PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
May 15, 2014

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 15, 2014.

Closed Session
2:30pm Property, Personnel and Litigation

PARK CITY COUNCIL REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
May 15, 2014
3:30 pm

I. ROLL CALL

II. LOWER PARK AVENUE MASTER PLAN WORK SESSION DISCUSSION PG 3

III. ADJOURNMENT INTO CITY COUNCIL MEETING

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
May 15, 2014

Work Session
4:20pm Council Questions and Comments and Manager's Report
4:30pm Budget: CIP and Special Service Contract Discussions PG 48
5:30pm 2014 Sundance Economic Impact Report- Sarah Pearce and Rory Murphy
5:50pm Break

Regular Meeting
6:00 pm

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. CONSIDERATION OF MINUTES FROM MAY 8, 2014 PG 69

V. NEW BUSINESS

1. Consideration of a Resolution Designating May 17 – May 24, 2014 As National Invasive Weed Awareness Week in Park City, Utah PG 76

2. Consideration of the proposed sale of city-owned Rio Grande parcel to 820 Park Avenue LLC in the amount of $5,000. PG 77

3. Consideration of the 820 Park Avenue Subdivision Plat amendment pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney. PG 92
   (a) Public Hearing
   (b) Action

4. Consideration of a Resolution authorizing the issuance and sale of up to $6,000,000 of water revenue bonds of the City; and providing for related matters. PG 133
   (a) Public Hearing
   (b) Action

5. Consideration of the 481 Woodside Avenue Plat Amendment, located at 481 Woodside Avenue, Park City, UT pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney. PG 151
   (a) Public Hearing
   (b) Action

6. Consideration of a Subdivision approval for Ridge Overlook Five Lot Subdivision located at 200 Ridge Avenue, Park City, UT pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney.
   (a) Public Hearing
   (b) **Motion to continue to May 29, 2014**

7. Consideration of an Ordinance adopting the Revised Budget for Fiscal Year 2014-2015 and the Proposed Budget for Fiscal Year 2015-2016 for Park City Municipal Corporation and its related agencies
   (a) Public hearing
   (b) **Motion to continue to May 29, 2014**

VI. ADJOURNMENT

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: 05/12/2014 See: www.parkcity.org

Redevelopment Authority
Staff Report

Subject: Lower Park Avenue Redevelopment Authority (RDA) Update
Author: Phyllis Robinson & Jonathan Weidenhamer
Department: Sustainability
Date: May 15, 2014
Type of Item: Informational

Summary Recommendations:

1. Where some members of City Council have not had an opportunity to review the RDA Master Plan, staff recommends Council (re) familiarize themselves the Lower Park Avenue RDA Master Plan;
2. Staff is requesting Council affirmation to proceed with the planned next steps in the Parking Lot and Transportation sections of the RDA Master Plan; and
3. Staff is requesting Council feedback on and then direction to proceed with designing and implementing a robust community engagement process to create a preferred development plan for city-owned land in the RDA.

Topic: Next steps of implementing the RDA Master Plan.

Background

History

The Lower Park Avenue Redevelopment Area (RDA) was created in 1990 and subsequently extended in 2012 for a period of 15 years. The purpose of the RDA is to maximize opportunities for economic development and/or affordable housing. In its current condition, the LPA neighborhood is one of the most underutilized areas of Park City, including a patchwork of public, private, residential, and resort projects that are only loosely associated and often times create confusion for the visitor and encourage competing interests among local landowners.

The RDA provides a unique opportunity for Park City Municipal and the community to join together to create and implement a long term vision for the area and provides a mechanism for financing community and economic development projects including public/private improvements that embody broader, community wide goals. More specifically, the RDA and the subsequent private financing it leverages will spur innovative redevelopment and connectivity in one of the primary hubs of Park City's resort economy and recreational incubators. The RDA will improve the function, logistics, and guest experiences at Park City Mountain Resort through a series of transportation and connectivity improvements to allow better synergy between the economic engines and bed base in the area. The RDA also provides the opportunity to create vibrancy beyond the resort base through the development of civic amenities, affordable and mixed income housing, and commercial enterprise.

Current RDA Master Plan

Over the past several years (2009 – 2012) and as part of the RDA extension process, City Council identified a set of goals, priorities and project themes for the area (Exhibit A):

- maintain green space,
- preserve scale and character of the historic district,
- create a range of housing options and civic uses,
- explore an east-west corridor, and
- achieve sustainability and green goals.

This direction was incorporated into a broad master plan for the entire RDA (Exhibit B) and a second, more granular plan for the community and neighborhood portions of the master plan (Exhibit C). A benefit of the more refined plans prepared for City owned property was the clarity reached with City Council regarding implementation goals for use of the RDA in the Lower Park Ave neighborhood. Council communicated that the RDA should be utilized to support a small range of projects that balance economic development with broader civic goals. Among the projects with identified support were those with the ability to establish partnerships in transportation infrastructure, improved experience for residents and visitors, and for re-establishing some of the low to medium density, modest sized housing that is an eroding component of the historic neighborhood fabric.

These plans were adopted by Council in January 2010 and January 2011 respectively. These plans also defined a series of projects, timelines and estimated budgets. Perhaps of greater importance, as the neighborhood planning processes became more detailed, it became clear that it is essential to balance Council's goals with other tradeoffs in order to maintain the RDA's momentum and take the RDA beyond just the planning stages and into implementation. For example, Council's goal of affordable housing must be balanced with the RDA revenue generation goal if the RDA is to make enough money to support some percentage of affordable housing.

To provide additional context, staff has included several exhibits which describe in more detail significant milestones of the RDA:

- Exhibit B – RDA Master Plan, January 2011 – Defines three theme areas for the overall RDA and prioritized through a balanced scoring system the importance of projects within each theme;
- Exhibit C – Community and Neighborhood RDA Plan – Defined community goals, offered 2 options (dense vs. less dense, including pro formas for each). The work identified the series of tradeoffs for decision making, including return on investment, amount and type of housing to subsidize, possible joint venture structures;
- Exhibit D – Taxing Entity Committee staff report (excerpts), September 18, 2012 – The extension of the RDA from 2015-2030 was based on the information in this report. This report focuses on the estimated financial benefits that the RDA will receive from reinvesting new growth tax increment back into the district per the recommended projects, highlighting the PCMR redevelopment and Letter of Intent, to partially fund a parking garage;
- Exhibit E – LPA RDA Project Update, July 26, 2012 (excerpts) – This is the report and date City Council affirmed its current direction.

