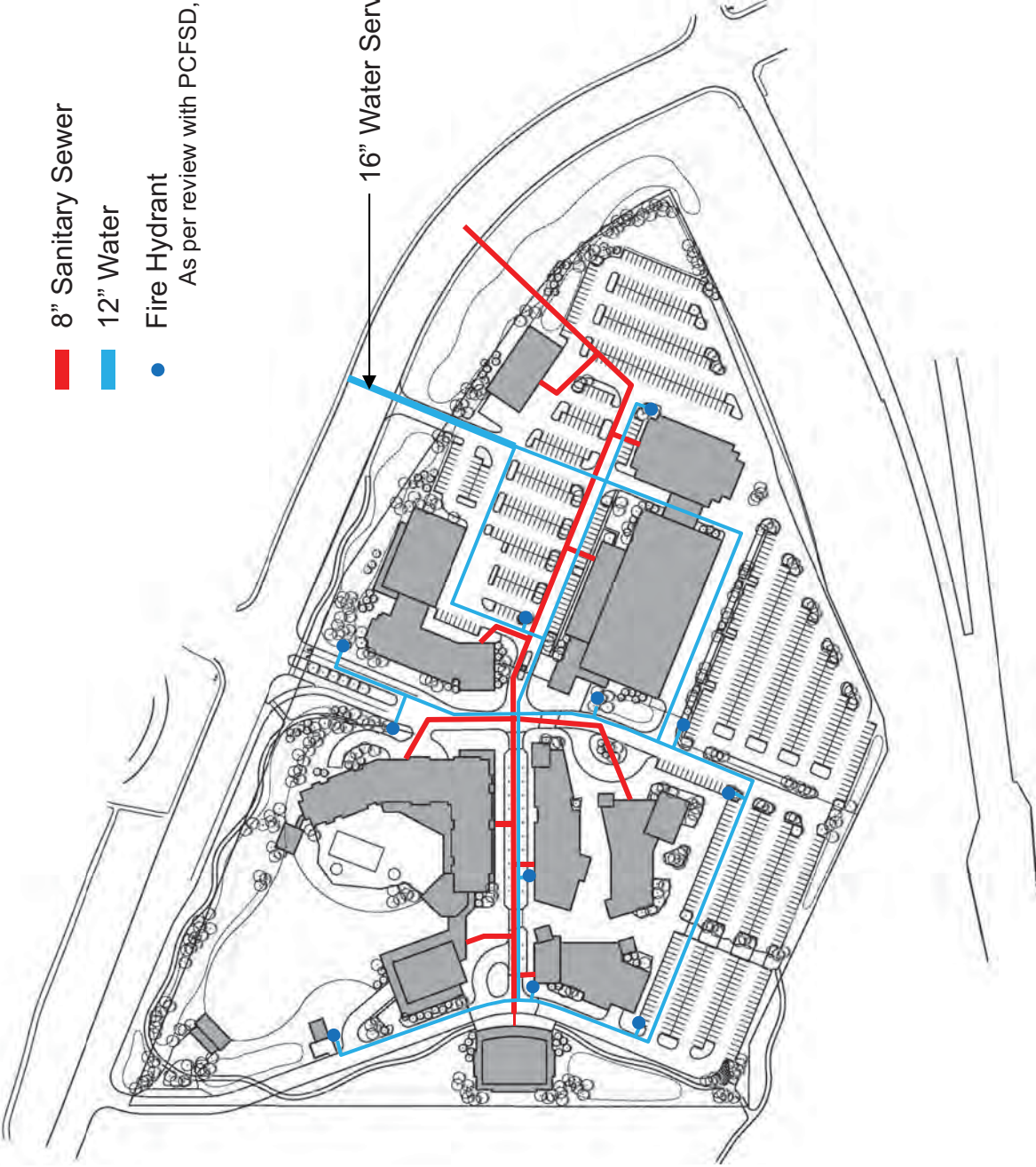
8" Sanitary Sewer

12" Water

• Fire Hydrant

As per review with PCFSD, Scott Adams

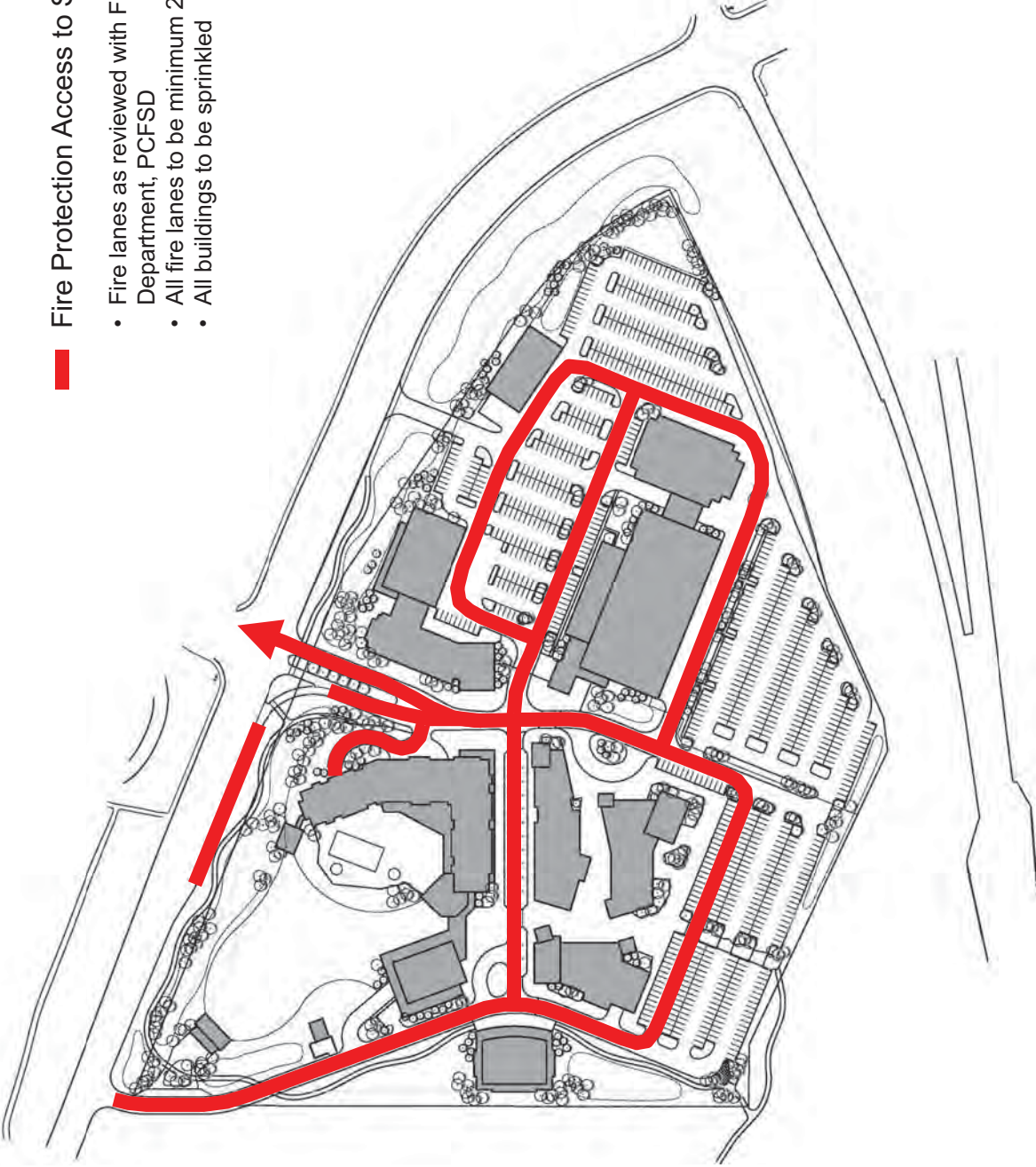
16" Water Service



Raleigh Studios – Fire Access Routing Plan

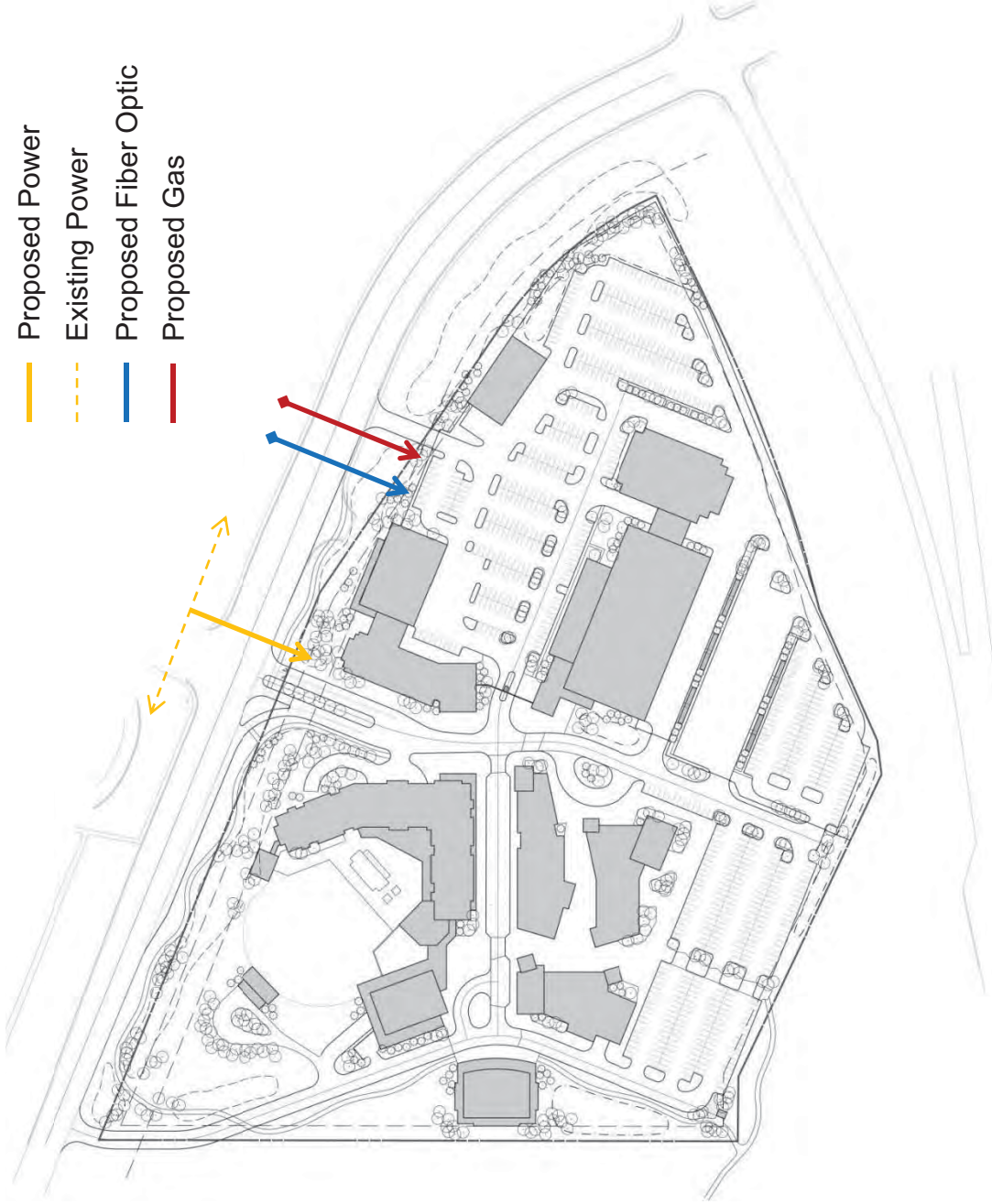
- Fire Protection Access to Structures

- Fire lanes as reviewed with Fire Department, PCFSD
- All fire lanes to be minimum 20' wide
- All buildings to be sprinkled