Analysis

In January 2010 Design Workshop and Jack Johnson Company considered a lengthy list of potential projects for the Lower Park Avenue RDA. Three overriding themes were identified:

1. Parking Lot Redevelopment at Park City Mountain Resort,
2. Transit, Traffic, Circulation & Walkability (Transportation), and
3. Community & Neighborhood Redevelopment and Improvement.

This report created a broad implementation strategy and high level project list for the entire LPA RDA that became the framework to seek extension of the RDA which was set to expire at the end of 2015 (exhibit B).

The following is the overall master plan project list generated during the extension of the RDA. For this report three columns were added on the right, the first two of which, Budget and Year, refer to the following chart (Table 1), which is the current RDA budget generated by the Budget Department. The third column serves as the status update on each of the projects. For this section of the report Council should focus on the Parking lot and Transportation project portions of the update (projects 1-9).

#	PROJECT NAME	RANK (XX / 45)	TIME FRAME estimated 2010	ESTIMATED COST (total project)		CURRENT BUDGET (total)	YEAR (FY)	Update
	Parking Lot Redevelopment Projects							
1	Redevelopment of parking lots surrounding PCMR into mix of residential / commercial uses - with underground parking	41	short - long	unclear		0	n/a	PCMR has begun their master planning amendment to allow for Woodward and the redesign of the parking lot development and shift of density & parking between undeveloped parking lot parcels. The project is expected to begin in spring 15, and take 18 months to complete.
2	New Transit Center & Parking Structure around the base of PCMR	37	short	$40M**		$10 M	16	A feasibility analysis findings show a conference center isn't a priority. City has a non-binding LOI with PCMR to participate in a parking garage at the location of the current lot B. The LOI stipulates it will occur as "Phase 1", which is undefined. We anticipate within 3-5 years. PCMR continues to progress with due diligence on the project - including conducting soils/geo-tech. tests this spring.
3	Physical connection from PCMR to Main Street via Treasure Hill (people mover, gondola, funicular, etc.)	30	short-mid	$1-3M		$2M	19	No update, contingent on resolution of the Treasure Hill project.
	Transportation Projects							
4	Major Improvements to Empire / Lowell circulation & transit operations around PCMR (including improvements to roads, circulation and intersections, acquisition of ROW, and installation of a new transit hub)	40	short	$5M				In conjunction with the parking lot project staff is currently working with PCMR to identify a scope and clarify roles for a traffic and transportation plan for the resort base and integrating vehicular movement into the City's broader transportation plan. PCMR has some obligation for these improvements through their current Planning (MPD) approval. It is likely there will be additional projects/scope identified that will be beyond current obligations of PCMR.
5	Intersection improvements (to intersections of SR 224 & SR 248, Bonanza Drive & Deer Valley Drive, and Park Ave & Deer Valley Drive).	40	short - mid	$7M		$2M	16,18	This would enable the City to participate in broader transportation efforts as an outcome of the City's Transportation Master Plan. There
6	Minor Improvements to Empire / Lowell circulation around PCMR (including signage, striping, improvement of transit efficiency, minor capital improvements, and operational changes	36	short	$300k		0		no update
7	Coordinated Signage Plan for (including smart messaging system) for the area within the RDA, designed to improve the load-in / load-out experience and streamline parking and	35	short	$500k		$550k	14,15	Staff currently conducting preliminary analysis in areas of public necessity, way finding, event and smart messaging signs.
8	Transit - Identification of corridors and acquisition of easements and ROW for future mass transit lines (Trolley, Bus Rapid Transit, or Light Rail)	28	long	unclear		0		no update
9	Walkability - Expand bike/ped trail system to the remainder of the Lower Park Avenue district and connect to Bonanza Park (Spine System). Address bus stops and pedestrian crossings at	27	mid	$3M		0		Phase 1 Dan's to Jan's scheduled for 2014 (separated path on west side of Park Ave); Phase 2 (tunnel from Jan's to Cole & separated path on east side of street) scheduled for 2015.
	Neighborhood and Community Redevelopment Projects							
10	Neighborhood/ Mixed-use redevelopment between City Park and PCMR including housing opportunities (affordable, senior	37	short - mid	$10 - $15		$8.3M	15,16	This is staff's top priority after the library remodel. Preliminary slated to begin in spring 2016.
11	Use of City-owned land to create physical connection and housing opportunities (affordable, senior housing, seasonal) in area stretching from City Park to PCMR	32	short	$4M		"		Land acquired to complete connection. It will be put into broader community charetted along with project above.
12	Redevelopment of Bonanza Park (Rite Aid and areas to the east) into a mixed-use district - including potential parking lot or mass transit hub.	31	long	unclear		$3M	17,18,22	Aside from the PCMR parking lot this is the area within the RDA that could create the most new growth, especially if coupled with the $1.3M available General Fund (CIP) dollars.
	Installation of public art throughout the Lower Park Avenue	26	mid	$250k		$50k	annuall	ongoing per Public Art Advisory Board.
13	Renewable Energy Generation Opportunities: Including constructing PV, small-scale wind, geothermal and biomass projects around projects and improvements within the RDA	24	long	unclear		0		
14	Streetscape improvements on Park Avenue (bulb outs, crosswalks, traffic calming devices, and enhancements to physical connections to Main Street and Bonanza Park).	22	mid	$3M		$3M	18	no update. This money could be considered for another prioritized line item.
15	Additional Ongoing Projects Currently Funded					CURRENT BUDGET (total)	YEAR (FY)	
	City Park					$105k	annuall	or as needed, incremental can be added
	Historic Incentive Grants					$60k	annuall	or as needed, incremental can be added
	Historic Structure Abatement Fund					$20k	annuall	or as needed, incremental can be added
	Planning Contract					$130k	14,15	