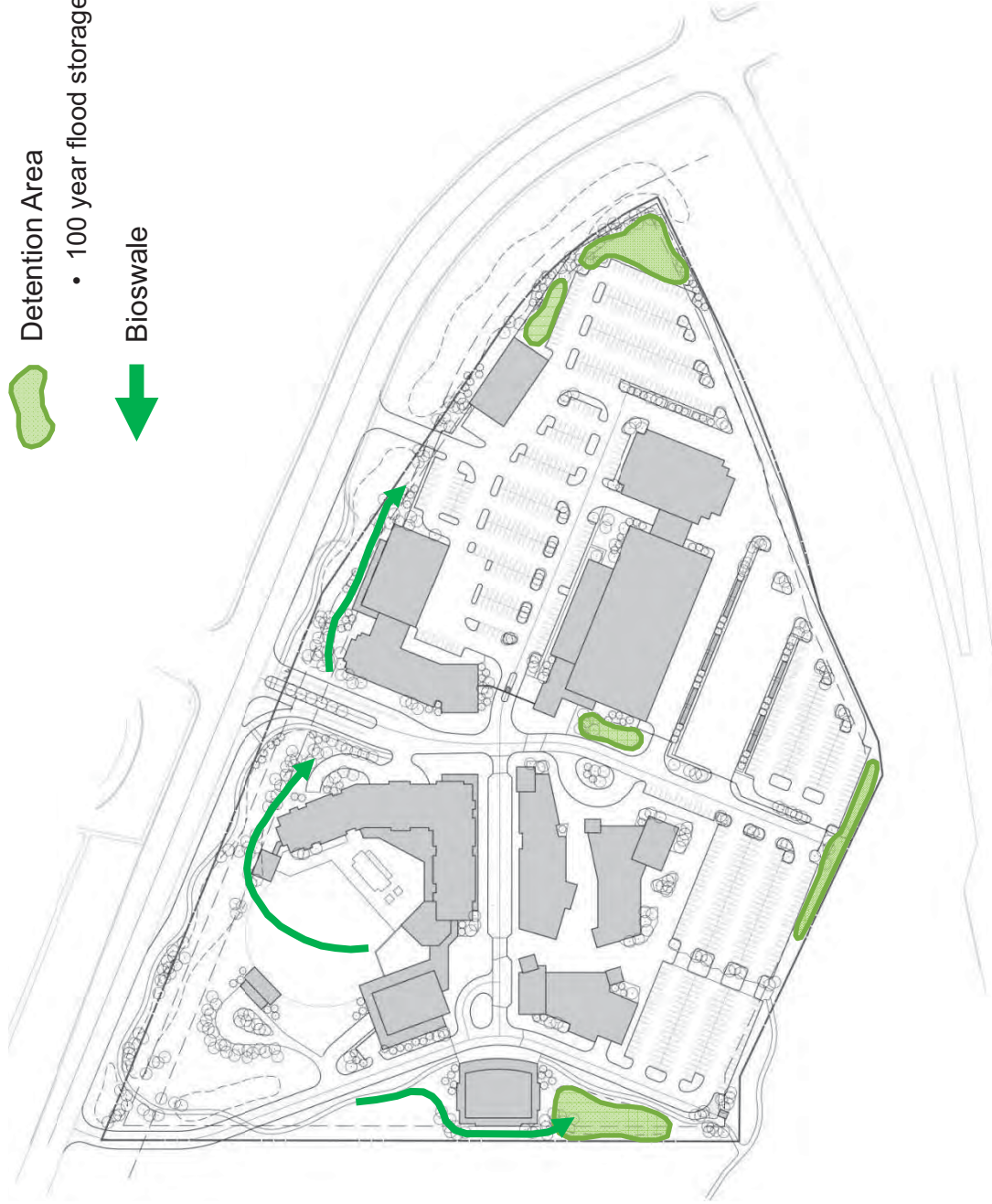


Raleigh Studios – Dry Utilities

- Proposed Power
- Existing Power
- Proposed Fiber Optic
- Proposed Gas

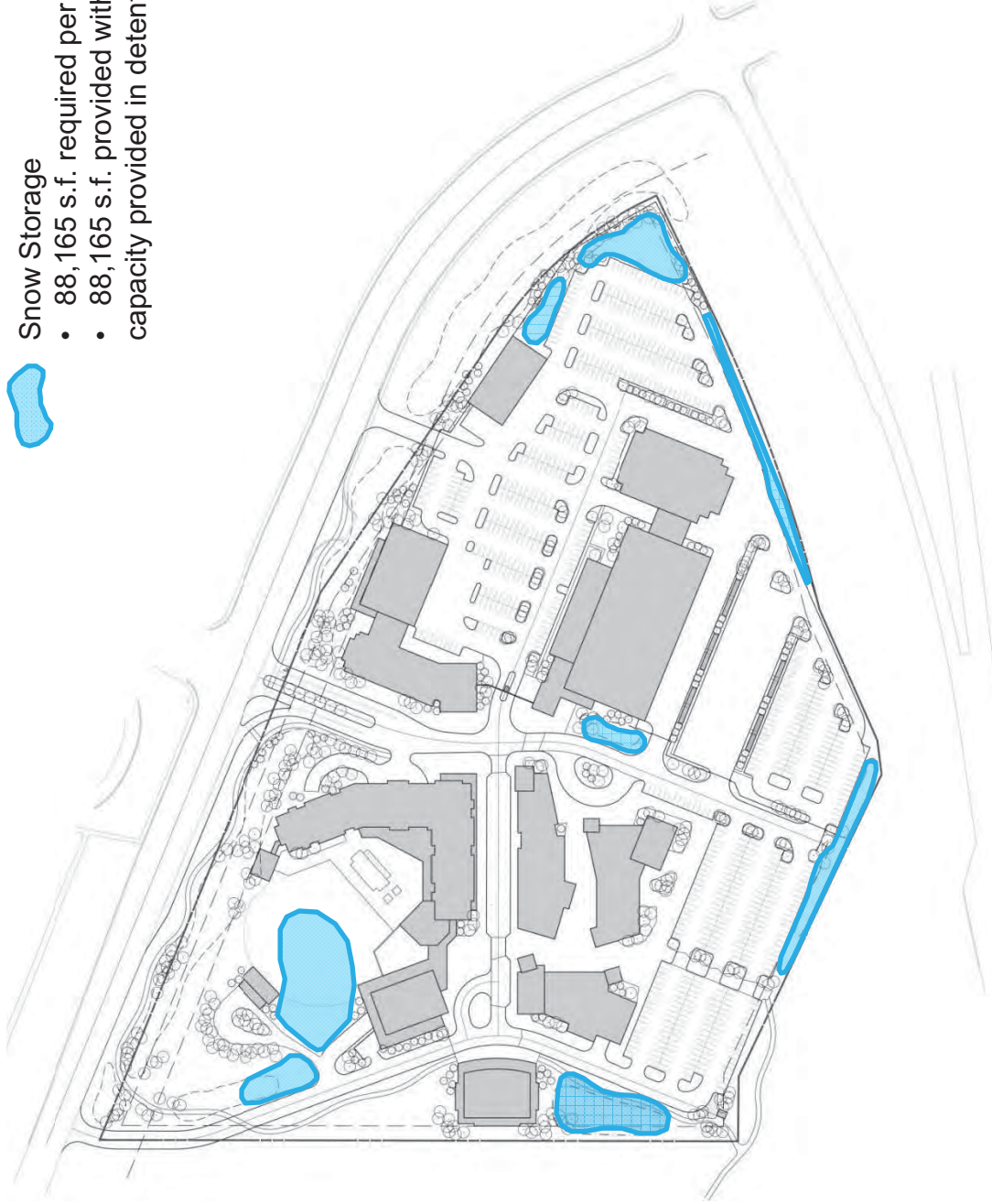


Raleigh Studios – Detention/Bioswales/Drainage

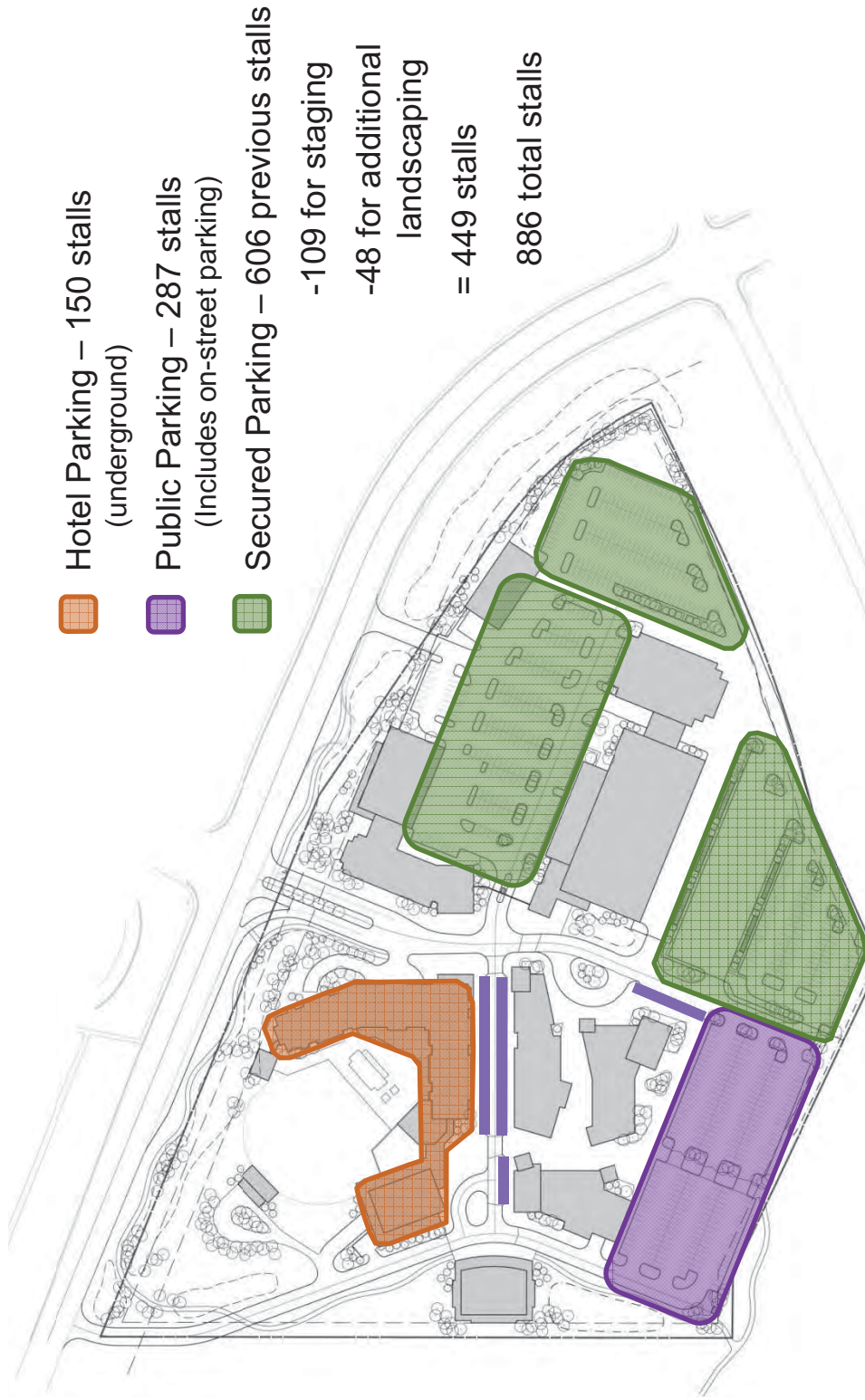


Raleigh Studios – Snow Storage Plan

-  Snow Storage
- 88,165 s.f. required per ordinance
 - 88,165 s.f. provided with additional capacity provided in detention ponds



Raleigh Studios – Parking Plan w/Counts



Hotel Parking – 150 stalls
(underground)

Public Parking – 287 stalls
(Includes on-street parking)

Secured Parking – 606 previous stalls

-109 for staging

-48 for additional
landscaping

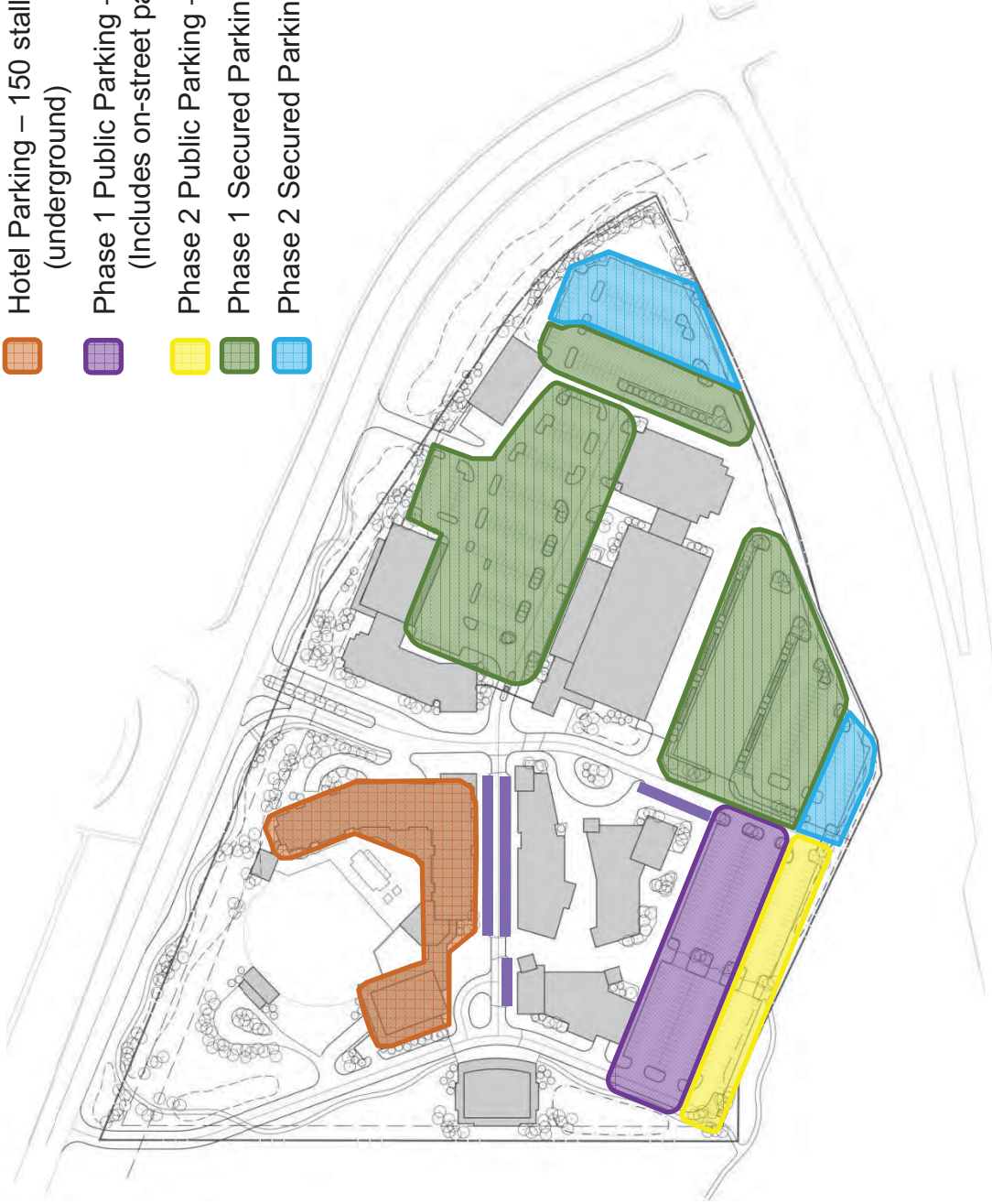
= 449 stalls

886 total stalls

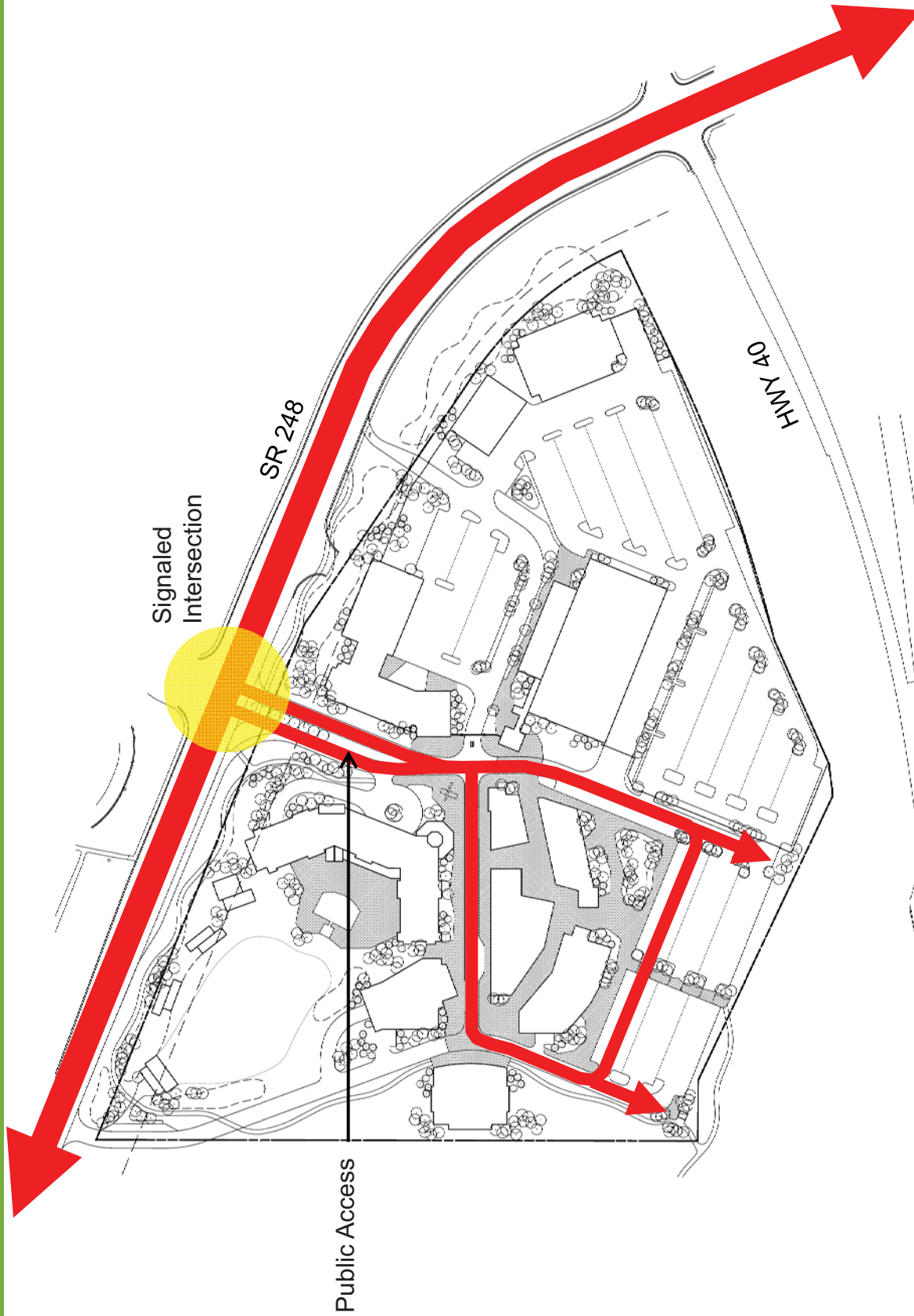
Parking and Staging Areas
362,750 s.f. = 8.33 Acres

Raleigh Studios – Parking Phasing

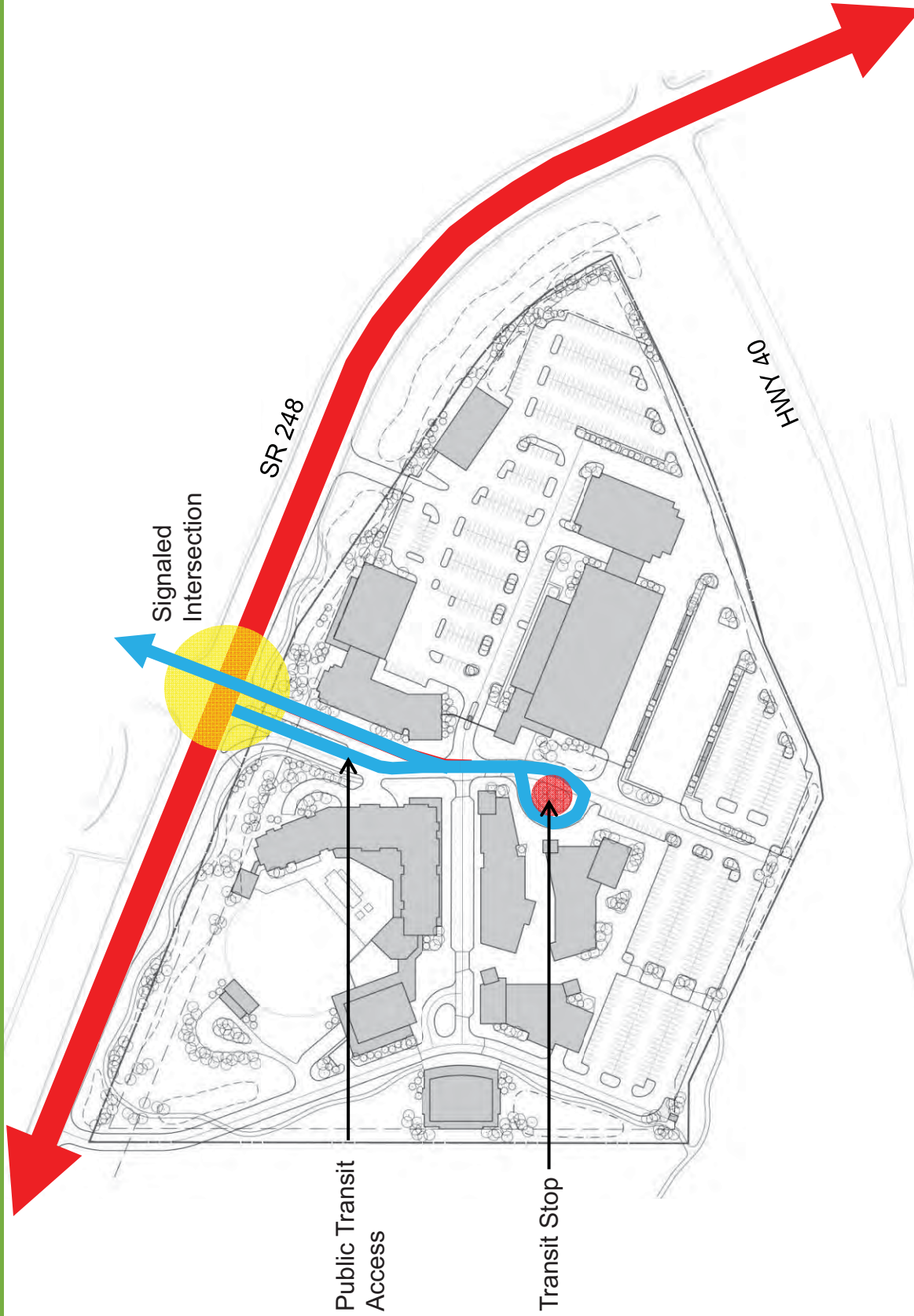
-  Hotel Parking – 150 stalls
(underground)
-  Phase 1 Public Parking – 207 stalls
(Includes on-street parking)
-  Phase 2 Public Parking – 80 stalls
-  Phase 1 Secured Parking – 340 stalls
-  Phase 2 Secured Parking – 109 stalls



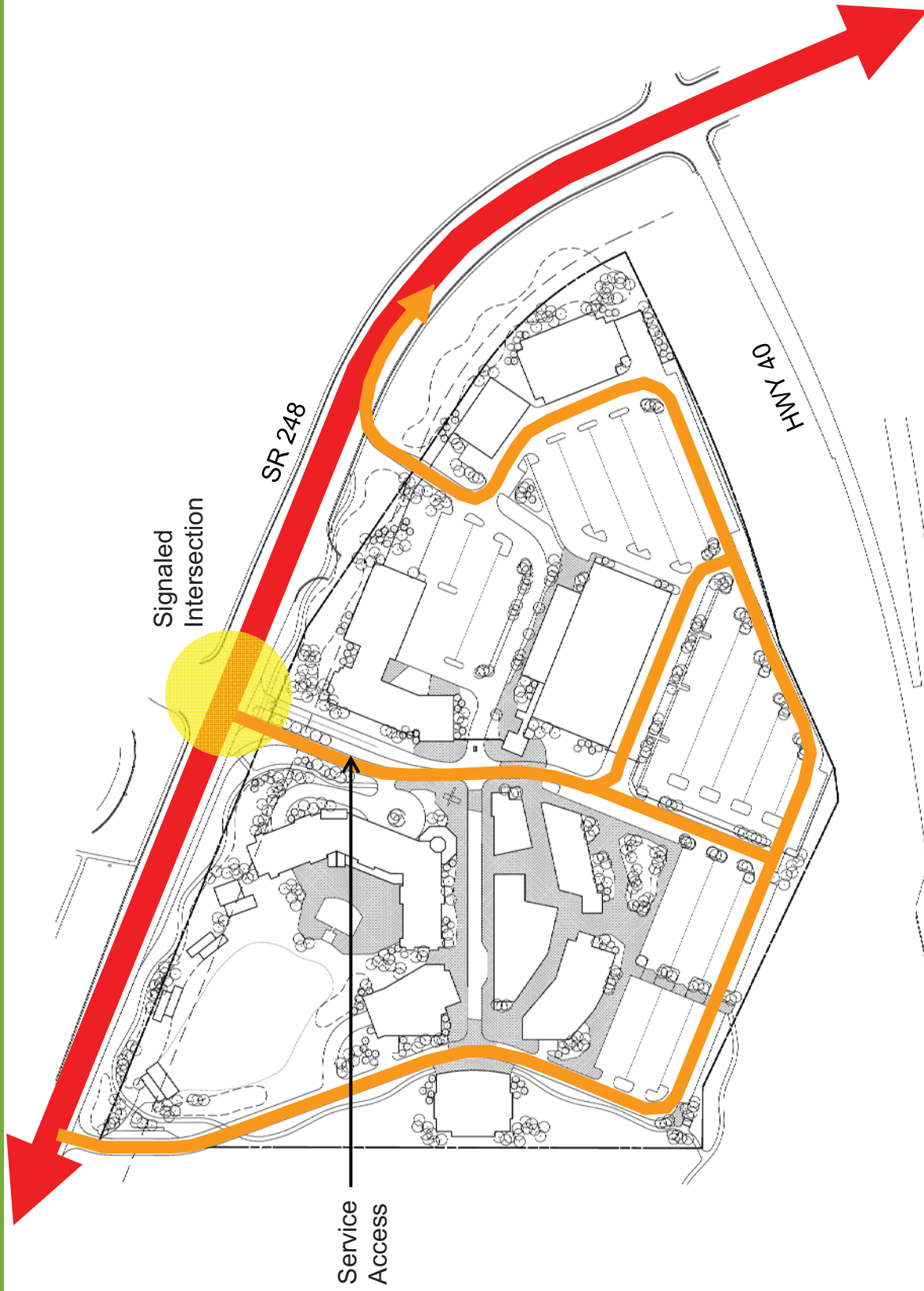
Raleigh Studios – Access/Circulation (Public Access)



Raleigh Studios – Public Transit Plan



Raleigh Studios – Access/Circulation (Service)



Raleigh Studios – Access/Circulation (Trails)