Table 1 – RDA Budget

Lower Park RDA Budget (FY 2014 - FY 2031)	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2031
Revenue										
Estimated Annual Revenue	1,250,000	1,250,000	1,250,000	1,769,268	1,789,344	1,809,419	1,819,419	1,829,419	1,839,419	0
RDA Revenue Bond (bonding schedule based on current budget)		9,000,000	9,000,000							
Sale of Assets (Multi-Gen. Housing)			2,750,000	2,750,000	2,500,000					
Available Beginning Balance	11,171,421	11,364,218	13,049,218	4,629,587	7,226,133	7,342,754	7,469,375	7,605,995	7,752,616	7,974,286
Potential Projects Estimate (as presented to TEC)										
Land Acquisitions										
Renewable Energy Projects										
PCMR Intersection Improvements ($1 M.)										
Major Street Intersection Improvements ($2 M.)			1,000,000		1,000,000					
Signal Improvements @ Deer Valley Drive ($50K)	50,000									
Variable Message Board System Parking ($500K)	250,000	250,000								
Parking Garage at SR. Center ($3M.)										
Historic home behind greenhouse		200,000								
Connection from PCMR to Main Street (Gondola/People Mover)						2,000,000				
Improvements in Bonanza Park (Streets & Utilities $3 - 4 M.)				$ 1,000,000	1,000,000				1,000,000	
Streetscape Improvements Park Ave. ($3 M.)					3,000,000					
Public Art ($250K)		50,000	50,000	50,000	50,000	50,000				
Potential Projects Sub Total	**300,000**	**500,000**	**1,050,000**	**1,050,000**	**5,050,000**	**2,050,000**	**-**	**-**	**1,000,000**	
Currently Budgeted										
City Park Improvements	158,875	105,000	105,000	105,000	105,000	105,000	105,000	105,000	105,000	
Land Acquisitions (Knudson)	2,250,000									
Historical Incentive Grants		60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000	
Planning Contract	130,000	130,000								
City-Wide Signs	17,156									
Lower Park RDA General Budget	23,710									
Santy Improvements	130,000									
Affordable Housing Program	1,436,027									
Traffic Calming	39,845									
Crescent Tramway Trail	150,000									
Security Projects	11,590									
Historic Structure Abatement Fund	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	
Facility Improvements - Miner's Hospital & Rec. (SR. Center)		1,000,000								
Multi-Generational Housing	90,000	6,000,000	2,000,000							
Library Renovation	5,600,000	4,000,000								
PCMR Transit Center/Parking (non-binding LOI)			10,000,000							
Budgeted Projects Sub Total	**10,057,203**	**11,315,000**	**12,185,000**	**185,000**	**185,000**	**185,000**	**185,000**	**185,000**	**185,000**	
Total Expenses Budget & Potential Projects	**10,357,203**	**11,815,000**	**13,235,000**	**1,235,000**	**5,235,000**	**2,235,000**	**185,000**	**185,000**	**1,185,000**	
Debt Service Payment			$753,899	$1,507,798	$1,507,798	$1,507,798	$1,507,798	$1,507,798	$1,507,798	$753,899
Ending Fund Balance (Budgeted)	**1,114,218**	**49,218**	**110,319**	**2,936,789**	**5,533,334**	**5,649,955**	**5,776,576**	**5,913,197**	**6,059,818**	**7,220,386**
Ending Fund Balance (Including all Potential Projects) *Does not include additional interest cost for debt	**814,218**	**(750,782)**	**(1,739,681)**	**36,789**	**(2,416,666)**	**(4,350,045)**	**(4,223,424)**	**(4,086,803)**	**(4,940,182)**	**(3,779,614)**

What's changed?

Since this direction was established, four milestones were reached that resulted in additional possibilities for redevelopment within RDA:

(1) Additional land was acquired by the RDA on Woodside Avenue;

(2) Additional land was acquired along Empire Avenue;

(3) The library renovation and expansion, which includes a significant community use, is set to begin construction in June 2014, and

(4) Council adopted the City's new General Plan which includes a greater articulation of a series of long term goals for the LPA neighborhood and entire City. Additionally,

significant progress has been made on the Bonanza Park Neighborhood Plan which includes a portion of the Lower Park Avenue RDA.

It is important to understand the time-sensitive nature of RDA projects: For the RDA to be successful, it must generate new tax increment. The earlier in the 15 year extension period the property tax revenue-generating RDA projects are implemented; the more tax increment is generated; the same project implemented in year five of the RDA will generate more increment than one implemented in year ten of the RDA.

Staff believes that the more we can re-emphasize the need to continue to prioritize the implementation of the existing RDA plans and capitalize on time-sensitive redevelopment opportunities within the context of the new, long term goals for the neighborhood coming from the General Plan, along with redevelopment plans in Bonanza Park and Lower Park, we can achieve more holistic outcomes while still maintaining progress and efficiency.

Recommended Next Steps

1. ***Parking Lot and Transportation sections of the RDA master plan***

Staff recommends that the City and PCMR continue to move forward with the Parking Lot and Transportation sections of the RDA master plan.

Park City Municipal and Park City Mountain Resort continue to make progress in implementing the Transit Center and Parking Garage project. Next steps include soils testing in the parking lots and furthering the transportation and circulation master planning. We are currently drafting scope for an intersection and traffic study to better understand needed circulation, transit and transportation improvements that will shape the ultimate scope and design of the parking garage/ transit hub. Additional information on the resort area base planning and parking lot redevelopment can be found at: http://masterplan.pcmr.com/.

It should be noted that the negotiations between Vail and PCMR are not impacting progress in the aforementioned areas. PCMR continues to progress through its government approvals and revisions to their MPD through the Planning Commission process for the Woodward project. The next scheduled meetings are June 11 and July 9. They anticipate beginning construction in the spring of 2015 and have spent almost $1M in soft costs (design, permitting, engineering, etc.) to get to this point. Additional information can be found at: http://www.woodwardparkcity.com/.

Current Conditions with Woodward Concept:

PCMR Concept Master Plan Amendments (Site Plan)

Woodward Concept Renderings

AERIAL VIEW TO SOUTHWEST ABOVE LOWELL AVE.

2. ***Community Engagement Program***

In July 2012 (Exhibit E) Council identified the need to explore, through a robust engagement process, community needs and stakeholder priorities in the Lower Park Avenue RDA. Staff is prepared to design and implement such a process in Summer/Fall 2014. As an initial step in designing an effective process, staff is requesting Council discussion on three items: **(A)** Lower Park RDA Defined Goals **(B)** Geographic Scope, and (3) Process and Timeline:

A. Council Defined Goals

Through the 2011 and 2012 planning process for the Lower Park Avenue RDA a set goal statements were established and incorporated into the Community and Neighborhood Section of the RDA Master Plan.

These goals are the parameters by which we will enter into a community dialog about redevelopment options on City/RDA –owned land. Before beginning this process, staff is requesting Council to review these statements and provide direction as to whether a majority of Council:

1) *Affirms the statements,*
2) *Recommends modifying one or more of the statements.*

January 2011 Goals (Exhibit C):

1. Maintain all existing green/open spaces;
2. Maintain & don't overpower remaining historic fabric, scale, character and authenticity;
3. Explore housing alternatives;
4. Explore an east-west corridor connecting the PCMR area to the Park Avenue area;
5. Explore community/senior center opportunities; and
6. All projects should have sustainability & green goals.

July 2012 Direction (Exhibit E)

1. Pursue an age-in-place and attainable housing project on city-owned land at the location of the current senior center;
2. Consider building a senior and community center in the location of the existing fire station;
3. Explore, through a robust engagement process, community needs and stakeholder priorities;

4. Look for efficiencies in programming and use of all city-owned facilities in the neighboring “campus” including Library, City Park and the former fire station;
5. Look for efficiencies in construction related activities to anticipated asset and building needs;
6. Further consideration of an expanded library within the context of the rest of the projects; and
7. Return with formal recommendations including next steps and a timeline for implementation.

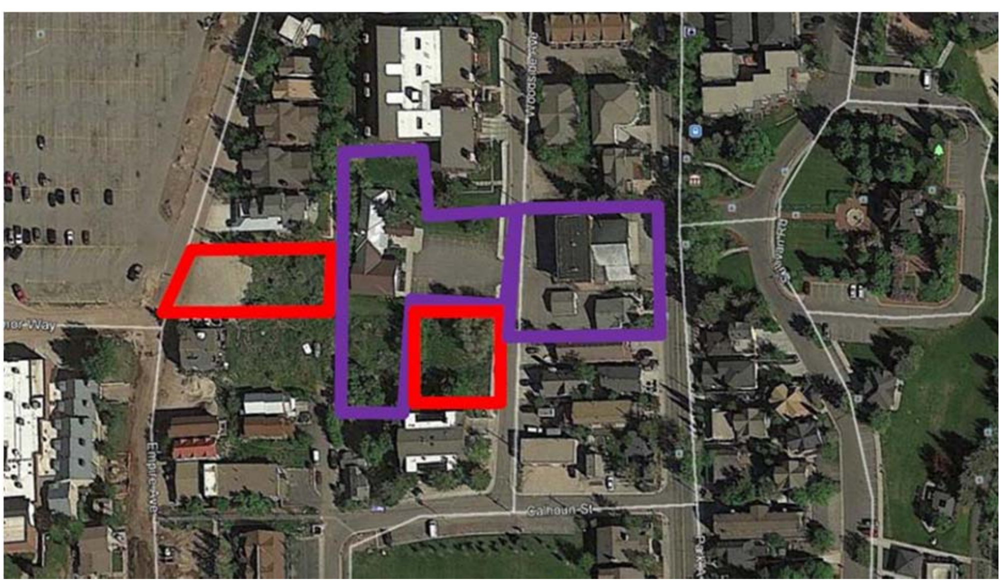
Further, are there any additional statements Council would like to include? Staff recommends that Council consider the following:

- Proposed redevelopment should be assessed for its ability to generate tax increment for the district either directly or indirectly; and
- Consider mixed-income and mixed-use development scenarios that include a range of incomes for housing options as well as commercial developments.

B. Geographic Scope

Staff is seeking Council direction on the geographic scope of the community engagement process. Council has already asked staff to expand the planning area included in the charrette process to include existing and all city facilities in the RDA such as Miner’s Hospital, the Recreation building, and the block Building Maintenance Building. Staff also recommends expanding the housing discussion to include portions of the library and City Park.

RDA owned land in the “core” planning area from January 2011 (red = recent acquisition)



C. Community Engagement Process

There have been many redevelopment ideas proposed for the city-owned property in the Lower Park Avenue RDA including a community/senior center, multi-generational housing, assisted living, business incubator space, live-work space and/or shared nonprofit center. The goals of this community engagement process are

(1) To create meaningful opportunities for residents to identify and articulate their goals for the area within the context of the surrounding community and the goals for the RDA;
(2) identify a range of development options and prioritize these options among competing goals and interests;
(3) Recommend a preferred option to Council; and
(4) Create a design and development plan that can be implemented in a timely manner.

Sustainability and Planning staffs have discussed a number of processes to facilitate community participation in the planning and implementation of redevelopment activities in the Lower Park Avenue RDA. Based upon the goals for the community engagement process, staff recommends proceeding with developing a process that combines the multi-disciplinary team approach of a charrette process within a design competition format that will create final, conceptual designs from which the city can proceed with development. The multi-disciplinary team is essential to the process, because the selected approach also must demonstrate that the concept is buildable and financially feasible. Staff is working on the specific and approach at this time and intends to offer and Request for Qualifications to create a short list of participants in June 2014. The intent of this process is to select a "winning" team which will receive the contract for design services.

<u>Time Line</u>

May/June 2014:	Refinement of Approach
July 2014:	RFQ and Short List Announced. Community Dialog Sessions to identify community vision, goals and needs with the selected teams.
July – Sept. 2014:	Design Options Development
October 2014:	Community Presentations and Voting
Nov. 2014:	Recommendation to Council of Selected Firm

Issues For Discussion

1. Is Council supportive of continuing with planning of the parking lot and transportation projects?
2. Is Council supportive of previously stated goals, or would they like to modifyor add goals?
3. Is Council supportive of taking a broader and more dynamic opportunity to gather community input, vet community goals, and inform preliminary design through a community engagement process and subsequent design competition? Alternatively, Council could direct staff to:
   a. Isolate their housing goals and pursue a more traditional development approach to implementing by issuing an RFP for design; or
   b. Dispose of the land identified above with caveats on what they would require to be built.

Department Review:
Sustainability, Planning, Budget, Legal Departments and City Manager.