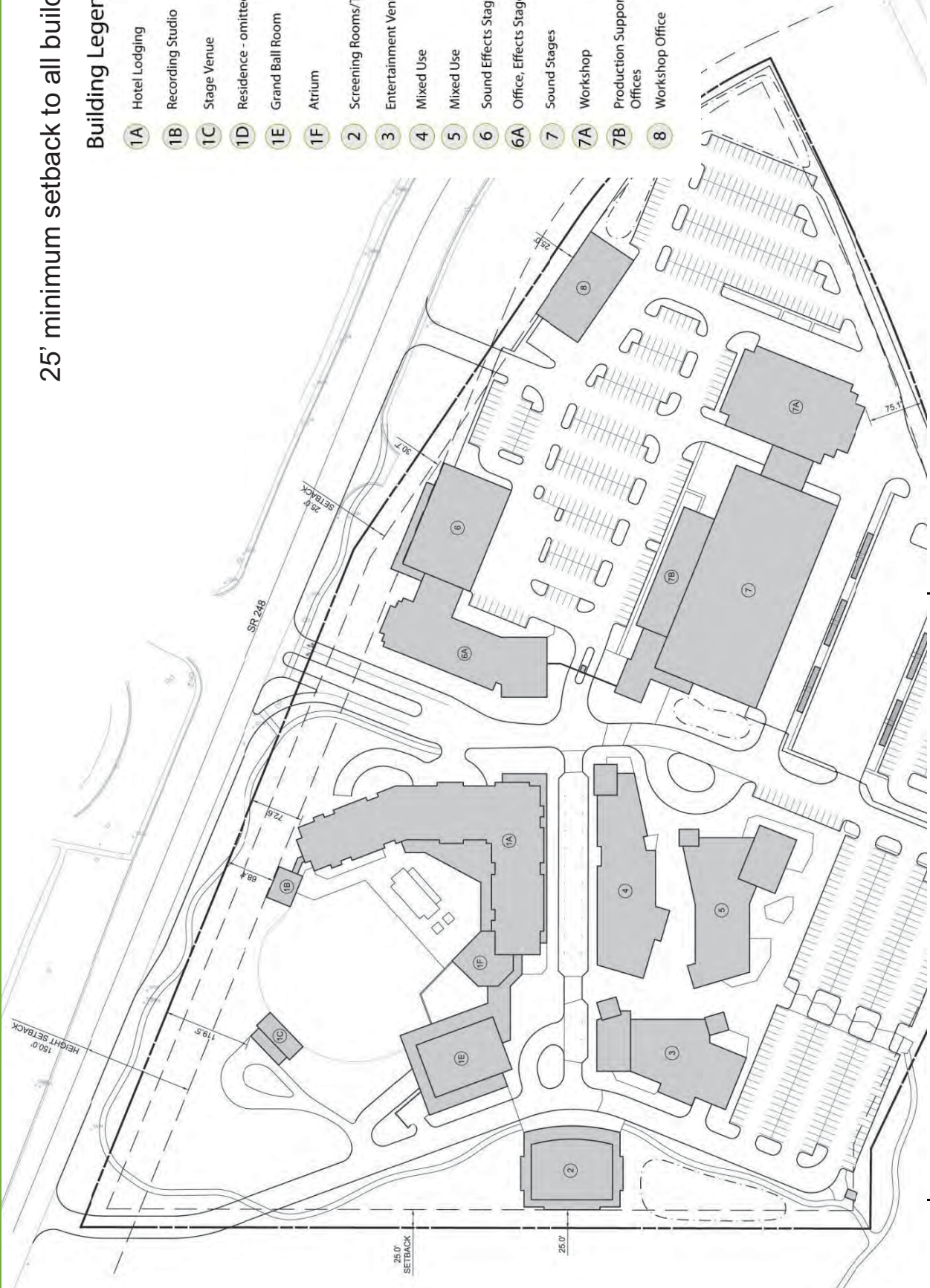


Raleigh Studios – Setback Distances

25' minimum setback to all buildings

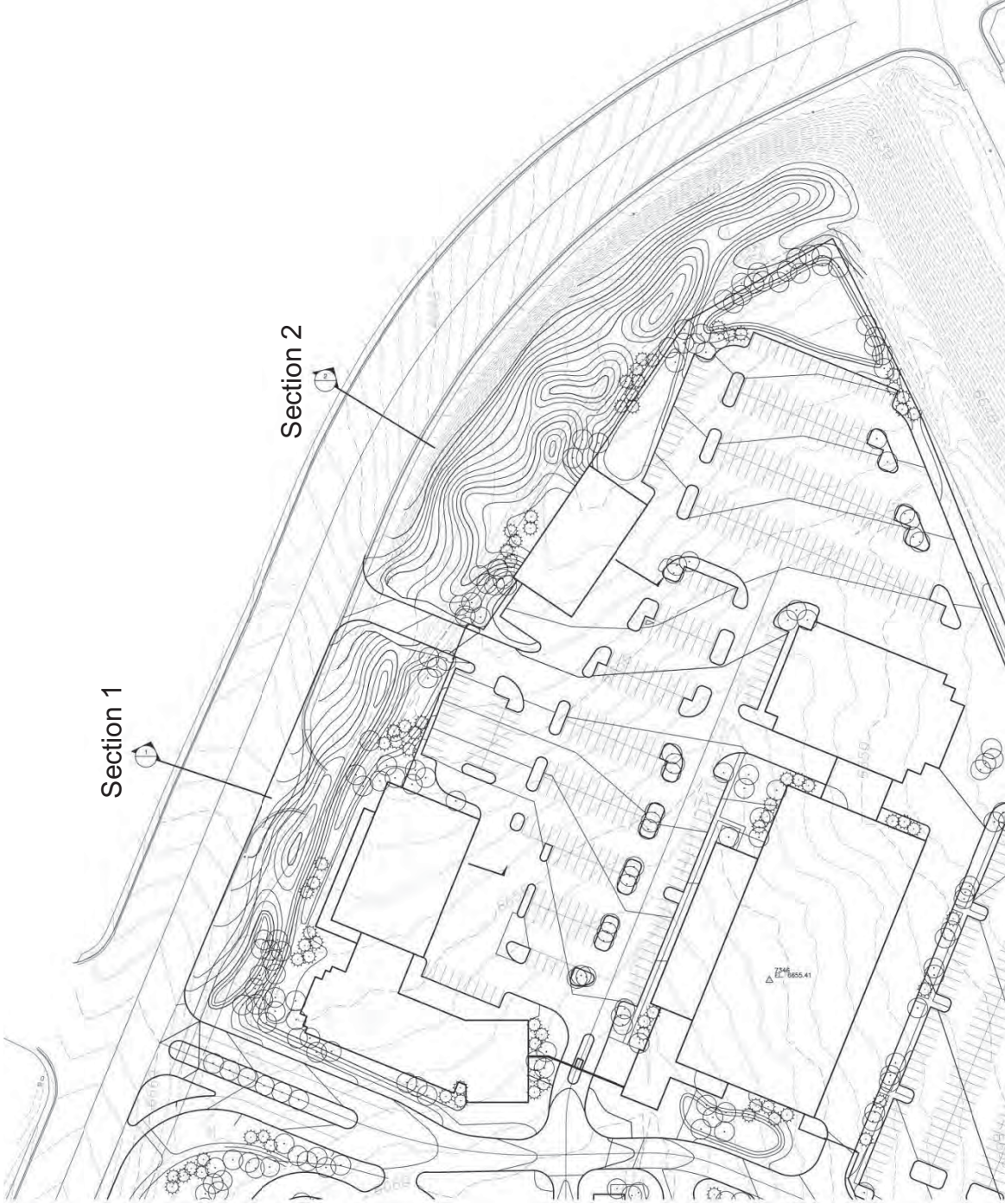
Building Legend

- 1A Hotel Lodging
- 1B Recording Studio
- 1C Stage Venue
- 1D Residence - omitted
- 1E Grand Ball Room
- 1F Atrium
- 2 Screening Rooms/Theater
- 3 Entertainment Venue
- 4 Mixed Use
- 5 Mixed Use
- 6 Sound Effects Stage
- 6A Office, Effects Stage
- 7 Sound Stages
- 7A Workshop
- 7B Production Support/Offices
- 8 Workshop Office

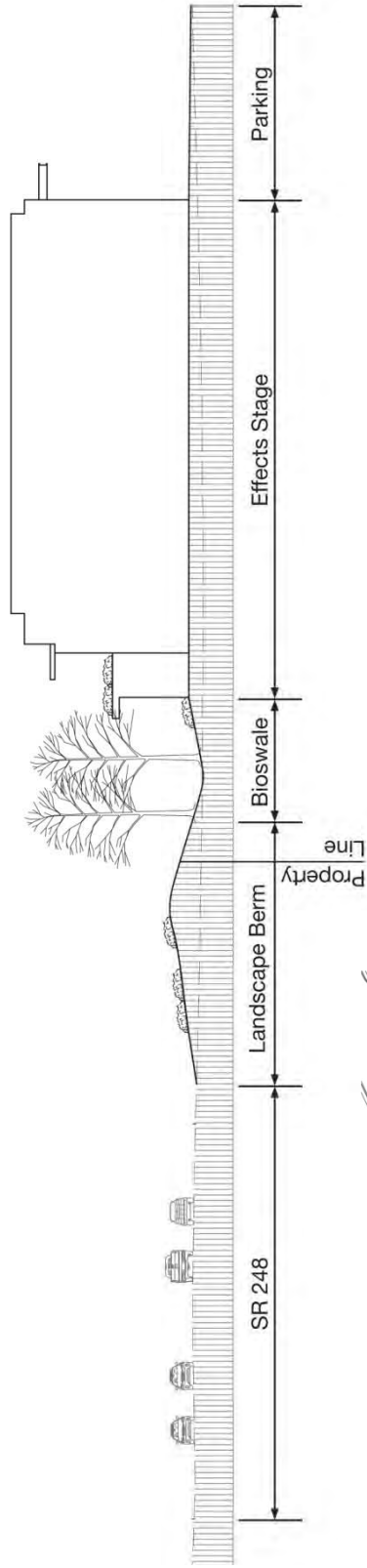


Raleigh Studios
Park City, UT

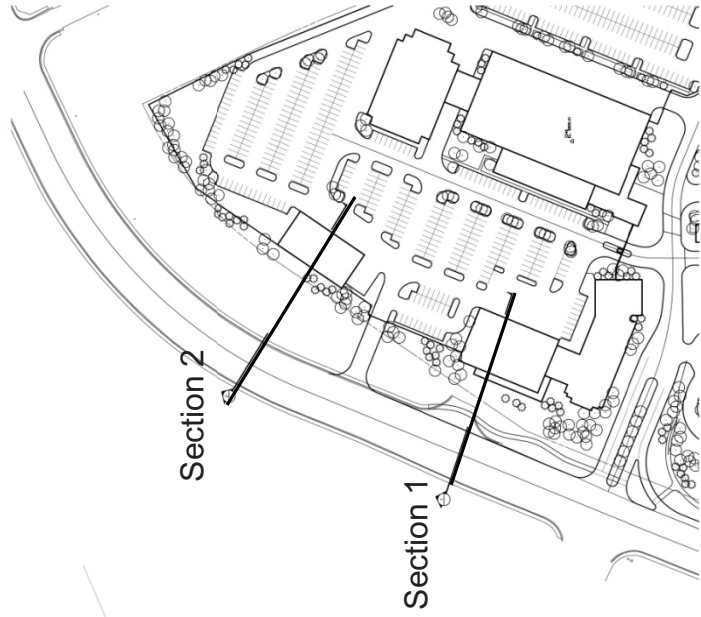
Conceptual Site Plan
April 11, 2012



Raleigh Studios – Section 1



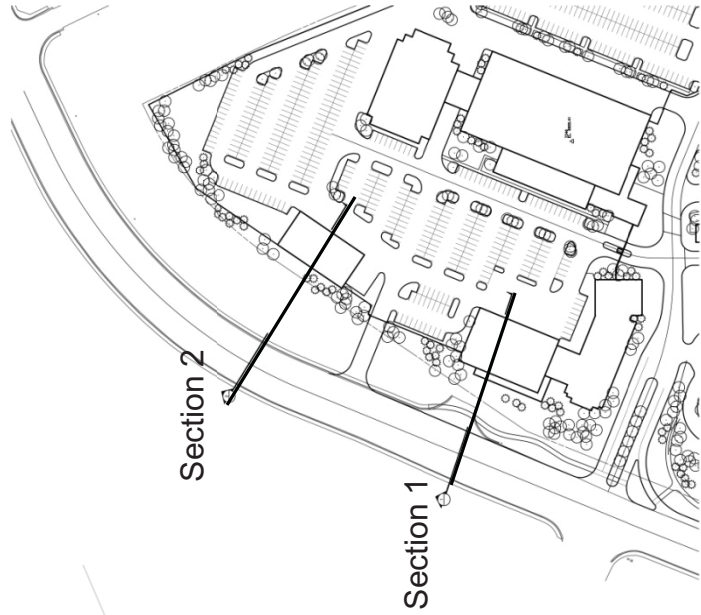
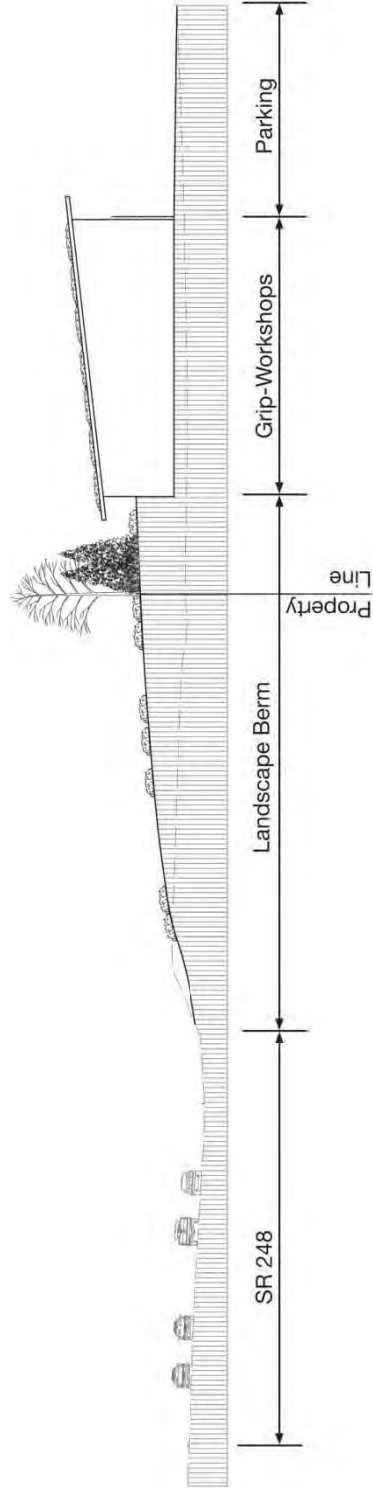
Horizontal Scale: 1" = 20'-0"
Vertical Scale: 1" = 20'-0"



Raleigh Studios
Park City, UT

Conceptual Site Plan
March 28, 2012

Raleigh Studios – Section 2

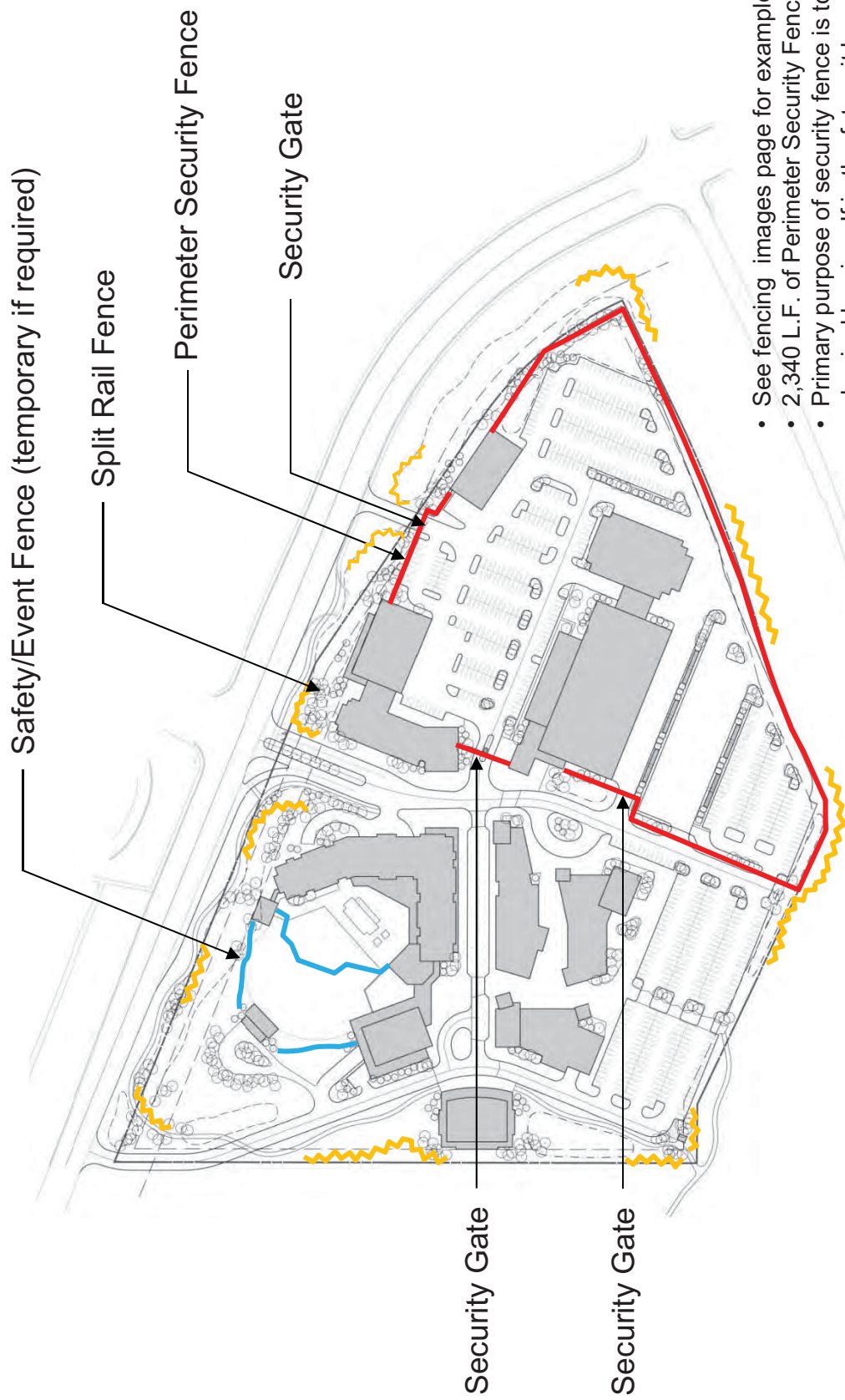


IBI
GROUP

Raleigh Studios
Park City, UT

Conceptual Site Plan
March 28, 2012

Raleigh Studios – Fencing Plan



- See fencing images page for examples
- 2,340 L.F. of Perimeter Security Fence
- Primary purpose of security fence is to act as a physical barrier. If in the future it becomes necessary to prevent unauthorized filming or photography, a visual barrier may be added to the fence.