Significant Impacts:

Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life + Safe community that is walkable and bike-able + Multi-seasonal destination for recreational opportunities + Accessible and world-class recreational facilities, parks and programs + Accessibility during peak seasonal times + Well-utilized regional public transit + Safe community that is walkable and bike-able	+ Reduced municipal, business and community carbon footprints	+ Residents live and work locally + Preserved and celebrated history; protected National Historic District + Physically and socially connected neighborhoods + Cluster development while preserving open space	+ Fiscally and legally sound + Engaged, capable workforce + Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Positive	Very Positive	Positive

Comments: The RDA is a tool that can be used to create affordable housing and spur new growth. development of the land into workforce housing, adaptive reuse of existing facilities and connecting City Park to the resort, along with the redevelopment of the resort parking lots will allow the City to promote and enhance most of its core goals as we find the balance of community housing and other neighborhood goals with facilitating new growth and redevelopment. Different development and financial options will be created for consideration.

<u>Timeline</u>

Staff recommends development of additional housing as a high priority and as an immediate goal. However, we also believe it is paramount to go through the community engagement process to make sure we are as informed as possible. Staff believes the process itself will ultimately save us time as we get to the approvals and permitting portion of the project(s), as our goals, values and concept design will have been vetted cooperatively with community individuals and partners. It will be extremely difficult, however, for staff to mobilize any real construction efforts prior to Spring 2016.

projected timeline 5.15.14									2015												2016												2017
Item	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	
Work Session Discussion	15																																
Structural Evaluation of existing facities																																	
Community Engagement Charette Phase 1		30																															
Community Engagement Charette Phase 2			18																														
Community Engagement Charette Phase 3						31																											
Request For Qualifications (RFQ) to procure a Dlvpt. partner																																	
Neighborhood Plan (Planning)																																	
ID Dlvpt. Structure (Negotiation, Mkt. Analysis, Due Diligence,																																	
Dlvpt. Design Development Drawings & Planning																																	
Dlvpt. - Planning & Entitlements																																	
Dlvpt. - Final Action/Approval																																	
Dlvpt. - Complete construction documents & b.permitting																																	
Dlvpt. - Phase 1 construction																																	
Dlvpt. - Phase 2 construction																																	1-May

Funding Source:
Lower Park Avenue RDA – see table 1 above

Consequences of not taking the recommended action:
Redevelopment Authorities are established to create new growth (incremental property tax). Staff's recommended steps intend to implement a balanced plan of community and resort based redevelopment to accomplish the goal. Budget and Economic Development Staff would like to remind Council that the sooner new growth is created the more tax increment will go back into the district. Council received a work session presentation on the financial and budget structure of LPA RDA from the Capital Budget Manager, Nate Rockwood on January 23, 2014. A link to that staff report can be found here: http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=12323.

Summary Recommendations:

1. Where some members of City Council have not had an opportunity to review the RDA Master Plan, staff recommends Council (re) familiarize themselves the Lower Park Avenue RDA Master Plan;
2. Staff is requesting Council affirmation to proceed with the planned next steps in the Parking Lot and Transportation sections of the RDA Master Plan; and
3. Staff is requesting Council feedback on and then direction to proceed with designing and implementing a robust community engagement process to create a preferred development plan for city-owned land in the RDA.

Exhibits

A RDA Boundary & Project Location Map
B LPA Master Plan Narrative Summary (Jack Johnson & Design Workshop)
C LPA Community Redevelopment Plan (PlanWorks, Michael Barille)
D RDA Extension Report to Tax Entity Committee
E July 26, 2012 staff report excerpts

Exhibit A - RDA Boundary and Project Location Map

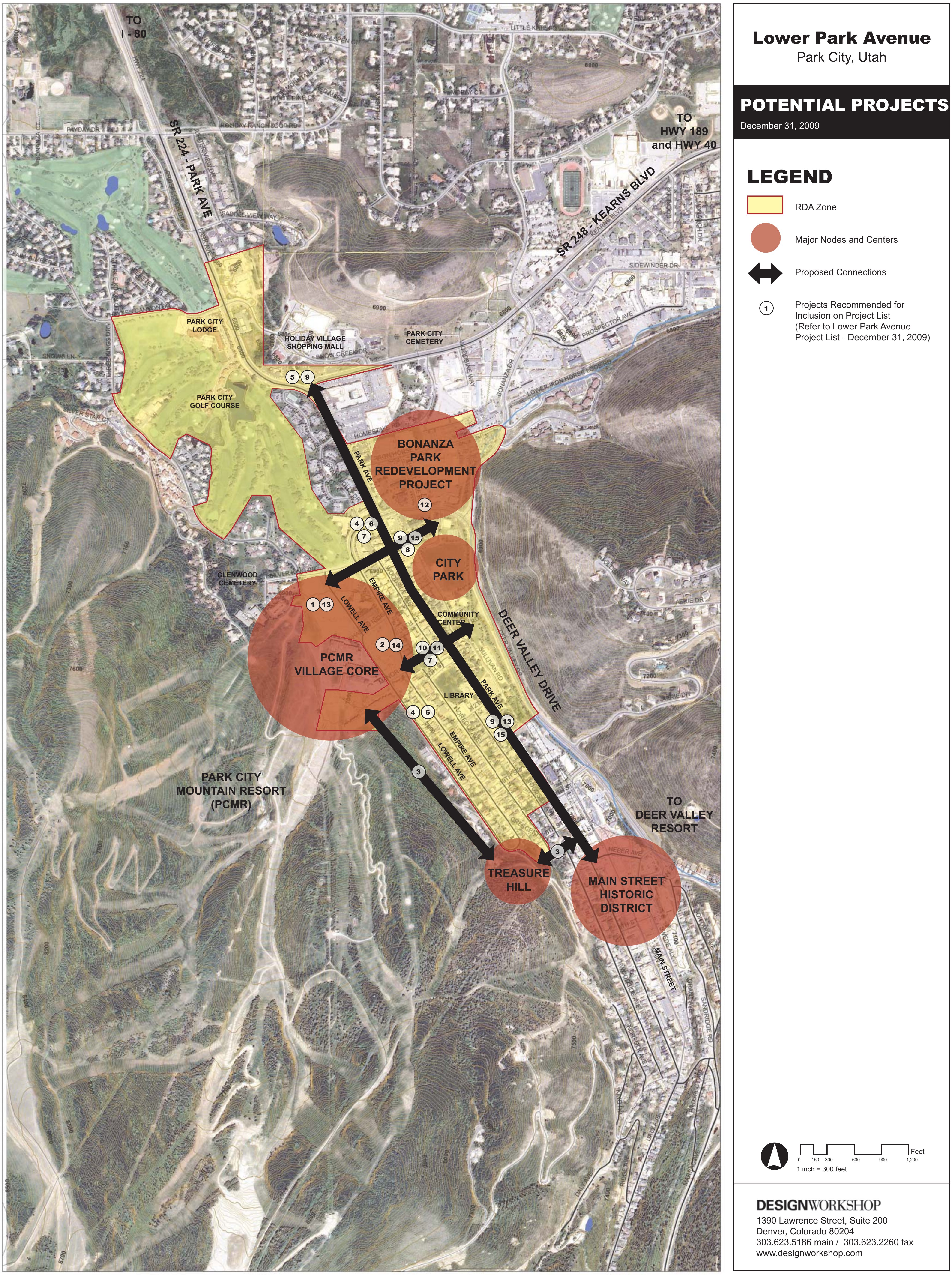


Exhibit B
Lower Park Avenue Preliminary Planning Concepts
10-31-09 Jack Johnson Company

Providing Vision

The Lower Park Avenue RDA plan provides a unique opportunity to provide a framework for a long term vision for this neighborhood that could provide signature public/private projects that embody broader community wide goals. The Lower Park Avenue Neighborhood is not currently utilized to its' best potential and includes a patchwork of public, private, residential, and resort projects that are only loosely associated and often create confusion for the visitor and encourage competing interests among local landowners and development interests. However, the presence of pocket of both privately held and municipal owned land that are ripe for redevelopment, the current economic climate that has private interests looking for creative partnerships and financing options, and the history of cooperation and planning coordination between municipal and resort management all point toward a future where the Lower Park Avenue Neighborhood could be another gem of the community. A community where there is a long history of successful redevelopment initiatives and the leadership to continue building upon past achievements with each new iteration bringing increased economic value, more continuity of approach, and improving long term sustainability of the broader community goals and vision.

More specifically, the Lower Park Avenue RDA and associated funds have the potential to spur innovative redevelopment of one of the primary hubs of Park City's resort recreational economy. To increase the potential for additional event based economic stimulus. To improve the function, logistics, and guest experience during existing community scale events, and to provide a series of transportation and connectivity improvements to allow better synergy between the economic engines and bed base that exist both within and, of equal importance, adjacent to the Lower Park Avenue Neighborhood on and around historic Main Street.

Key Neighborhood Components

1. City Park
2. Park City Mountain Resort Park Lot Re-development Sites
3. Library Center Complex
4. Historic Residential Lower Park Avenue Neighborhood – Upper / South Side
5. Newer Bed Base Portion of the Lower Park Avenue Neighborhood – Lower / North Side
6. Adjacency to Park Bonanza District, and Lower Main Street District

Transportation and Connectivity

The primary entry points into the neighborhood are through existing nodes at Park Ave and Deer Valley Drive at the Cole Sport / Jan's traffic light and the Bonanza / Deer Valley Drive light at the NE corner of City Park. These function of these nodes are critical to both resorts and to the ability to handle community scale events.

- Consider the use of appropriately scaled traffic circles, grade separated improvements for pedestrians or vehicles, and strategies to allow uninterrupted flow of Public Transit (transit only express lanes / free right turns) as potential strategies for improvement to the these nodes

Key existing transportation corridors include Deer Valley Drive, Park Avenue, and the Lowell / Empire Avenue Loop, all traveling North – South and each separated by significant differences in grade from the others. Few if any East – West connections exist to complete a traditionally efficient grid. Grade separation, green spaces at City Park and the Library Center, and past redevelopments have all provided obstacles to creating these connections. This pattern places greater stress on the major entry nodes, limits the practicality of some potential locations for parking improvements, inhibits pedestrian movement, and is less intuitive for destination visitors to the community. Lower Woodside Avenue has the potential to provide a renewed North-South Pedestrian corridor connecting the Library Center to residential portions of the neighborhood without the vehicular conflicts inherent with the other North-South arteries.

- Look for every practical opportunity to provide East – West connectivity and re-establish a more traditional grid.
- Analyze ability of corridors created by City owned land or land owned in partnership with the City to create East – West connections.
- Consider utilization of stairs, outdoor escalators, or elevators at key locations to make pedestrian movement practical between the resort and City Park, trail corridors, and North – South arteries.
- Consider additional pedestrian improvements and reduction of travel lanes on Park Avenue as well as pedestrian improvements associated with redevelopment along the Lowell / Empire Avenue loop.
- Consider new modes of public transit and dedicated transit lanes or corridors throughout the study area and connecting to and through adjacent districts. Consider dedicated small bus service, trolley, or street car service on a Lower Park Avenue, Main Street, and Deer Valley Drive loop. Long term consideration should be given to preserving corridors and nodes for light rail service between the resort and key points outside the neighborhood.
- Consider encouragement / development of an alternative (non-rubber tire) transportation solution between major existing entitlements at the North and South ends of Lowell Avenue to reduce traffic impacts to residential portions of the neighborhood and maximize planning flexibility and location of density for future projects.
- Consider all potential transportation and connectivity improvements under the lens of their ability to provide functional and identifiable ties between bed base and revenue centers in the Lower Park Avenue Neighborhood and those adjacent to it. Attempt to gauge the increase in revenue potential these solutions could bring to Historic Main Street, Park Bonanza and elsewhere.
- Consider additional pedestrian improvements (side walks, benches) and beautification projects (planter boxes, identification of pocket park opportunities) along Lower Woodside to create a pedestrian boulevard separated from high traffic arteries, to add value to existing bed base, and to strengthen connections to the potential redevelopment projects and the Library Center.
- Consider signage and way finding improvements that help identify connections to and through the neighborhood and create a more seamless transition between the resort and the surrounding neighborhoods. Use these items strategically to direct vehicle and pedestrian traffic along preferred routes.