Raleigh Studios – Fencing Images

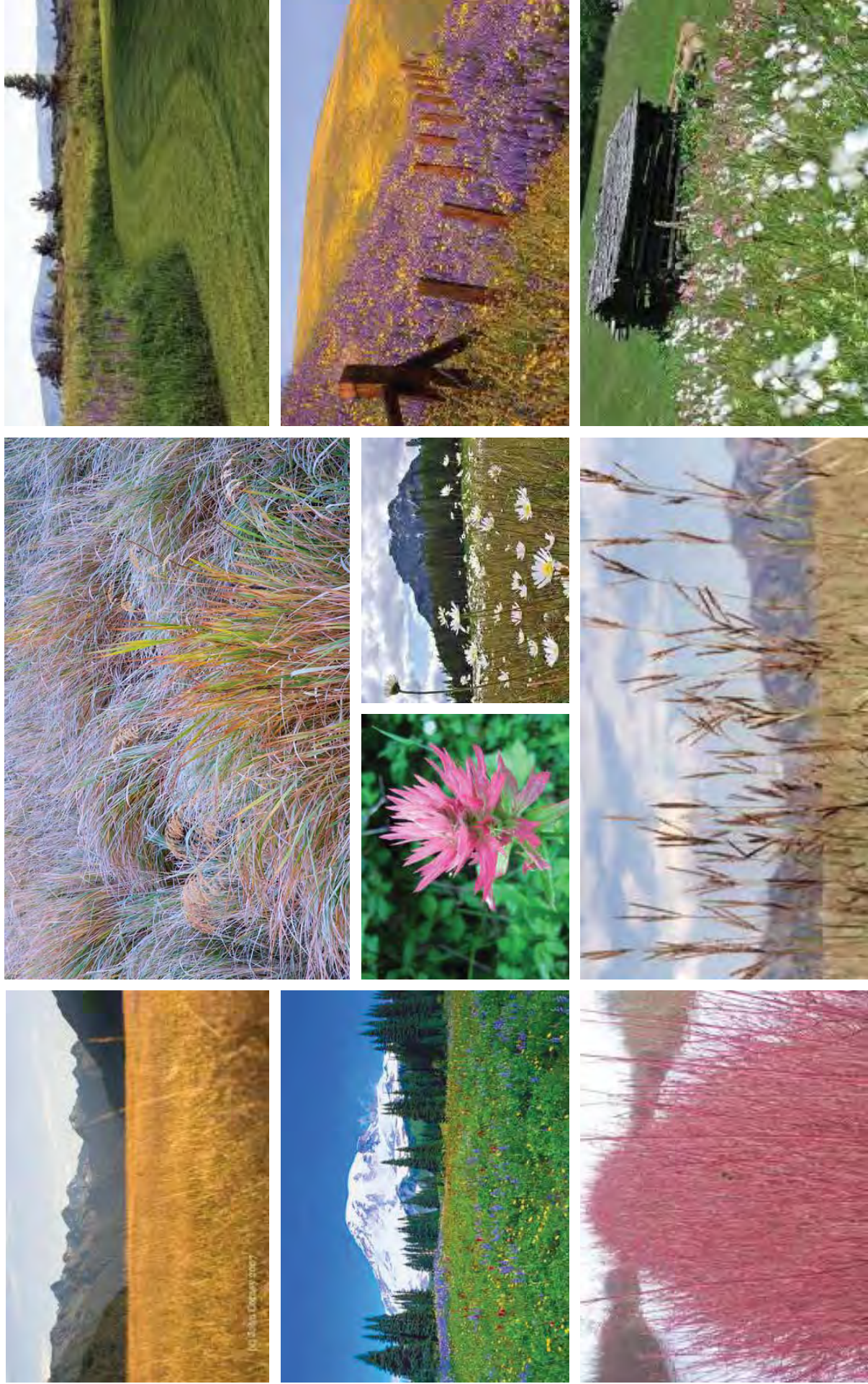


Raleigh Studios – Landscape Plan



See landscape images page for examples

Raleigh Studios – Landscape Images



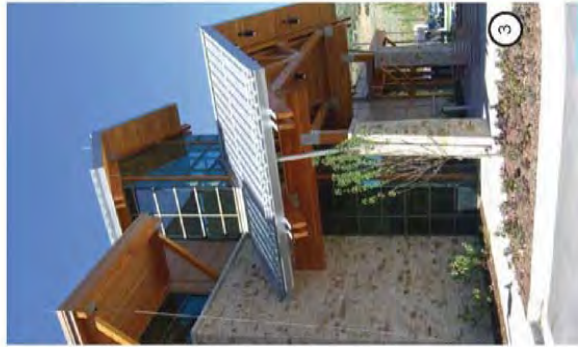
Raleigh Studios – Landscape Images



Raleigh Studios – Architectural Zones



Raleigh Studios – Precedent Image Boards



SURROUNDING AREA BUILDINGS / ARCHITECTURE
PRECEDENT IMAGES

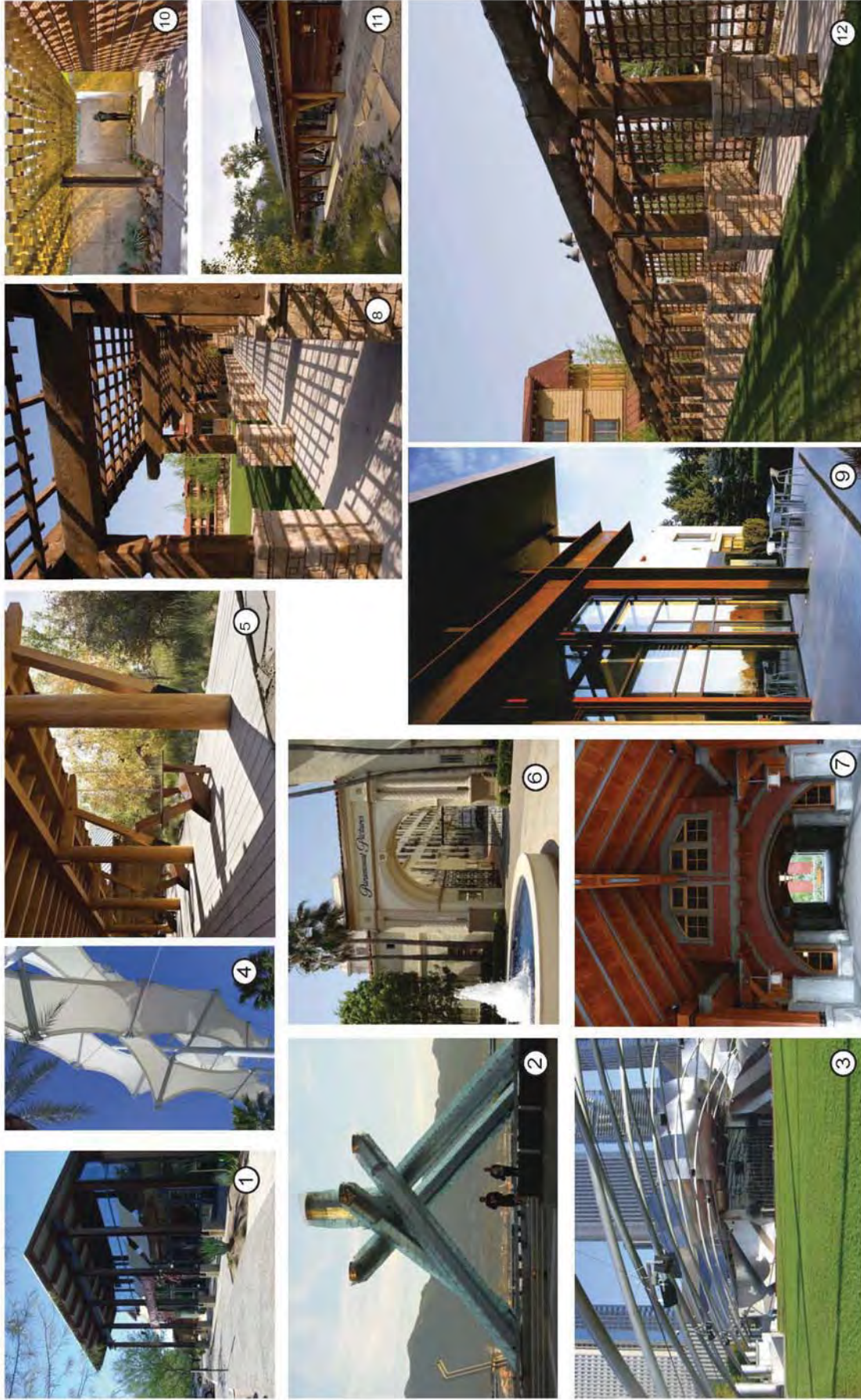
RALIEGH STUDIOS
March, 2012

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GROUP

Raleigh Studios
Park City, UT

Conceptual Site Plan
April 11, 2012

Raleigh Studios – Precedent Image Boards



ENTRY / ARCHWAY CONCEPTS
PRECEDENT IMAGES
RALIEGH STUDIOS
March, 2012

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GROUP

Raleigh Studios
Park City, UT

Conceptual Site Plan
April 11, 2012

Raleigh Studios – Precedent Image Boards



ARCHITECTURAL CONCEPTS / MATERIALS
PRECEDENT IMAGES

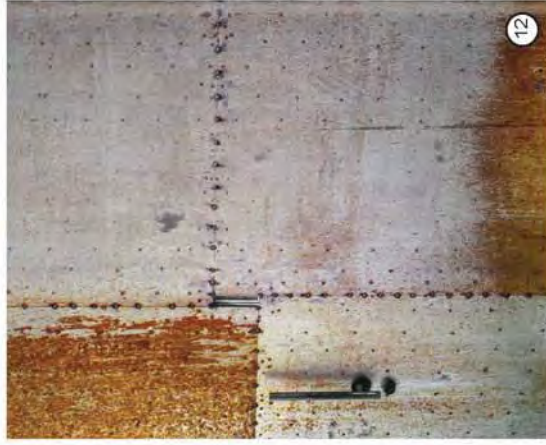
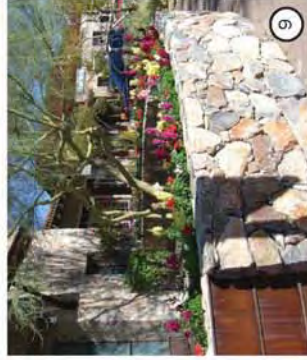
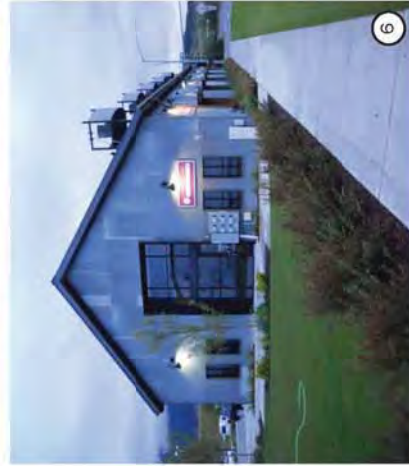
RALIEGH STUDIOS
March, 2012

Raleigh Studios
Park City, UT

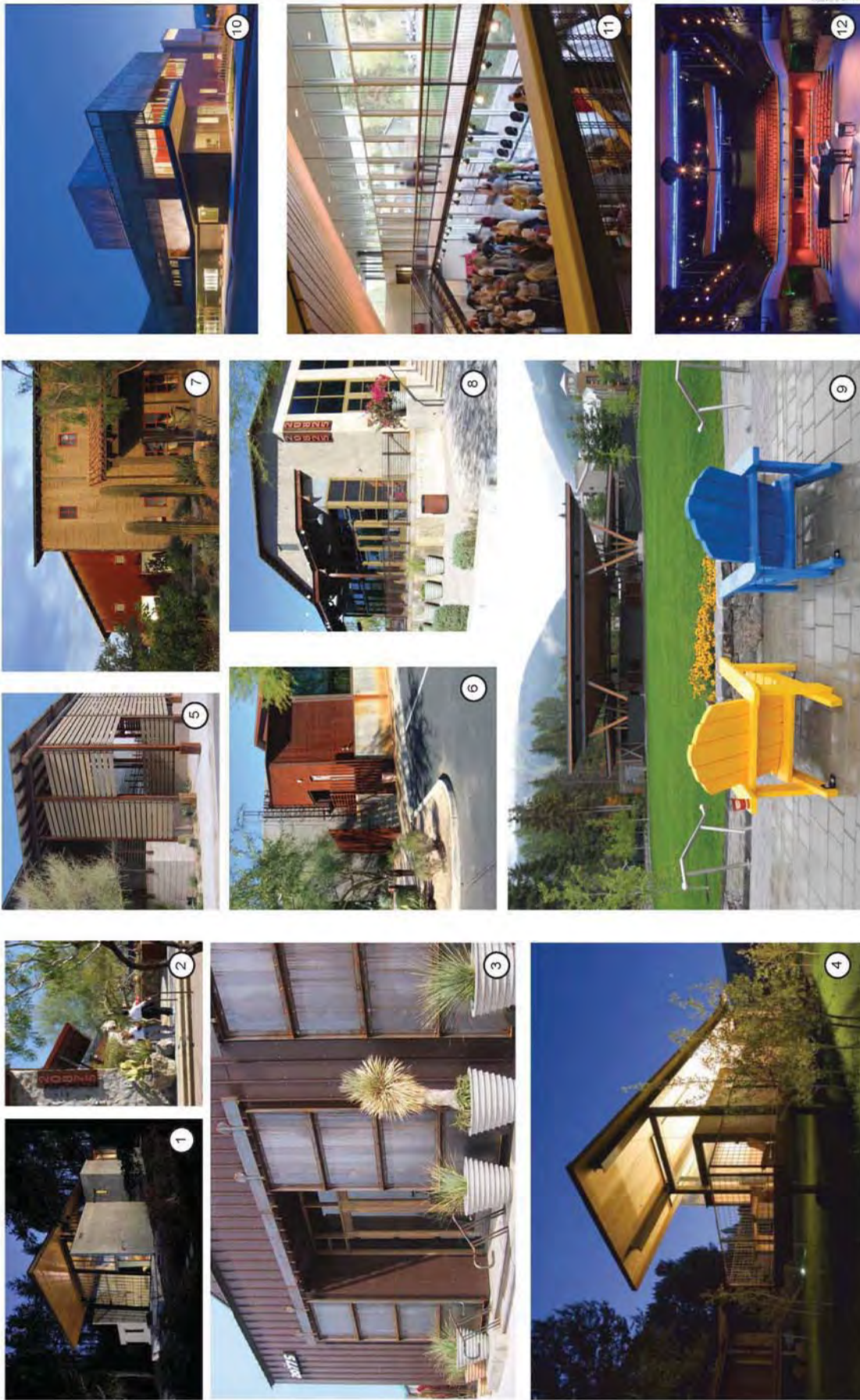
Conceptual Site Plan
April 11, 2012



Raleigh Studios – Precedent Image Boards



Raleigh Studios – Precedent Image Boards



ARCHITECTURAL CONCEPTS / MATERIALS
PRECEDENT IMAGES

RALIEGH STUDIOS
March, 2012

Raleigh Studios
Park City, UT

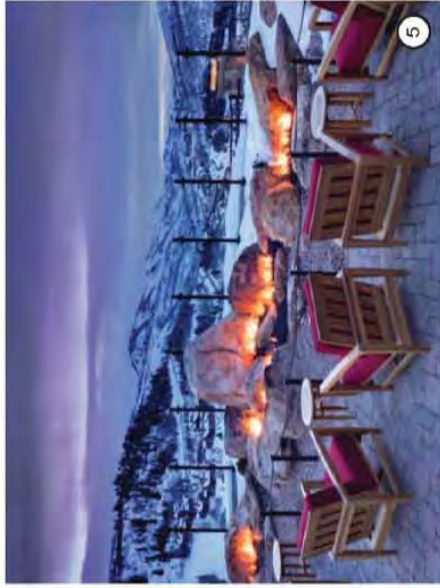
Conceptual Site Plan
April 11, 2012

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Raleigh Studios – Precedent Images



Raleigh Studios – Precedent Image Boards



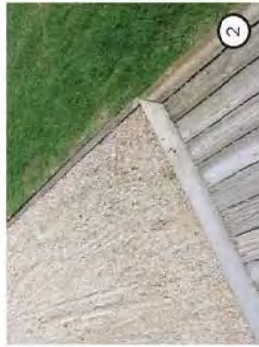
Project # 01550

FIRE FEATURES
PRECEDENT IMAGES
RALIEGH STUDIOS
March, 2012

Raleigh Studios – Precedent Image Boards



1



2



3



4



5



6



7



8



9



10



11



12



13



14



15



16



17



18



19



20

HARDSCAPE / PLAZA PAVING CONCEPTS
PRECEDENT IMAGES

RALIEGH STUDIOS
March, 2012

Raleigh Studios
Park City, UT



Conceptual Site Plan
March 28, 2012

Previous Submittal Information – March 14, 2012



Raleigh Studios
Park City, UT

Conceptual Site Plan
April 11, 2012



View Looking SW



View Looking SE



View Looking NE





EXISTING CONDITION

VIEW LOOKING SOUTH EXITING Hwy 40 AT TOP OF OFF RAMP



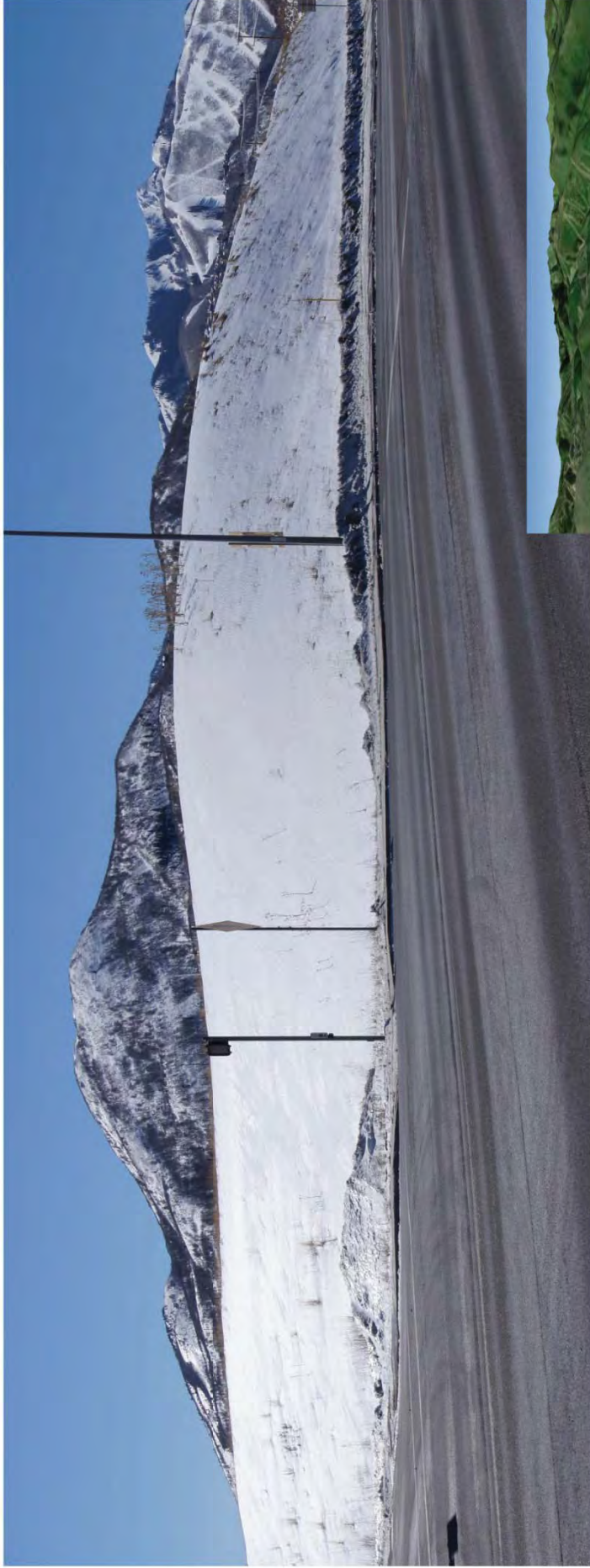
PROPOSED PROJECT

VIEW LOOKING SOUTH EXITING Hwy 40 AT TOP OF OFF RAMP

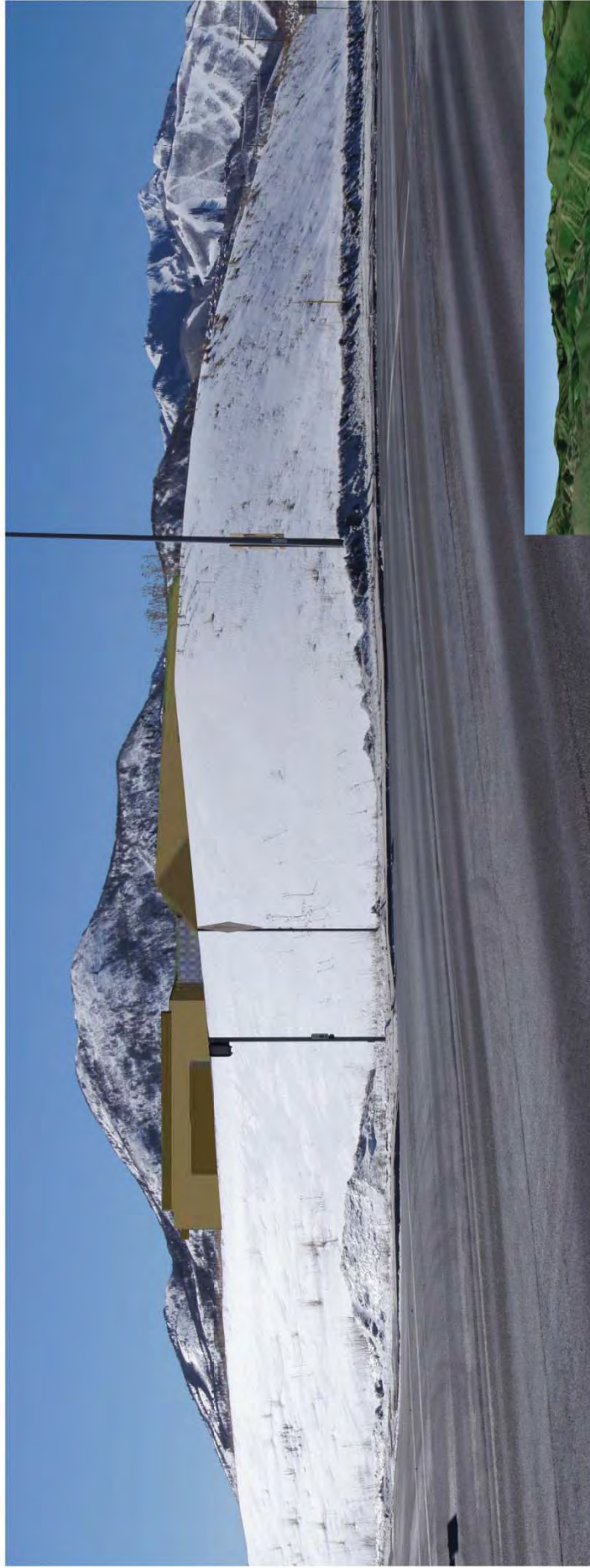


PROPOSED PROJECT WITH BERM

VIEW LOOKING SOUTH EXITING Hwy 40 AT TOP OF OFF RAMP

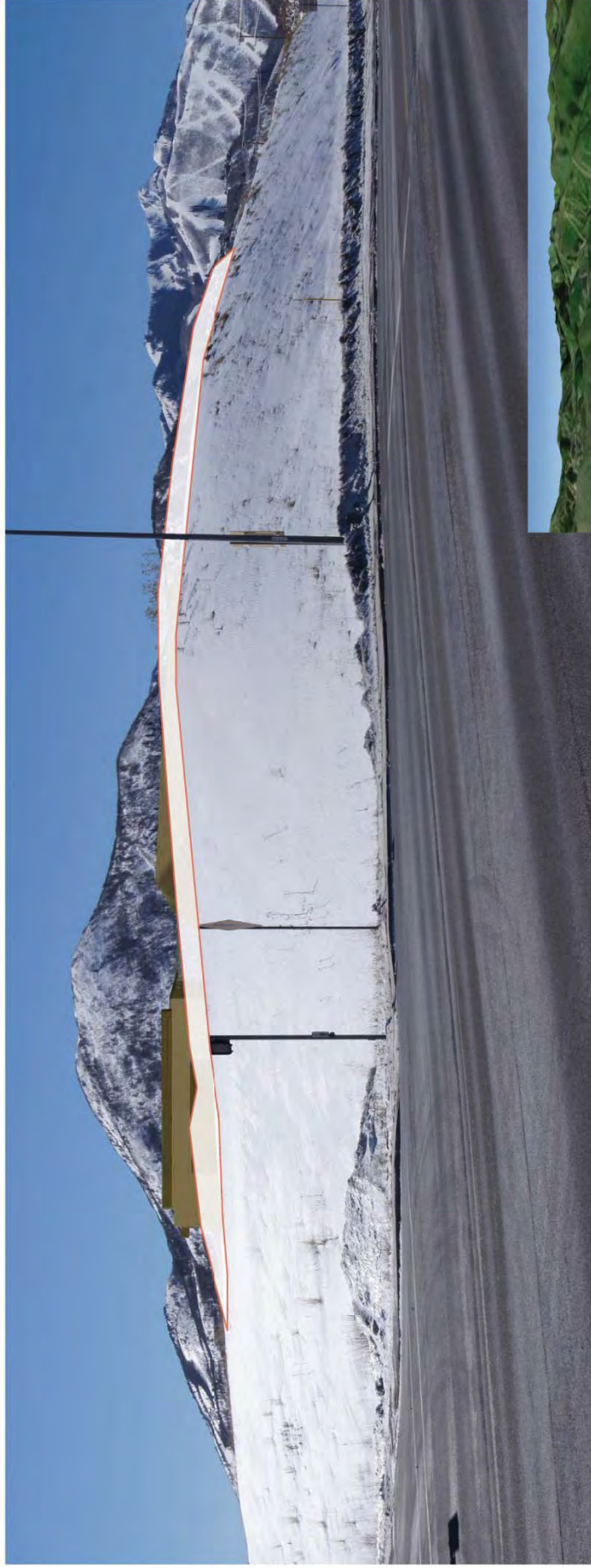


EXISTING CONDITION
VIEW LOOKING SOUTHWEST AT INTERSECTION
OF SR 248 & Hwy 40



PROPOSED PROJECT
VIEW LOOKING SOUTHWEST AT INTERSECTION
OF SR 248 & Hwy 40





PROPOSED PROJECT WITH BERM
VIEW LOOKING SOUTHWEST AT INTERSECTION
OF SR 248 & Hwy 40

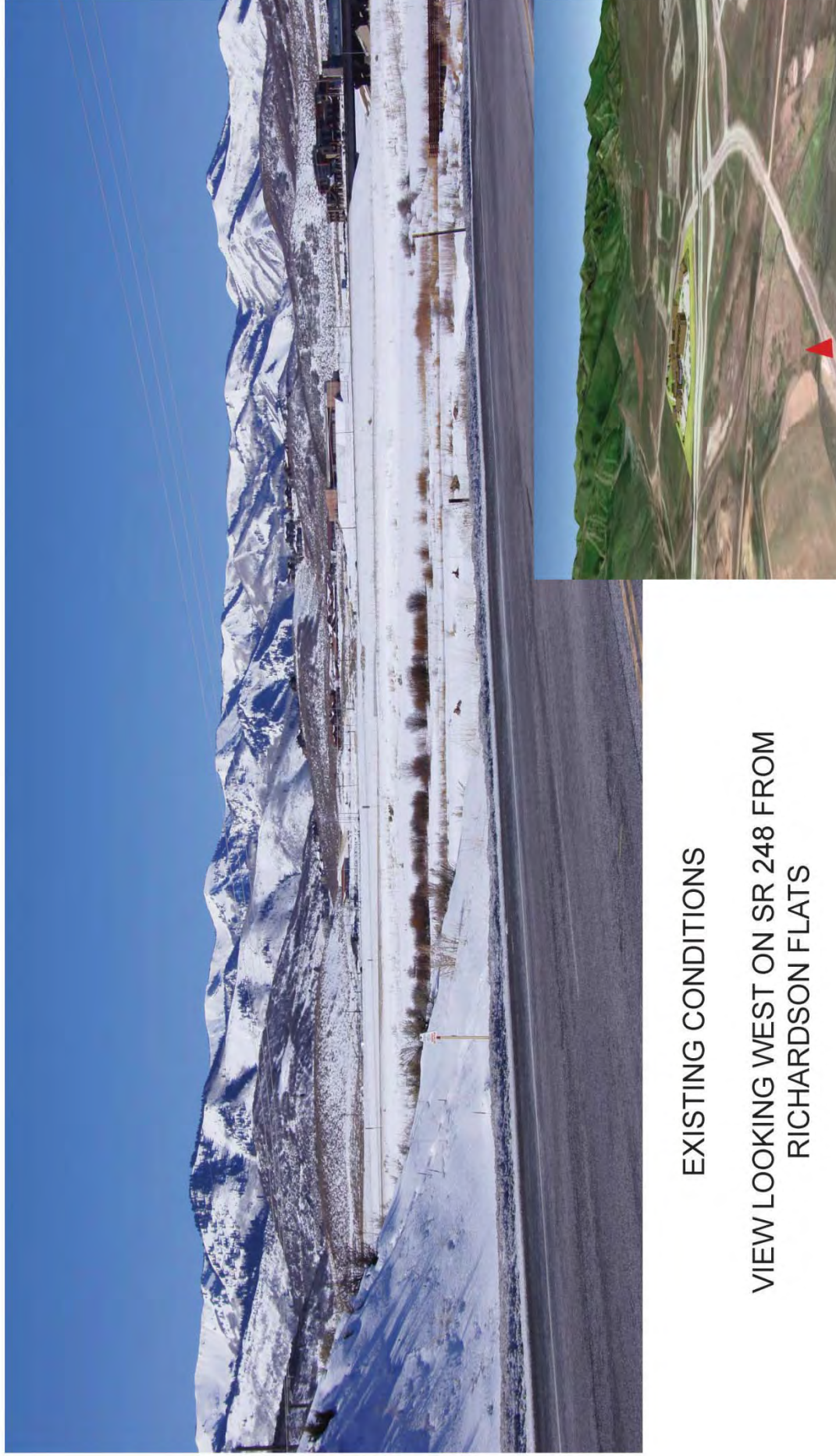




EXISTING CONDITION
VIEW LOOKING NORTH ON SR 248



PROPOSED PROJECT
VIEW LOOKING NORTH ON SR 248



EXISTING CONDITIONS
VIEW LOOKING WEST ON SR 248 FROM
RICHARDSON FLATS



PROPOSED PROJECT
VIEW LOOKING WEST ON SR 248 FROM
RICHARDSON FLATS

Site Planning Principles

- Clustered village approach
- Compact walkable core
- Screen surface parking with buildings
- Break down larger massing with foreground structures
- Trail network connections
- Naturalized landscape strategy



Raleigh Studios – Open Space

Proposed Open Space

- 545,135.59 sf = 12.51 acres = 42.3% (on-site)



150' Setback from
Hwy 248 Centerline

Proposed Open Space

- 545,135.59 sf = 12.51 acres = 42.3% (on-site)
- 721,129.59 sf = 16.55 acres = 56.0% (to top of cut bank)

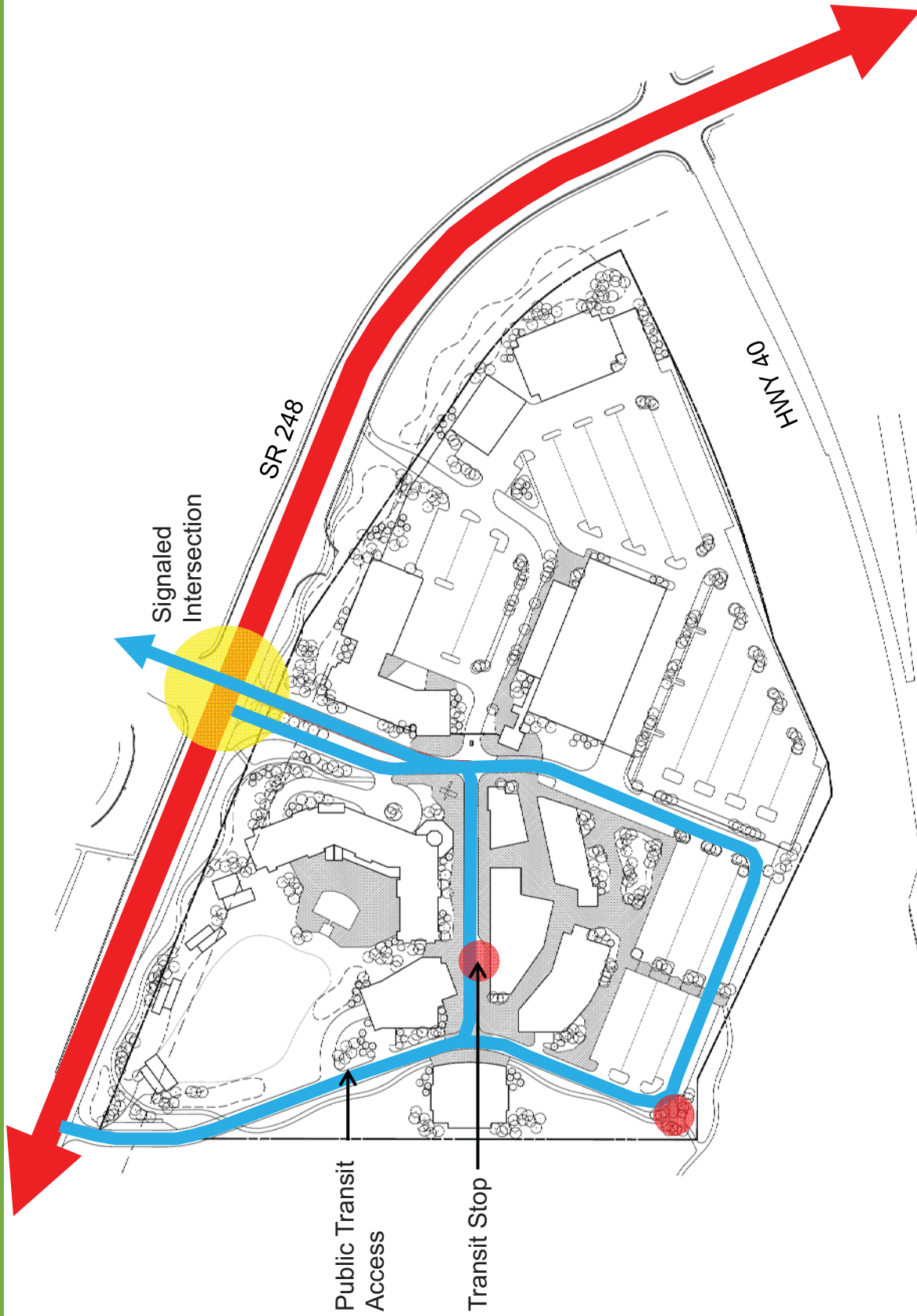


Proposed Open Space

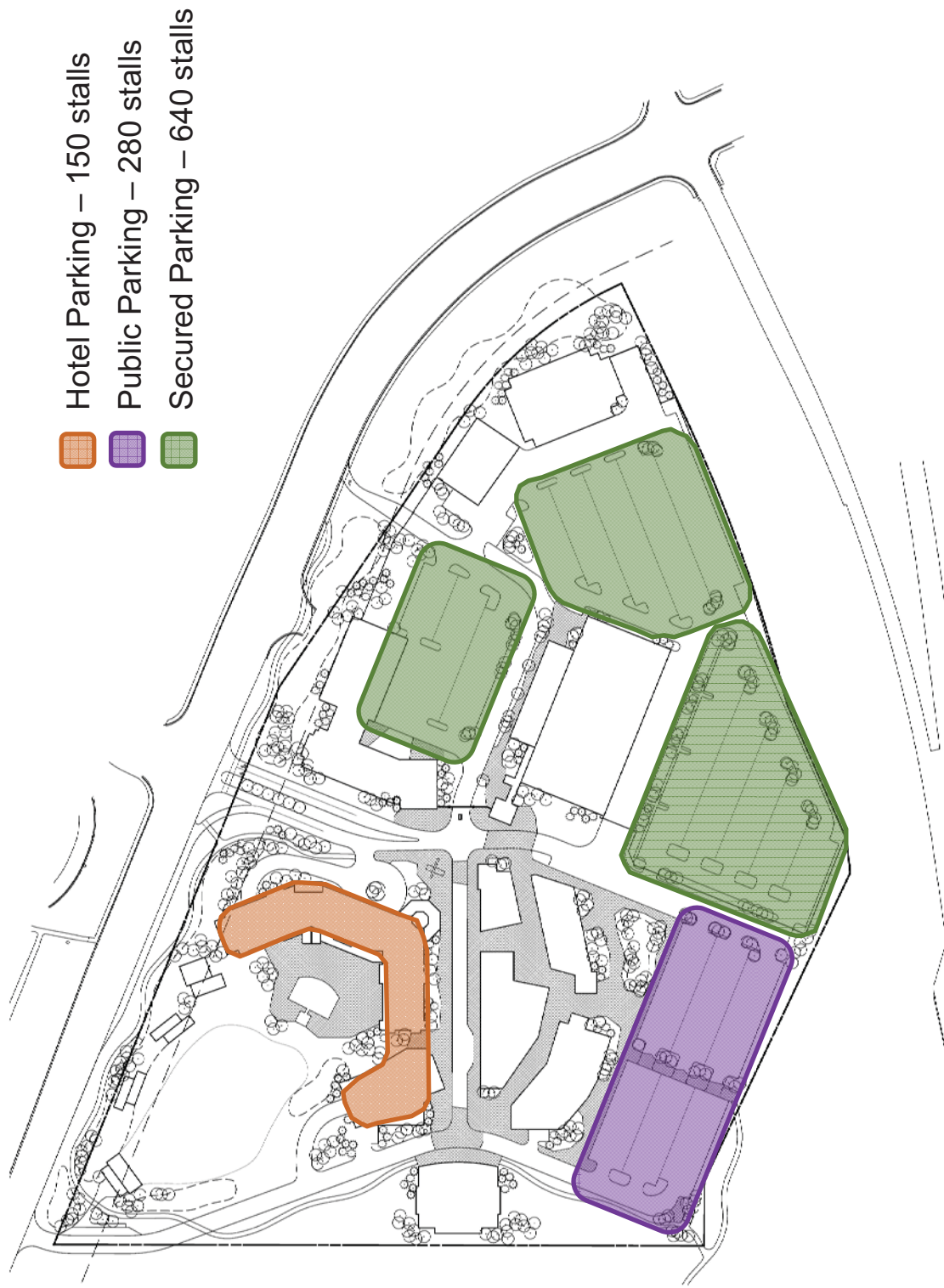
- 545,135.59 sf = 12.51 acres = 42.3% (on-site)
- 721,129.59 sf = 16.55 acres = 56.0% (to top of cut bank)
- 891,873.00 s.f. = 20.47 Acres = 69.3% (to edge of 248/40)



Raleigh Studios – Access/Circulation (Transit)



Raleigh Studios – Parking



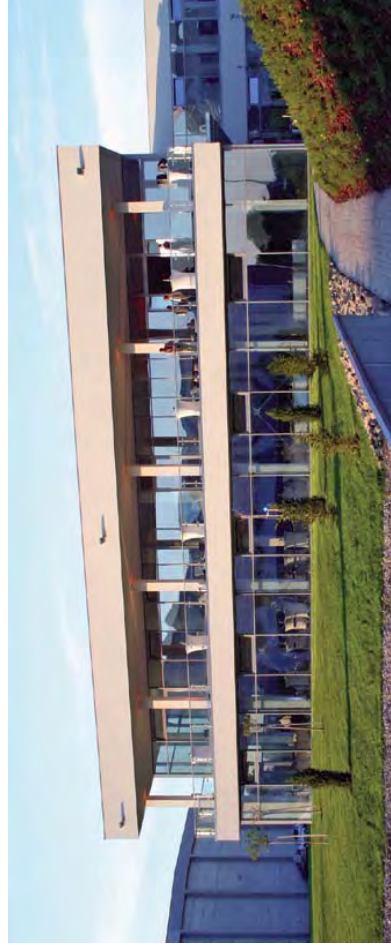
Raleigh Studios – Precedent Images (Studio Retail)



235



Raleigh Studios – Precedent Images (Architecture/Character)



Raleigh Studios – Precedent Images (Site Plans)