Parking

Very Few dedicated public parking facilities exist in the Lower Park Avenue Neighborhood. Those that do exist are in the form of small and segmented surface lots that are not designed for the volume or circulations needs that are frequently called upon to provide. Currently the solution during peak periods and events is often the use of privately owned surface parking at Park City

Mountain Resort. Even with this opportunity available, overflow parking on the street in restricted areas, unpredictable pedestrian movements, and private vehicle/transit/pedestrian conflicts are common during major events such as the Sundance Film Festival, the Arts Festival, Fourth of July, sporting events and even peak Holiday / skiing visitation. Surface parking lots at the resort are already entitled for redevelopment of the resort base and the prohibitive costs of comprehensive replacement of this parking in underground or structured formats has stymied past redevelopment efforts and the economic stimulus they are meant to provide. The Lower Park Avenue RDA Plan and future neighborhood plans should include a more comprehensive and coordinated long term approach for addressing these issues.

- Look for locations where structured parking could be efficiently designed and constructed over time on public land in locations that are well coordinated with public transit, pedestrian movements and accessibility to key event locations.
- Consider public investment in development of structured parking on private land in key locations.
- Consider reduced parking requirements for residential / lodging development in conjunction with public and private transportation solutions to allow private capital to be invested in mixed use parking and transportation services.
- As with Transit / Transportation projects, consider the potential of the project for increasing potential revenues both within and out side the RDA area and to provide for improved guest experience and revenue from repeat visits.
- Consider converting surface lots and driveways at the perimeter of City Park to a pedestrian boulevard if alternative parking and transportation solutions can be developed.

Redevelopment Projects

The single most significant redevelopment opportunity in the project area both in terms of municipal revenue potential and creating a new face for this area of the community exists on the parcels entitled in the Park City Resort Master Plan, circa 1996. However, significant opportunities for signature projects also existing on several critically located smaller parcels elsewhere in the neighborhood. Several of these parcels are either municipally owned or involve current public / private partnerships. Significant potential for redevelopment that furthers multiple goals of the RDA vision exist along two corridors along the East – West access. The first would connect Park City Mountain Resort / Lowell Avenue to Park Avenue and Old Miners Hospital in the vicinity of the decommissioned Park Ave Fire Station. The second would provide a more subtle connection between the resort, Park Ave and City Park along the axis of the Shadow Ridge Hotel and the City Park softball diamond when examined in plan view.

The Library Center and surrounding green space also provide opportunities for enhanced civic and event functions without compromising the community park and gathering space that currently exist. Lastly, the dedicated residential parcel at the North end of City Park when coupled with some of the aforementioned transportation solutions seems to provide opportunity for a public – private redevelopment project in the future.

- Examine how all projects selected will contribute to revenue potential, guest experience, resident quality of life, housing opportunities and community sustainability
- Consider building on existing efforts to create a signature mixed use project on the old Park Avenue Fire Station corridor that provides a neighborhood center, additional housing opportunities, a hub for neighborhood services, a pedestrian transportation connection, and a means for dealing with the grade separation that has traditionally segmented the neighborhood.

- Consider a project between Shadow Ridge Hotel and City Park that would include pedestrian circulation improvements and increased housing opportunities.
- Consider working with the existing ownership of the residential units at the North End of City Park to redevelopment the site with potential consideration of additional density, public funding or financing mechanisms, and more seamless integration with the Park.
- Consider public support, public financing or financial incentives, and reduced parking standards as tools for encouraging partnership on the potential redevelopment of the Park City Mountain Resort Base Area.
- Consider additional uses for the Library Center that enhance rather that detract from the civic and park characteristics the community currently enjoys at the site. A community gardens or relocation of the Senior Center to this parcel are both examples of projects that could be entertained without compromising the existing attributes of the Library Center and green space. This parcel is also showcased during events such as the Sundance Film Festival. These events provide opportunities to use this parcel to demonstrate Park City's commitment to historic preservation, education, building community and sustainability.

Design Workshop Summary Memo

Design Workshop, Inc.
Landscape Architecture
Land Planning
Urban Design
Strategic Services

To:	Park City City Council and City Staff
From:	Becky Zimmermann / Britt Palmberg
Date:	December 29, 2009
Project Name:	Lower Park Avenue Redevelopment Authority Project List

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Based upon a site visit to Park City conducted in November 2009 and its experience in planning and development in similar ski resort-based communities nationwide, Design Workshop has worked with city staff to develop a matrix of recommended public sector investment projects in the Lower Park Avenue RDA area. Potential public investments include public/private redevelopment projects in select areas of the Lower Park Avenue area, infrastructure improvements including upgrades to streetscapes, parking, open spaces, trails, and related amenities, and public investments in facilities such as conference centers or other community gathering places. The Design Workshop team has identified projects for the Lower Park Avenue area based upon the findings and suggestions of earlier studies conducted in Park City, the suggestions of city staff and elected leaders, and an examination of public investments made by comparable destination resort communities throughout the country.

The matrix categorizes potential projects in terms of public versus public / private investments and outlines a general magnitude of public investment needed to complete each project. It categorizes the potential projects in terms of their potential timing (short term versus long term), and provides ratings for each project based upon the potential to increase the number of destination visitors, increase the overall competitiveness of Park City in the resort market, the potential to stimulate private investment, and the potential to improve the overall visitor experience. The project list evaluates the physical, political, and financial feasibility of each project and it provides an evaluation of the overall financial return and intangible return (in terms of benefits to the community's quality of life).

The completed project list groups potential investments into three general categories: 1) Parking Lot Redevelopment projects include a range of investments concerning the parking lots surrounding Park City Mountain Resort and surrounding areas; 2) Transit, Traffic, Circulation and Walkability projects are designed to improve the function of major intersections and the experience of drivers, pedestrians, and bicyclists in the Lower Park Avenue area; 3) Community and Neighborhood Redevelopment and Improvement projects concern redevelopment efforts and environmental and streetscape projects in various locations within the Lower Park Avenue Redevelopment Area. The completed list ranks the potential projects in each category by their overall composite score across the full range of criteria.

In addition, the Design Workshop team and City staff have outlined a series of five additional projects that are not included on the official project list but may warrant additional discussion and consideration by Council going forward.

The completed project list is intended to serve as a basis for ongoing discussion of how to proceed with redevelopment in the Lower Park Avenue neighborhood and other areas of Park City. Council will need to work with staff and the community in order to refine ideas for potential investment projects and carefully select ventures that will stimulate further redevelopment and provide good financial and non-financial returns to the City.