Insight Film Studios – Vancouver, British Columbia



North Shore Studios – Vancouver, British Columbia



Northern Film & Media – Newcastle, England



Pixar Animation Studios – Emeryville, California



Universal Studios – Hollywood, California

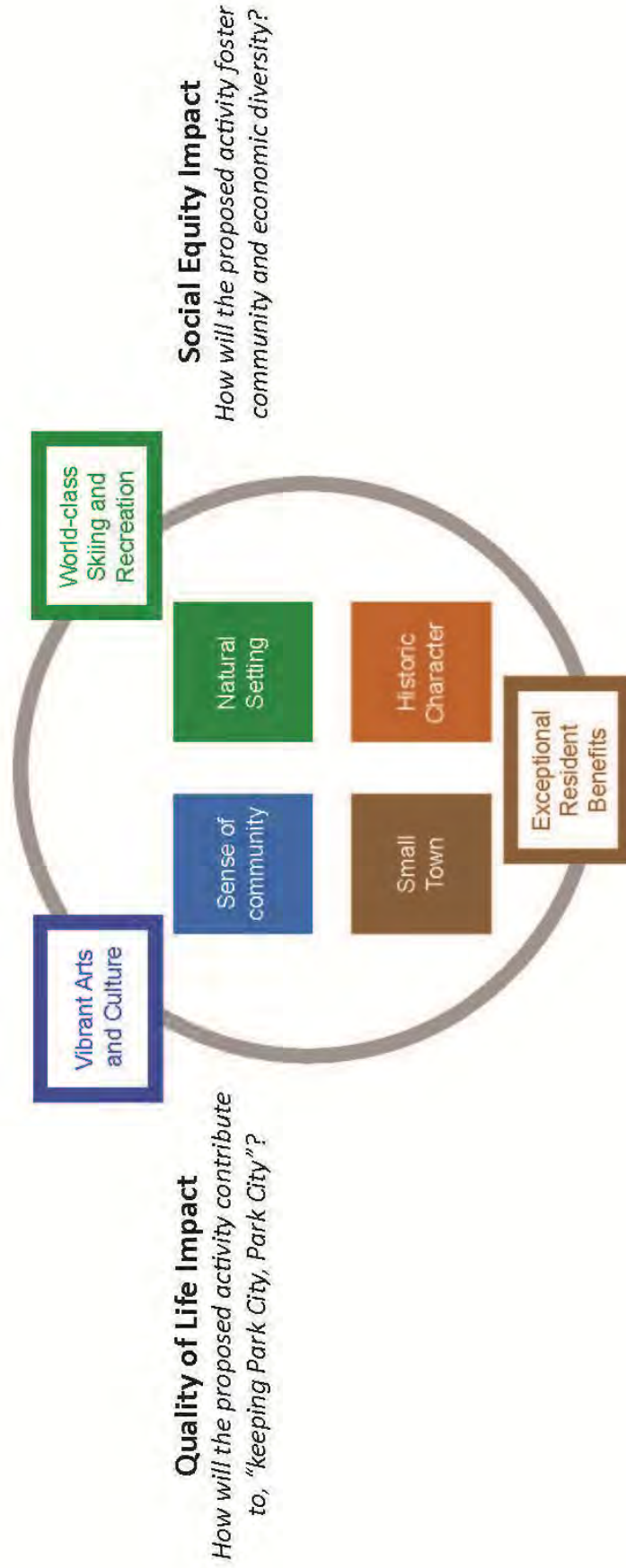


Lions Gate Studio – Vancouver, British Columbia

Raleigh Studios – Community Visioning Filter

Environmental Impact

How will the proposed activity demonstrate responsible environmental stewardship?



1

Quality of Life Impact – “keeping Park City, Park City”

- Embrace, showcase and encourage arts and culture
- Contribute to a year-round offering of uses and activities
- Enhance the community trail network
- Attract diverse demographic
- Improve transportation needs of visitors and residents

2

Economic Impact – “contribute to a sustainable economy and provide public services”

- Increased tax base to the resort economy
- Diversify the local economy through art and culture based industry
- Increase national, regional and local employment offerings
- Enhance the tourism economy through unique attractions
- Nurture and grow the success of the Sundance Film Festival
- Promote the film industry within the State of Utah
- Increase the international brand of Park City

3

Social Equity Impact – “foster community diversity”

- Attract the part-time and permanent resident demographic
- Attract and enhance year-round event and activity offerings
- Enhance community identity and image
- Increase and diversify educational offerings

4

Environmental Impact – “demonstrate responsible environmental stewardship”

- Promote public transit and trail connections to reduce vehicle miles traveled
- Green building design and construction to meet minimum LEED Silver Standards
- Water conservation site design through native, drought tolerant planting strategies
- Stormwater management to minimize and filter runoff

Raleigh Studios – General Plan Compliments

- 1 Preserve mountain resort and historic character of Park City (GP Goal 1)**
 - Complement historic and resort qualities through architectural design
 - Blend building materials and landscape character with the natural environment
 - Enhance the resort bed base and guest experience
- 2 Preserve environmental quality, open space and outdoor recreation opportunities (GP Goal 2)**
 - Focus new development at base of hills minimizing impact on ridgelines
 - Configured trails to provide outdoor recreational opportunities and connections
- 3 Maintain high quality public services and facilities (GP Goal 3)**
 - Promote public transit and trail linkages
 - Increase community facilities to meet the needs and desires of residents and visitors
 - Contribute privately to the development of community facilities
- 4 Work effectively with other governmental agencies to achieve the goals of the General Plan (GP Goal 4)**
 - Work with the State of Utah to promote the film industry
 - Collaborate with the County to benefit the local image and identity
 - Be a model community through policy and advocacy to promote a successful community
- 5 Develop an integrated transportation system to meet the needs of visitors and residents (GP Goal 10)**
 - Enhanced and expanded transit connections
 - Expanded trail network and connectivity

Previous Submittal Information – March 28, 2012



Raleigh Studios
Park City, UT

Conceptual Site Plan
April 11, 2012

Raleigh Studios – Conceptual Site Plan Revisions



Raleigh Studios – Building Heights/Sizes

- 1A Hotel – 110,250 sf, 40' height
- 1B Recording Studio – 2,500 sf, 16' height
- 1C Stage Venue – 700 sf, 16' height
- 1D General Manager Residence – 750 sf, 16' height
- 1E Meeting Rooms – 16,000 sf, 28' height
- 1F Atrium Galleria – 0 sf, 28' height
- 2 Screen Room/Theater – 15,000 sf, 40' height
- 3 Entertainment Venue – 33,350 sf, 28' height
- 4 Mixed-Use – 14,500 sf, 40' height
- 5 Studio Store/Office/Tour – 25,675 sf, 28' height
- 6 Effects/Sound Stages – 15,900 sf, 40' height
- 6A Office – 38,000 sf, 30' height
- 7 Sound Stages – 71,375 sf, 60' height
- 7A Lighting/Grip/Workshop – 20,000 sf, 28' height
- 7B Stage Offices – 21,000 sf, 28' height
- 8 Lighting/Grip/Workshop/Offices – 10,000 sf, 28' height



Building heights and percentages comply with requirements of the Annexation Agreement



Massing Study Looking South



Massing Study Looking SE

Raleigh Studios – Visual Analysis



Massing Study Looking NE



EXISTING CONDITION

VIEW LOOKING SOUTH EXITING Hwy 40 AT TOP OF OFF RAMP



PROPOSED PROJECT WITH BERM

VIEW LOOKING SOUTH EXITING Hwy 40 AT TOP OF OFF RAMP



EXISTING CONDITION
VIEW LOOKING SOUTHWEST AT INTERSECTION
OF SR 248 & Hwy 40



PROPOSED PROJECT WITH BERM
VIEW LOOKING SOUTHWEST AT INTERSECTION
OF SR 248 & Hwy 40

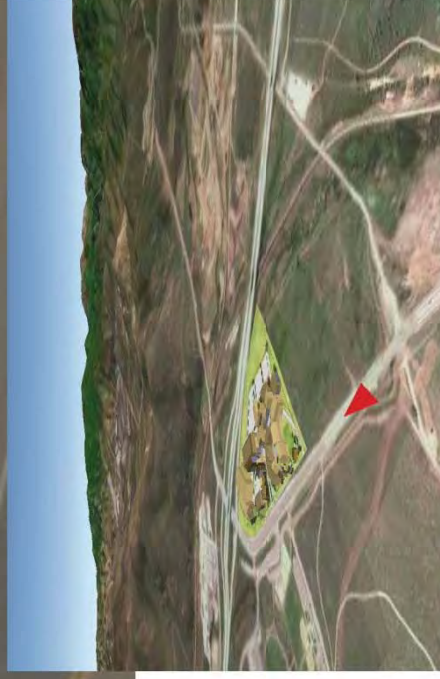




EXISTING CONDITION
VIEW LOOKING NORTH ON SR 248

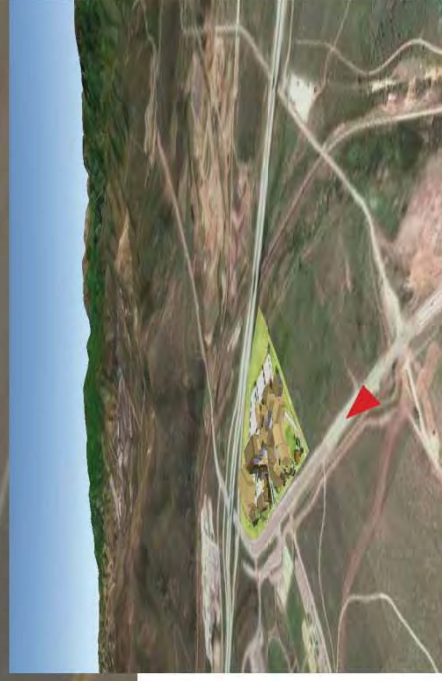


PROPOSED PROJECT
VIEW LOOKING NORTH ON SR 248



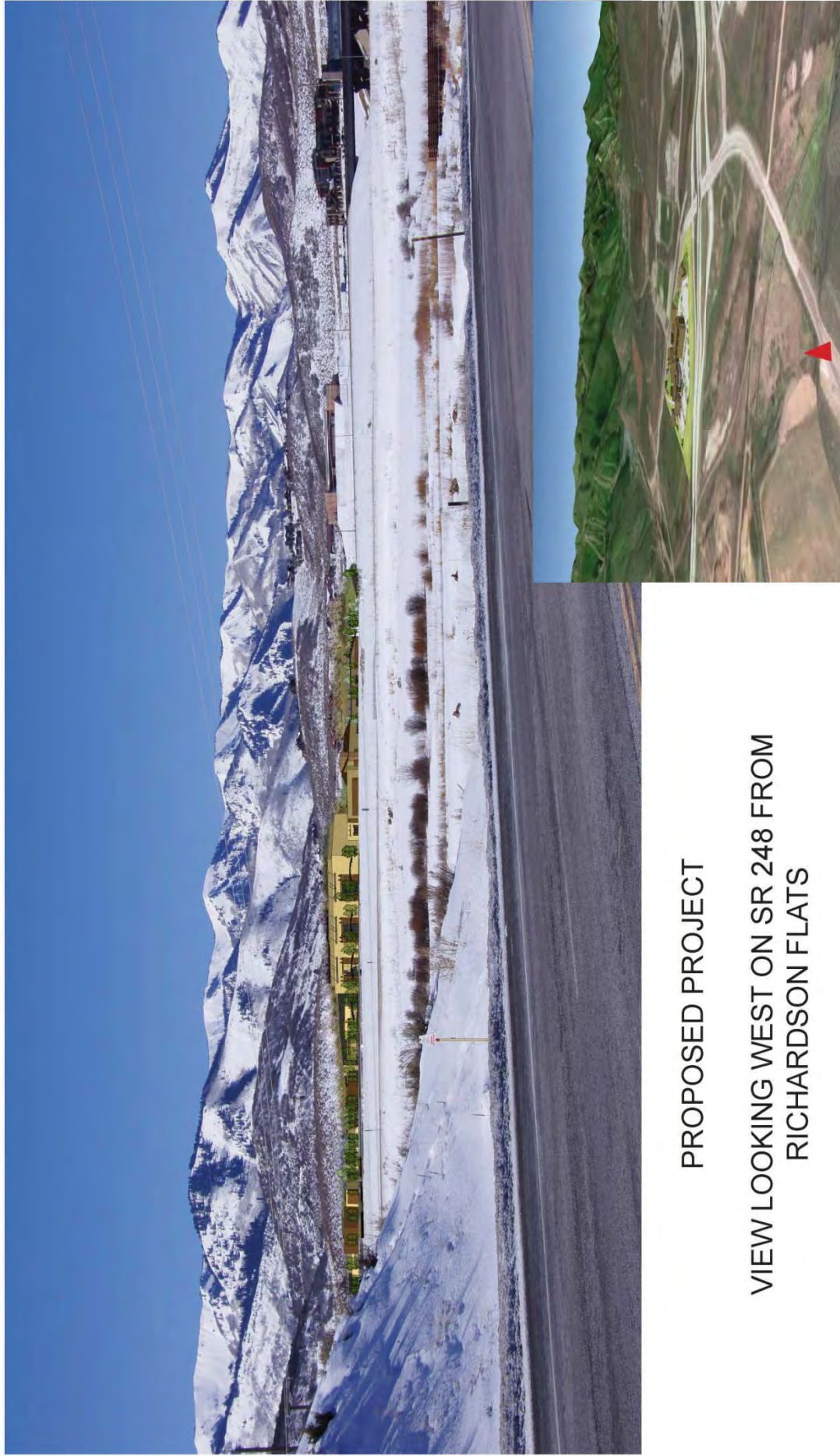


PROPOSED PROJECT
VIEW LOOKING NORTH ON SR 248





EXISTING CONDITIONS
VIEW LOOKING WEST ON SR 248 FROM
RICHARDSON FLATS



PROPOSED PROJECT
VIEW LOOKING WEST ON SR 248 FROM
RICHARDSON FLATS



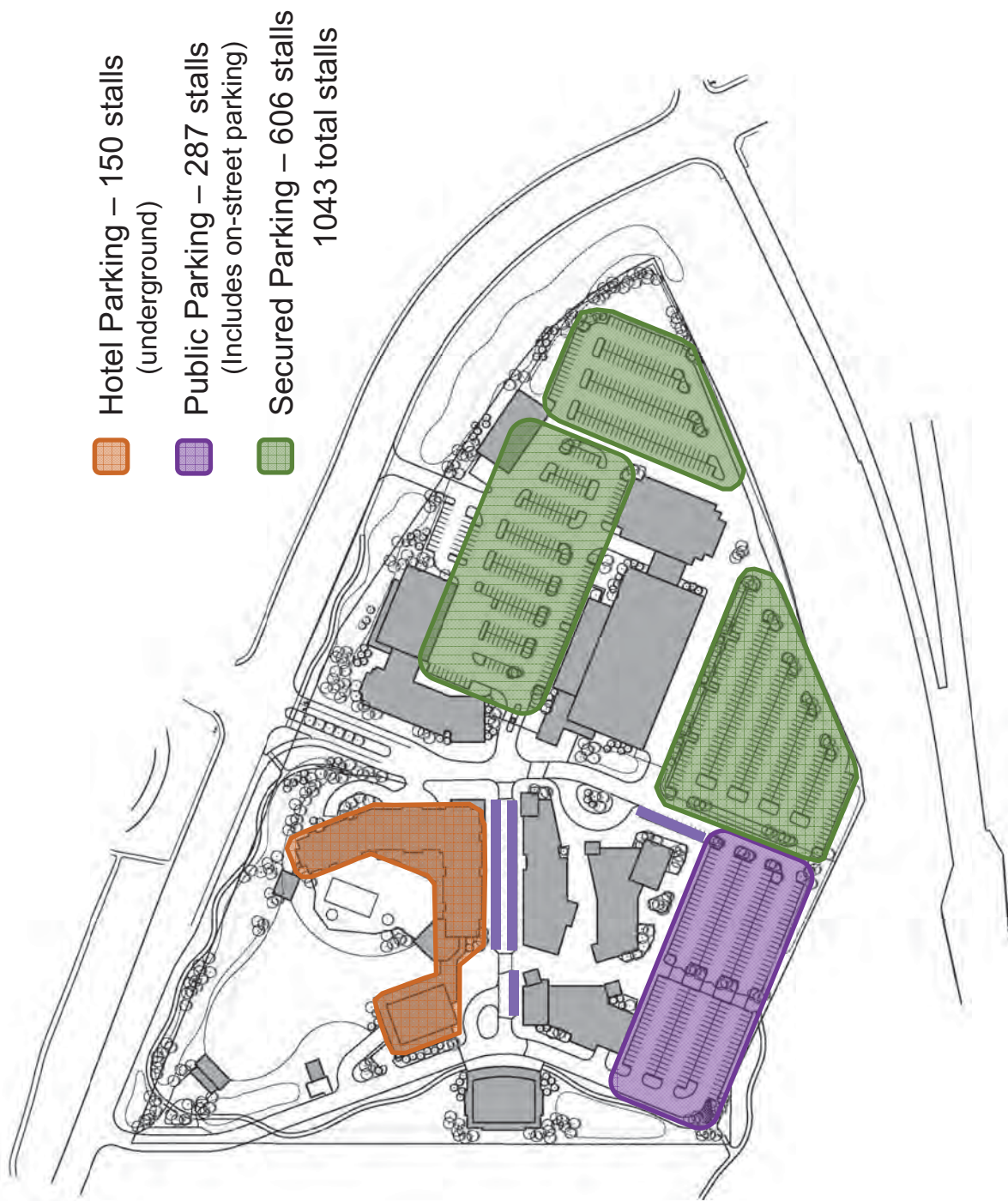
View Looking SW on SR 248

Proposed Open Space

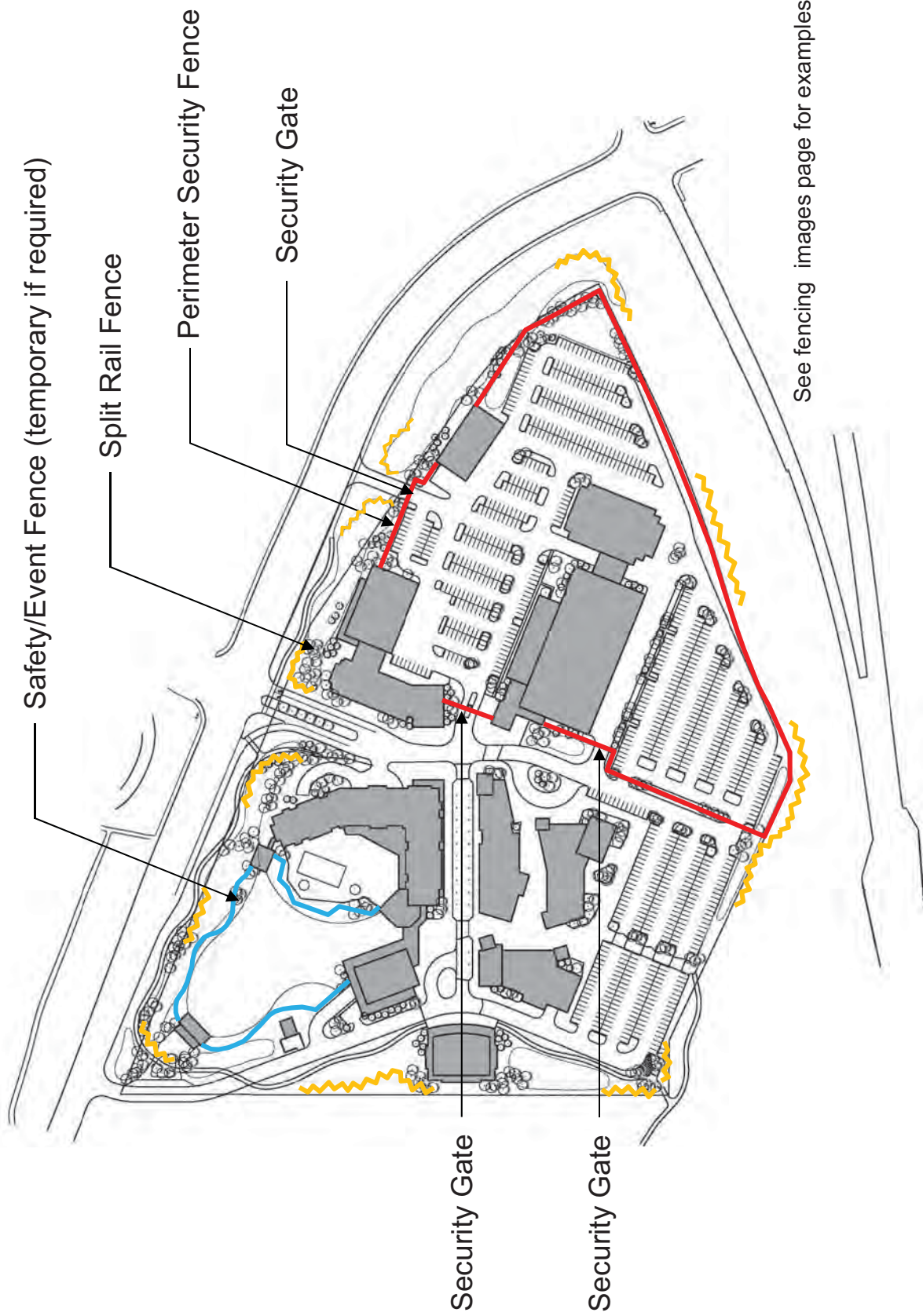
- 495,713 sf = 11.38 acres = 38.5% (On-Site)
- 713,077 sf = 16.37 acres = 55.4% (Top of Cut Slope)
- 841,579 sf = 19.32 acres = 65.9% (Edge of Pavement)



Raleigh Studios – Parking Plan w/Counts

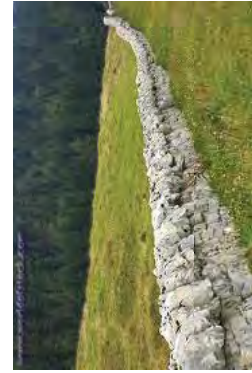
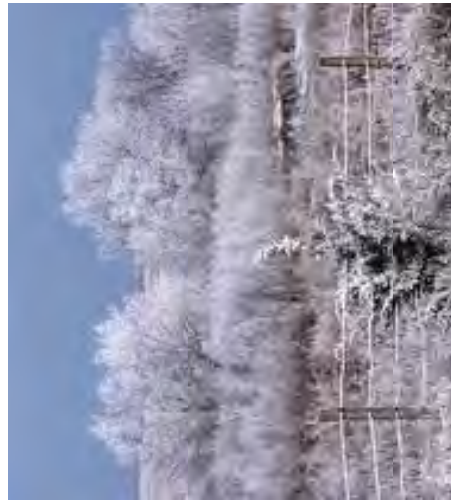


Raleigh Studios – Fencing Plan

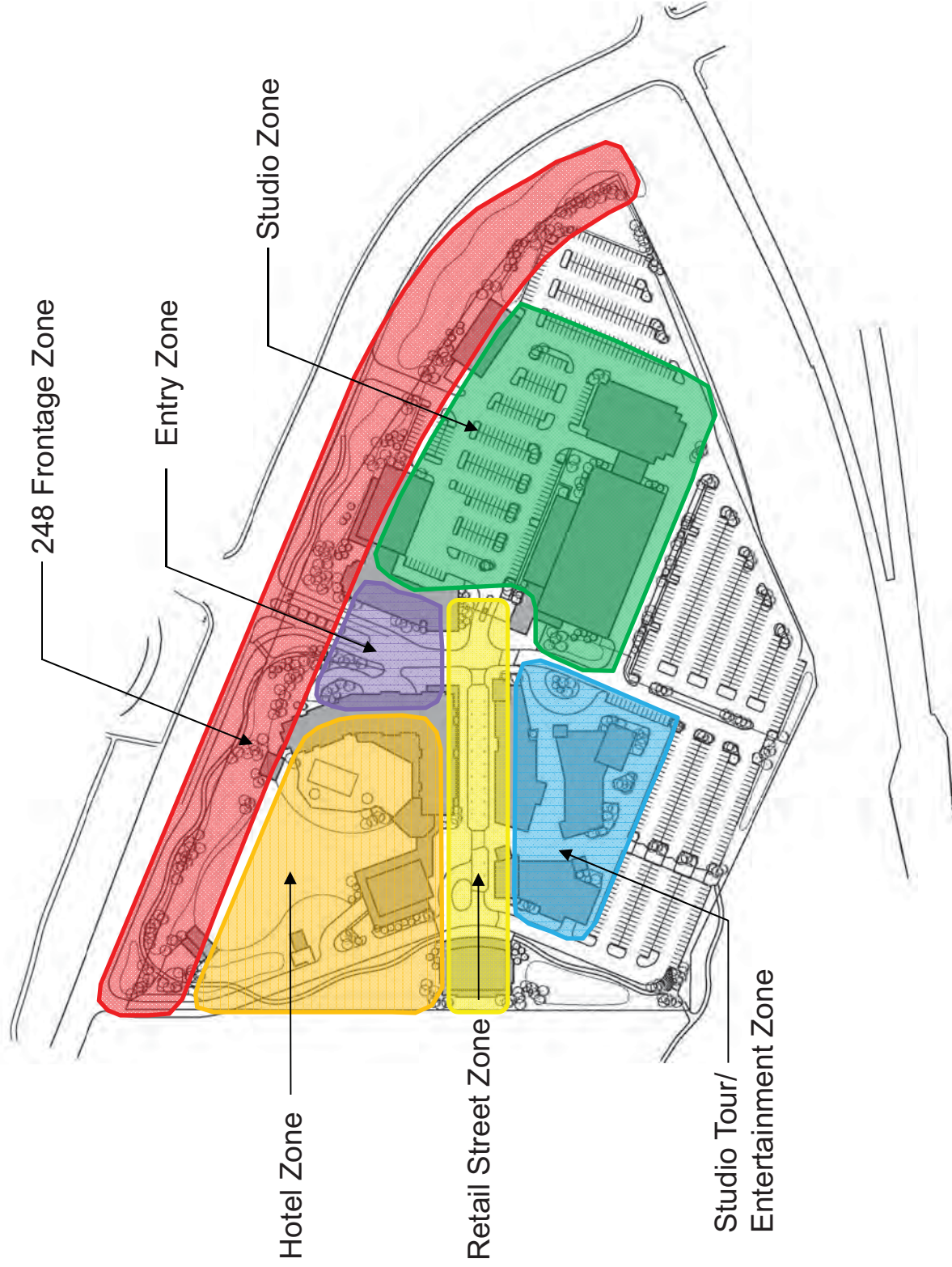


See fencing images page for examples

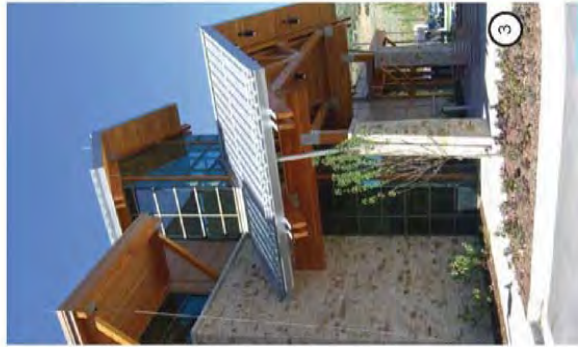
Raleigh Studios – Fencing Images



Raleigh Studios – Architectural Zones



Raleigh Studios – Precedent Image Boards



SURROUNDING AREA BUILDINGS / ARCHITECTURE
PRECEDENT IMAGES

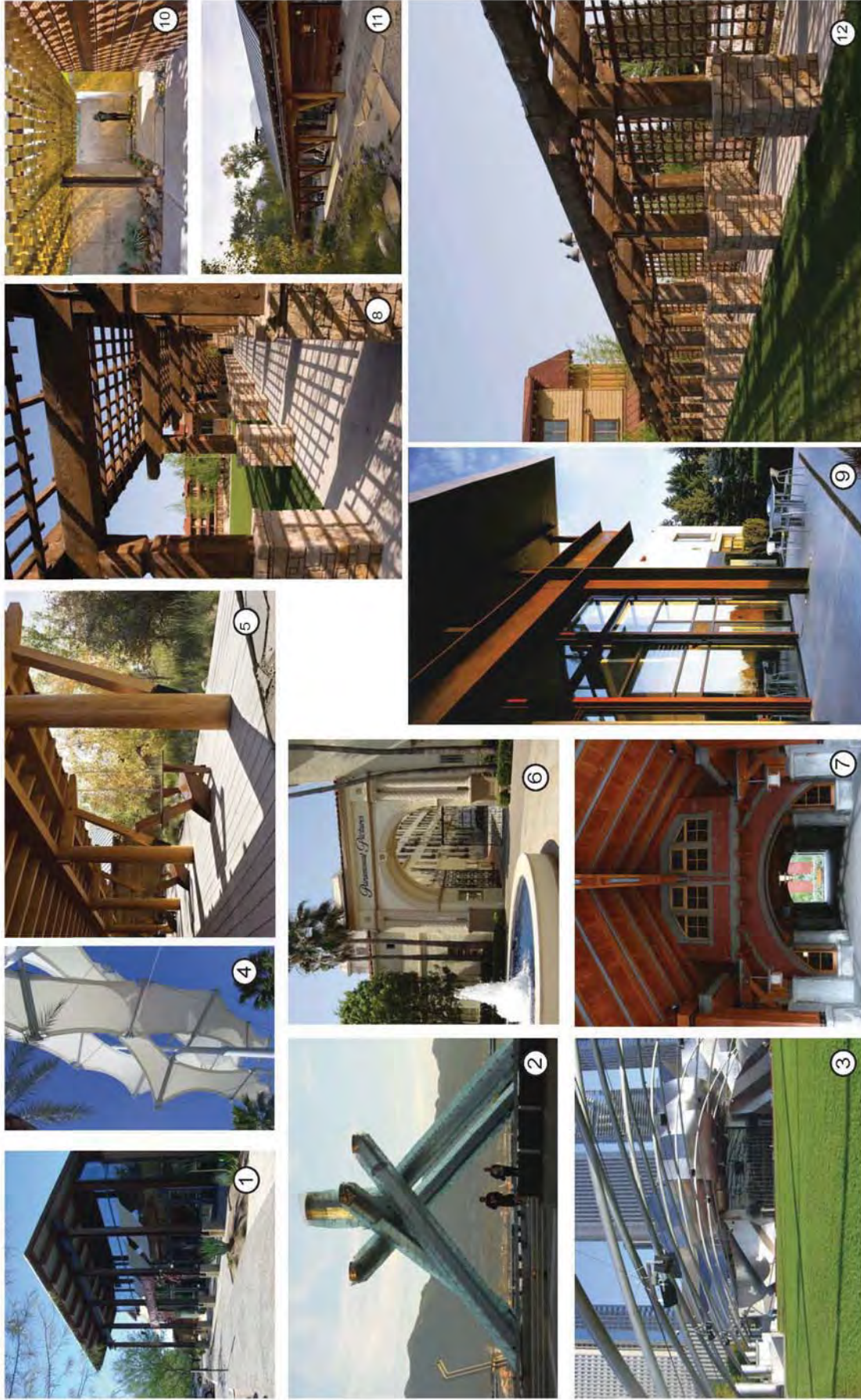
RALIEGH STUDIOS
March, 2012

Raleigh Studios
Park City, UT

Conceptual Site Plan
March 28, 2012



Raleigh Studios – Precedent Image Boards



ENTRY / ARCHWAY CONCEPTS
PRECEDENT IMAGES
RALIEGH STUDIOS
March, 2012

Raleigh Studios – Precedent Image Boards



ARCHITECTURAL CONCEPTS / MATERIALS
PRECEDENT IMAGES

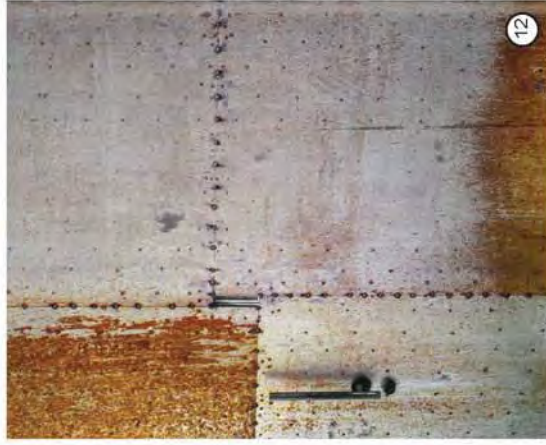
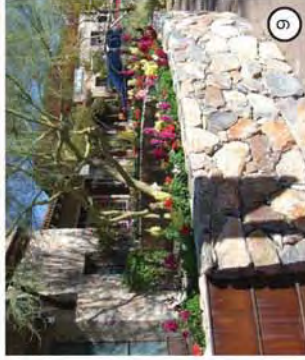
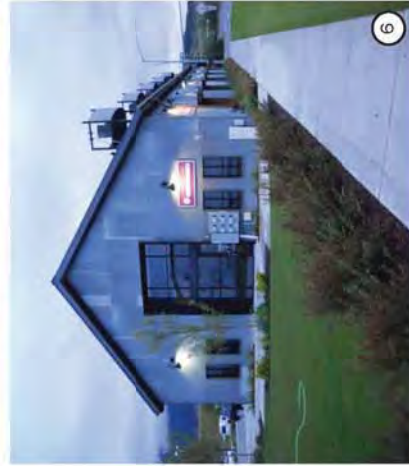
RALIEGH STUDIOS
March, 2012

Raleigh Studios
Park City, UT

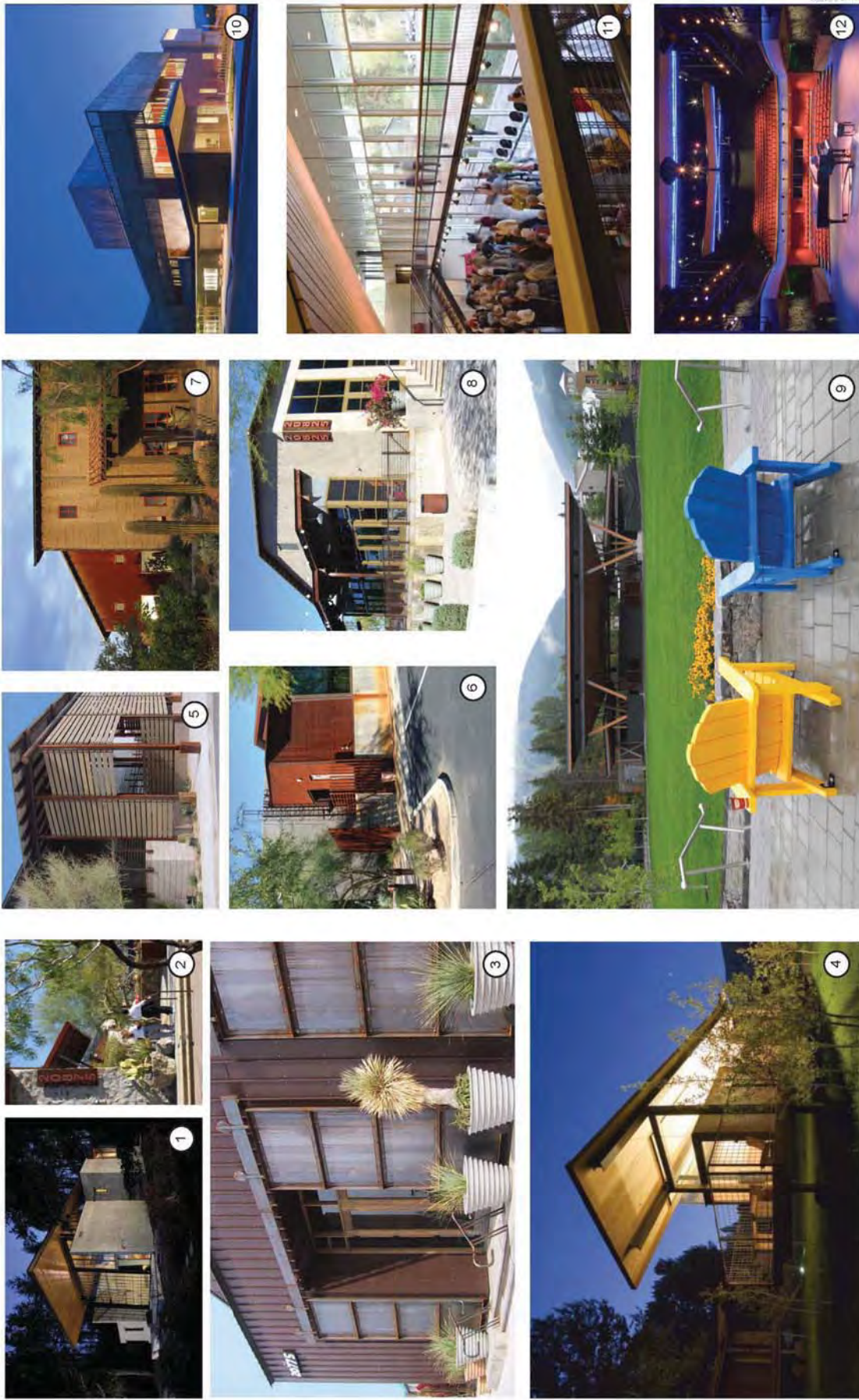
Conceptual Site Plan
March 28, 2012



Raleigh Studios – Precedent Image Boards



Raleigh Studios – Precedent Image Boards



Previous Submittal Information – April 11, 2012

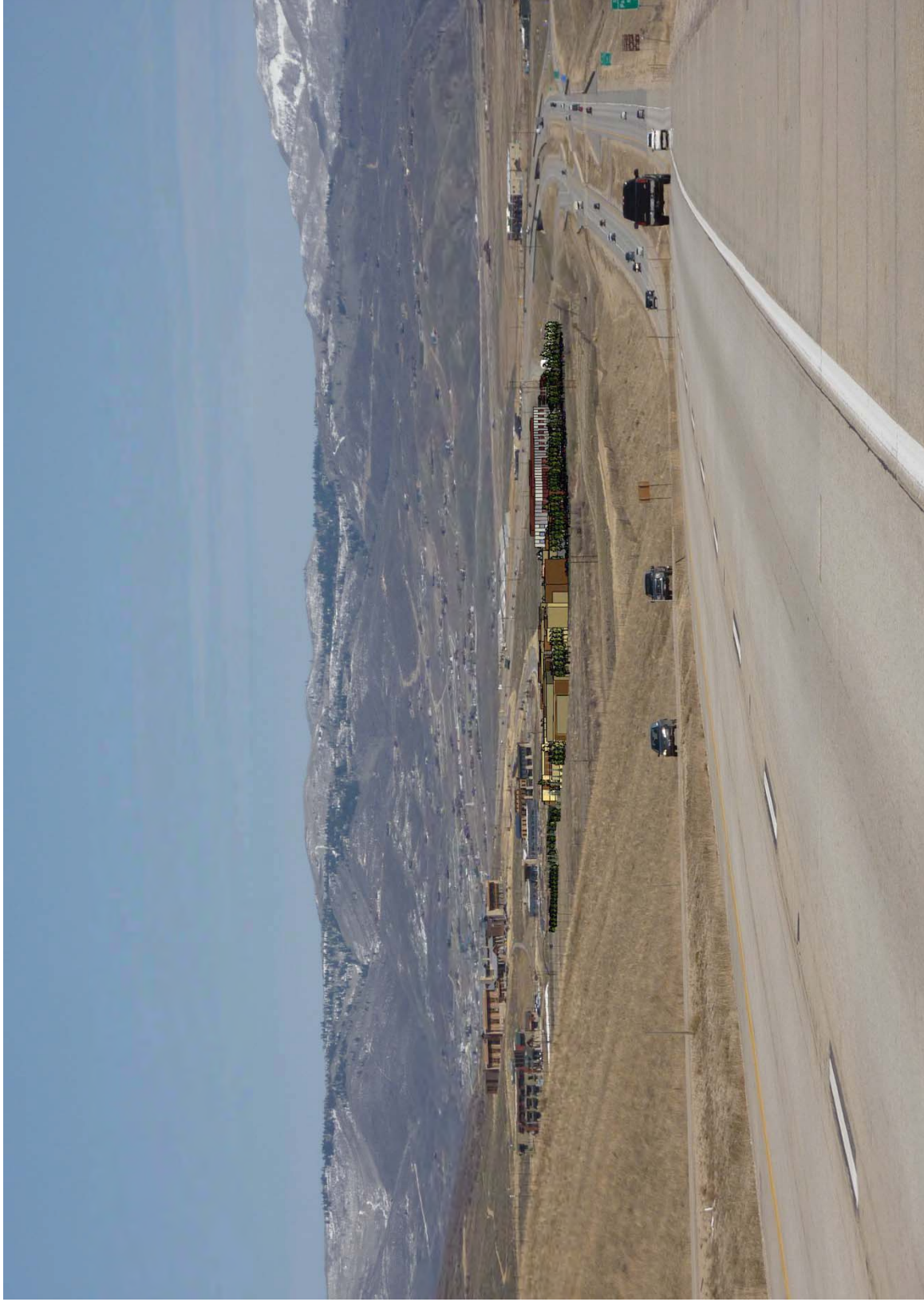


**Raleigh Studios
Park City, UT**

**Conceptual Site Plan
April 11, 2012**

Raleigh Studios – Conceptual Site Plan Revisions

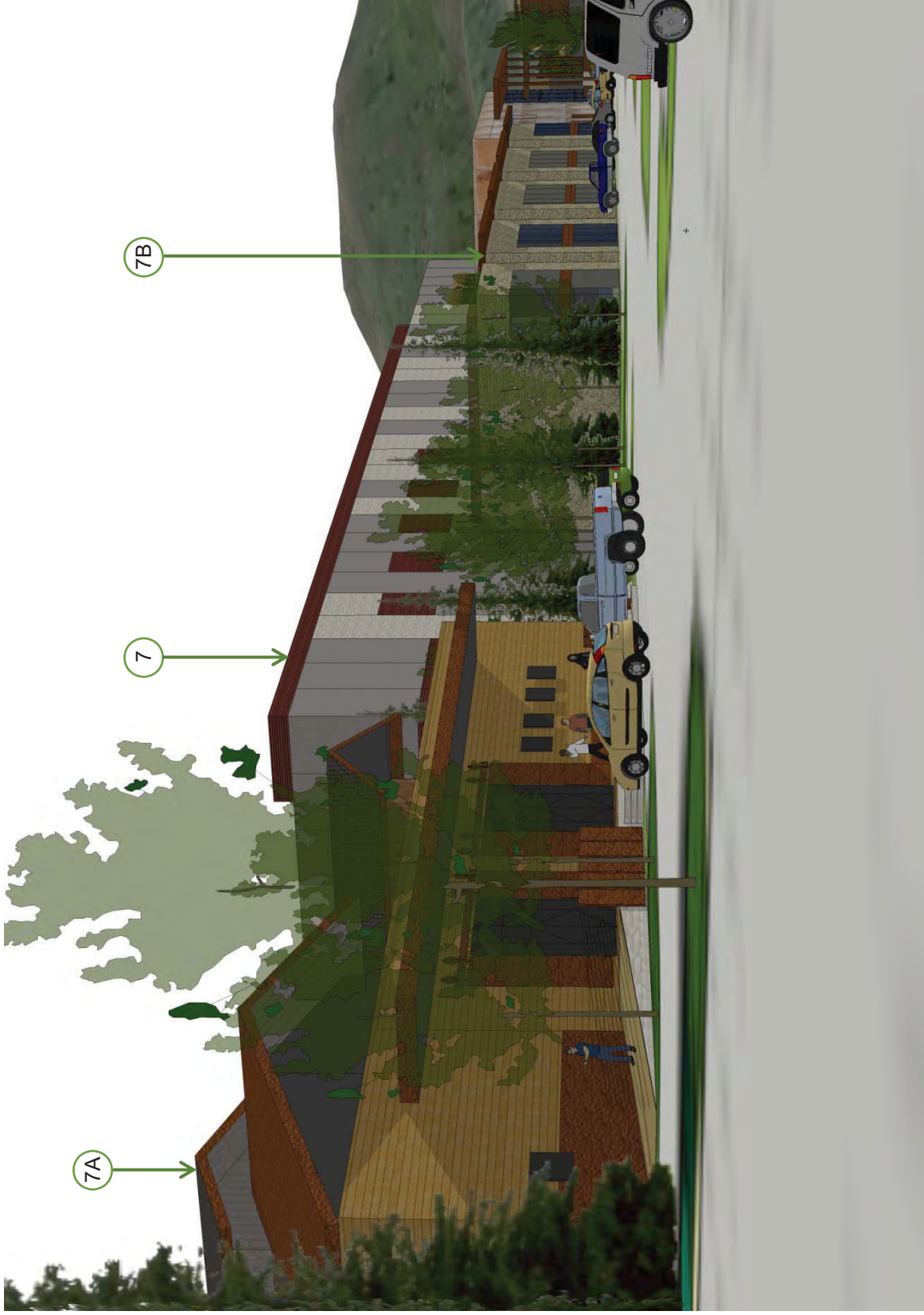




View from US40 Northbound

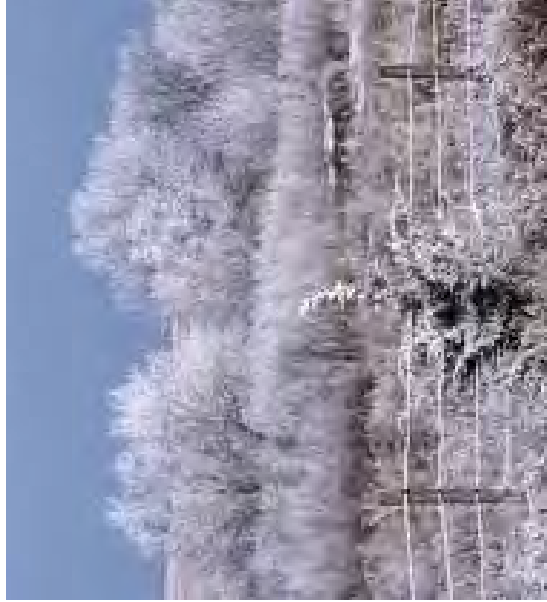


Massing Study Looking SE



Buildings 7, 7A and 7B Massing Study Looking S

Raleigh Studios – Fencing Images



272



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**Quinn's Junction Partnership Annexation and MPD
Project Review Comparison Matrix**

<u>Parameter (LMC 15-6)</u>	<u>QJP Proposal</u>	<u>LMC- MPD Chapter 6/ Chapter 3</u>	<u>Annexation Agreement</u>	<u>County Settlement or County Code Section 10-4</u>
A) Density	374,000 sf on 29.8 acres	Based on underlying zone.	374,000 sf max allowed (with specific exclusions)	355,000 sf max per Settlement Agreement
B) Footprint within the HR-1 Zone	n/a	n/a	n/a	n/a
C) Setbacks	All buildings comply with minimum 25' setback and all buildings (except bldg. 6); comply with the 150' setback from centerline of HWY 248/US 40, Bldg. 6 low roof area complies with 100' setback.	25', minimum around perimeter of MPD. Within ECPO- minimum of 150' for bldg. height of 20' or less, 150' if bldg. height is 25', 200' for any building height > 25'.	All buildings with height greater than 28' shall be setback minimum of 150' from the centerline of HWY 248.	150' from centerline of HWY 248/US40 if >28' and all other bldgs. to be minimum of 100' from centerline of HWY 248/US 40 per Agreement.
D) Open Space	39.3% as shown (45.6% with staff recommended parking layout) (62.4% with staff recommended parking layout and to top of cut slope)	MPDs within the CT zone require a minimum of 70% open space for density up to 3 units/acre. Typical MPD requires 60% open space.	No open space imposed.	no open space imposed County Code-negotiated, but approx. 60% typical SPAs and 75% required for RR,HS, MR residential zoning

E) Off- Street Parking/ Lighting	886 total 150 under hotel 736 surface COA limits to 668 +/- 20% with Conditional Use permit COA describe Dark Sky lighting compliance	668 spaces 150 under hotel 518 surface per Section 15-3-6 (B)-972 spaces (1.5 per unit plus 3/1000 retail/office) (PC may increase or decrease with MPD-25% or more) Lights- 2 foot candles, 4:1 ratio, 18' pole, 150watts per pole	Per LMC	County Code-1159 total 150 under hotel 1009 surface- less for SPAs for shared parking (3.5/1000,1 space per hotel room 2 per bedroom) Lights- 2.15-3 foot candle, 16' pole and 400wt per pole HPS only.
F) Building Height	.Complies with Agreement.	Zone height is 28 feet above existing grade, with 5' exception for pitched roof elements. Additional building height is allowed for MPDs per LMC Section 15-6-5 (F).	Height zones stipulated in agreement- pages 3 and 4 of the Agreement. Max height of 50' or 60' for sound stages, no more than 70% of remaining bldgs. allowed between 36-40 feet with remaining bldgs. not greater than 28' (see setbacks above)	Maximum of 32' with exception of sound stages/studios and water tank maximum of 60' per Agreement.
G) Site Planning 1. Cluster density 2. Minimize grading 3. Minimize cut/fill 4. Incorporate trails 5. Separate pedestrian and vehicular circulation 6. Snow	Described below. 15% of hard surface area for snow storage Pedestrian paths Providing connector trails. Providing transit amenity and	Described below. 15% of hard surface area for snow storage Pedestrian paths, bike racks within development. Trails per City Trails Master Plan Screening trash, service and delivery	Per LMC where not in conflict with Agreement. See described below. Pedestrian paths, Bike racks within development. Screening	County Code- where not in conflict with Agreement. See described below. 10% of parking area for snow storage Pedestrian paths, bike racks within development. Trails per Basin

storage. 7. Refuse and recycling 8. Transit amenity 9. Service and delivery	turn around Screening trash, service and delivery areas provided.	areas required.	trash, service and delivery areas required.	Trails plan Screening trash, service and delivery areas required.
H) Landscape/ Streetscape	20% of total parking area required to be landscaped. 10% of required perimeter landscaping may be counted as interior landscaping..	Interior landscaping shall equal 20% of total parking area. For 50% of Area not covered by Buildings or hard surfaces, no more than 75% may be irrigated landscaping.	Per LMC	County Code- Internal landscaping shall equal 15% of total parking area. County code has full landscape requirements.
I) Sensitive Lands Compliance	Not within SLO.	No slopes, ridges, or wetlands. No mitigation for wildlife provided.	Per LMC- 15-2-21 SLO as applicable.	County Code- 10-4-2 Environmental Criteria.
J) Employee/ Affordable Housing	Not provided.	Affordable housing resolution requires housing for 20% of the employee units generated.	May not be imposed.	May not be imposed.
K) Child Care	Could be provided within the media campus if need exists.	n/a	n/a	n/a

Master Planned Development Criteria

In accordance with Section 15-6-5 of the Land Management Code, all Master Planned Developments shall contain the following minimum requirements:

(A) **DENSITY.** The type of Development, number of units and Density permitted on a given Site will be determined as a result of a Site Suitability Analysis and shall not exceed the maximum Density in the zone, except as otherwise provided in this section. The Site shall be looked at in its entirety and the Density located in the most appropriate locations.

The Annexation Agreement sets the density for the property at 374,000 square feet. The proposal does not propose more than 374,000 square feet. Density shall be located in the most appropriate locations on the site in order to mitigate impacts of the density. This will be determined by a visual analysis from vantage points outside the property as well as from sight lines within the property.

(B) **HR-1 FOOTPRINT.** *(Not applicable- not in the HR-1 zone)*

(C) **SETBACKS.** The minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels greater than one (1) acre in size.
For all structures, the MPD meets the 25' perimeter setback and meets the Annexation Agreement setbacks regarding building heights. No other setbacks imposed.

(D) **OPEN SPACE.** All Master Planned Developments shall contain a minimum of sixty percent (60%) open space.
The MPD includes 45.6% open space per conditions of approval with maximum allowed parking (62.4% if top of cut slope area of Hwy ROW used). Largest area of open space is contiguous to existing adjacent open space of Park City Heights MPD. This open space includes the plaza/walkway areas and landscaped areas within the project. However, no open space requirements may be imposed per the Annexation Agreement.

(E) **OFF-STREET PARKING.**

(1) The number of Off-Street Parking Spaces in each Master Planned Development shall not be less than the requirements of this Code, except that the Planning Commission may increase or decrease the required number of Off-Street Parking Spaces based upon a parking analysis submitted by the Applicant at the time of MPD submittal.

Staff recommends 668 spaces including 150 under the hotel and 518 surface spaces per Section 15-3-6 (B). The code requires 972 spaces (1.5 per unit plus 3/1000 retail/office and 1.5 per 1,000 sq. hotel room/suite). The Code allows the Planning Commission to increase or decrease parking during MPD approval by 25% or more. Condition of approval limits parking to 668 with possible 20% increase or decrease per Conditional Use permit approval. County Code requires 1159 total, 150 under hotel and 1009 surface, however County also negotiates for less parking within SPAs for shared parking (3.5/1000, 1 space per hotel room 2 per bedroom). County has more defined lighting standards for parking lots.

(F) **BUILDING HEIGHT.** The height requirements of the Zoning Districts in which an MPD is located shall apply except that the Planning Commission may consider an increase in height based upon a Site specific analysis and determination.
The Annexation Agreement establishes building height limits for the development that are in excess of the zone building height of 33'.

(G) **SITE PLANNING.** An MPD shall be designed to take into consideration the characteristics of the Site upon which it is proposed to be placed. The project should be designed to fit the Site, not the Site modified to fit the project. The following shall be addressed in the Site planning for an MPD:

(1) Units should be clustered on the most developable and least visually sensitive portions of the Site with common open space separating the clusters. The open space corridors should be designed so that existing Significant Vegetation can be maintained on the Site. *The buildings are clustered toward the center of the property.*

(2) Projects shall be designed to minimize Grading and the need for large retaining Structures.

The proposed plan does not include or require large retaining structures. The natural grade in the developable area is not steep (less than 30%). Low retaining structures (in steps of 4' to 6') are recommended in areas to minimize cut and fill slopes for roads and driveways, minimize disturbance of existing vegetation, and mitigate visual impacts of these areas. Final road design will be provided to the Planning Commission for review with the final subdivision plats. County has similar requirements.

(3) Roads, utility lines, and Buildings should be designed to work with the Existing Grade. Cuts and fills should be minimized.

Roads and utility lines should work with the existing grades to the greatest extent possible. Annexation Agreement Design Guidelines include language requiring structures to be designed to work with the existing Grades to the greatest extent possible and to minimize cut and fill. County has similar requirements.

(4) Existing trails should be incorporated into the open space elements of the project and should be maintained in their existing location whenever possible. Trail easements for existing trails may be required. Construction of new trails will be required consistent with the Park City Trails Master Plan.

A pedestrian/bike trail is proposed along the frontage with SR 248. The trail would connect to the existing sidewalk along the northern portion of the property. This existing sidewalk continues to the Rail Trail crossing of SR 248 east of US 40. Pedestrian walkways within the campus are an integral element of the site design. A public trail is also shown along the open space on the southern edge of the property connecting the frontage sidewalk/trail to a proposed connector trail within the City open space to the east and south. This connector trail would connect the Rail Trail to the property. A trailhead developed at the southeast corner of the property would provide a community benefit and also draw people to the commercial, entertainment, and educational attractions on the property. All trails will be constructed consistent with the Park City Trails Master Plan. County has a Snyderville Basin Trails plan.

(5) Adequate internal vehicular and pedestrian/bicycle circulation should be provided. Pedestrian/ bicycle circulations shall be separated from vehicular circulation and may serve to provide residents the opportunity to travel safely from an individual unit to another unit and to the boundaries of the Property or public trail system. Private internal Streets may be considered for Condominium projects if they meet the minimum emergency and safety requirements. *Bicycle paths and bike racks are required with final design and location to be shown on the administrative CUP plans. County has similar requirements.*

(6) The Site plan shall include adequate Areas for snow removal and snow storage. The landscape plan shall allow for snow storage Areas. Structures shall be set back from any hard surfaces so as to provide adequate Areas to remove and store snow. The assumption is that snow should be able to be stored on Site and not removed to an Off-Site location.

There will need to be sufficient areas identified on the site plan to store snow removed from the parking lots and walkways. City Standards call for 15 % of the hard surfaced area. County standards call for 10%.

(7) It is important to plan for refuse storage and collection and recycling facilities. The Site plan shall include adequate Areas for dumpsters and recycling containers. These facilities shall be Screened or enclosed. Pedestrian Access shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests.

Refuse storage and collection and recycling facilities shall be enclosed or screened from view of SR 248 and US 40 to the greatest extent possible. County requires screening.

(8) The Site planning for an MPD should include transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable.

A bus stop is proposed within the MPD located near the entry to the retail public area. The circulation system will accommodate bus service to and from the site. County requires such amenities.

(9) Service and delivery Access and loading/unloading Areas must be included in the Site plan. The service and delivery should be kept separate from pedestrian Areas.

Loading/unloading areas for the hotel and studio uses shall be screened from view of SR 248 and from US 40 to the greatest extent possible and separated from pedestrian areas and screened from view. County has similar requirements.

(H) **LANDSCAPE AND STREETScape.** To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. Where landscaping does occur, it should consist primarily of appropriate drought tolerant species. Lawn or turf will be limited to a maximum of fifty percent (50%) of the Area not covered by Buildings and other hard surfaces and no more than seventy-five percent (75%) of the above Area may be irrigated. Landscape and Streetscape will use native rock and boulders. Lighting shall comply with requirements of LMC Chapter 15-5, Architectural Review. *Final landscape plan required to be submitted with CUP per preliminary landscaping and precedent images regarding materials. County Code includes full landscaping requirements, more detailed and more stringent than City LMC.*

(I) **SENSITIVE LANDS COMPLIANCE.** All MPD Applications containing any Area within the Sensitive Areas Overlay Zone will be required to conduct a Sensitive Lands Analysis and conform to the Sensitive Lands Provisions, as described in LMC Section 15-2.21.

A Sensitive Lands Analysis has been conducted by the applicant .The applicant provided information on existing topography, existing vegetation, streams and wetlands, wildlife, and an overall environmental baseline study indicating that there are no environmental hazards on the property that would need to be remediated. There are offsite areas that would require special attention if disturbed for utilities, construction, access, etc. County Code includes regulations for Critical Areas and Environmentally Sensitive Areas.

(J) **EMPLOYEE/AFFORDABLE HOUSING.** MPD Applications shall include a housing mitigation plan which must address employee Affordable Housing as required by the adopted housing resolution in effect at the time of Application.

The Annexation Agreement precludes a requirement for affordable housing mitigation. Any opportunity to locate manager's or caretaker's units on the property would be seen as beneficial. No affordable housing is imposed by the Annexation Agreement.

(K) **CHILD CARE.** A Site designated and planned for a Child Care Center may be required for all new single and multi-family housing projects if the Planning Commission determines that the project will create additional demands for Child Care. *The MPD does not preclude development of an on-site Child Care Center for employees within the media campus.*

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Conceptual Site Plan w/ SR-248 access changes

Building Legend

1A	Hotel Lodging
1B	Recording Studio
1C	Stage Venue
1D	Residence - omitted
1E	Grand Ball Room
1F	Atrium
2	Screening Rooms/Theater
3	Entertainment Venue
4	Mixed Use
5	Mixed Use
6	Sound Effects Stage
6A	Office, Effects Stage
7	Sound Stages
7A	Workshop
7B	Production Support/Offices
8	Workshop Office
9	Guard House



Add internal Islands/Shade trees
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EXHIBIT I

Parking

150 - under hotel	668
	- 150
	518
surface	
90	
196	
668 - TOTAL	surface

Per Planning Dept.
9 Analysis and Recommendation
*on-street parking-additional as streets/drives allow