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Lower Park Avenue Implementation Plan

General Principles:

- Create a framework for ongoing development or redevelopment of City owned and adjacent properties to occur in a cohesive and walkable pattern
- Create a plan that through design and suggested land uses; strengthens the physical and economic connection between the Resort and Historic Main Street without disrupting the circulation or enjoyment of existing uses in the surrounding neighborhood blocks
- Create public spaces and synergistic uses that could be a neighborhood scale amenity and focal point; not a burden
- Suggest a range of scale and scope of development that is compatible with the surrounding blocks in the Lower Park Avenue neighborhood
- Identify appropriate areas for senior activities, a diversity of housing opportunities, clear and functional pedestrian connections and let all other uses support these primary goals
- Incorporate innovative transit solutions where staff deems that this will be effective in providing a level of service that will strengthen the Resort to Main Street connection while decreasing individual vehicle trips (Lower Main Circulator bus, electric train / trolley, Hill Trac / people movers, all warrant discussion and investigation)
- Identify potential partners or opportunities to attract private sector investment in the implementation plan area where this supports policy objectives and has the potential to lower the cost burden associated with achieving those objectives
- Create a financial model to examine the "real world" implications of the land use patterns and policy objectives reflected in the Implementation Plan options provided

Phasing and Design Philosophy

Phase I

Phase I – is intended to give a physical example of the primary goals of the re-development plan: establishing the importance of Historic preservation, Civic use, preservation of the key east / west pedestrian corridor, and proving finished appearance and smooth interface with transit on Park Avenue.

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PO Box 981135
Park City, UT
84098

PHONE (435) 640-3188
E-MAIL mabarille@planworksdesign.com

Buildings A & B represent re-use of historic buildings in their current or reconstructed locations without changes to the buildings scale or design. Neighborhood scale commercial or residential uses are suggested for these buildings.

Building C represents a new structure on the site of the existing Park Avenue Fire Station Building owned by PCMC. The design for this structure should be welcoming and the scale and architecture consistent with traditional forms in the neighborhood but with an allowance for more contemporary materials and glazing to open the building to the pedestrian corridor. The uses suggested for this building include a new home for the Community Senior Center, class room / studio space for all age activities that could be programmed by the Senior Center, or a variety of other public or non-profit organizations integral to Park City and the Old Town community. Exhibit space could also be provided on the ground floor and residential uses could be appropriate on the second level of the building. The building is intended to be the Civic Hub for the re-development area and complimentary to other civic uses in the neighborhood such as the Library Center and accompanying open space. It should set the example for both the vibrancy and intensity of use that is appropriate in the Lower Park Avenue portion of the redevelopment area.

East / West Corridor – It is also recommended that PCMC acquire all or some portion of the main east / west pedestrian corridor that will provide the physical link between the Resort, Park Avenue, and Historic Main. This corridor should be acquired and protected with specified setbacks and design guidelines specific to the redevelopment area regardless of whether any further pedestrian improvements or development of the site is initiated. It is recommended that Phase I include identification and assignment of funds to make pedestrian improvements that will address the grade change inherent in the site and make clear from the outset the functionality of the Resort to Park Avenue to Historic Main Street connection

<u>Phase II</u>

Phase II – The parcels in this phase would preserve the remaining circulation and access points necessary to establish the intended development pattern; on that steps with the grade and emphasizes the pedestrian while preserving efficient points of access for vehicles that will minimize the effects of traffic for residents both within the planned area and the surrounding neighborhood. The suggested access point off of 13th Street terminating in a courtyard turnaround would also preserve the ability to utilize underground parking solutions on multiple parcels in the plan should the final design and density warrant below grade parking. The vertical development in this phase would provide the first of several opportunities to provide for residential uses with market rate and employee / attainable housing options worthy of consideration.

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PO Box 981135
Park City, UT
84098

PHONE (435) 640-3188
E-MAIL mabarille@planworksdesign.com

Option 1, showing Buildings D & E represents a higher density option for stacked flat units utilizing underground parking that could provide more units and possibly more return to the City or end developer. The foot prints for these buildings would be slightly larger than those designed on the same parcel in Option 2 and more consistent with recent condominium development in the lower half of the neighborhood.

Option 2, depicts a lower density option utilizing triplex buildings with foot prints more consistent with traditional historic residences elsewhere in the neighborhood.

Phases III and IV

This phase has been designed for flexibility both in size and overall density. The size will largely depend on the City's appetite for either acquiring additional land or partnering with neighboring land owners to create an incentive for privately held properties to develop according to the City's preferred design standards and use patterns. The primary use associated with vertical development in these phases will be residential with limited opportunities for neighborhood scale commercial services or a food and beverage establishment.

Option 1 again depicts a higher density scenario where stacked flats over primarily underground parking would be utilized to maximize the number of units available within the height and space restrictions. These additional units could either provide for more employee housing opportunities or be utilized for market rate condominiums to improve the return on the land and minimize the expenditure of RDA or other municipal funds. The additional land required for this option could be purchased or brought into plan and guidelines through partnering / development agreements with the private sector.

Option 2 demonstrates and lower density development pattern that is likely to occur if less land is acquired by the City, less infrastructure subsidized by the RDA and private development interests control more of the land in the Implementation Plan area.

Financial Modeling

A financial model of the Implementation Plan has been prepared to provide a snapshot of potential costs and revenues that could be associated with the plan under the various scenarios. Development hard and soft costs have been modeled including but not limited to the following: construction costs,

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PO Box 981135
Park City, UT
84098

PHONE (435) 640-3188
E-MAIL mabarille@planworksdesign.com

permitting fees, green building and public arts line items, sales commissions, land acquisition costs, and design fees. The financial model also provides inputs for financing scenarios, land sales, unit sales, commercial lease revenues, and residential rents to be projected over a ten year period. Typical indicators utilized by private sector developers such as Investor Rate of Return (IRR) and Return on Investment (ROI) are also provided.

The financial model was prepared based upon current economic indicators, industry specific cost information, and with input from staff on the development assumptions to be modeled for initial discussion. It should be noted that the financial summary presented with the plan is neither a true private sector developer model nor a model that exactly reflects the municipal role as facilitator and potential distributor of the land assets. Instead the current model is a blend of the two approaches to facilitate policy discussion about what role the Council believes the City should play in re-development of this portion of the Lower Park Avenue RDA Area. Staff will be provided with the ability to change various inputs and assumptions in the model. Based on City Council input, the model can be updated with staff to more accurately reflect the intended policy direction and the associated costs and benefits associated with that direction.

There are a few essential policy considerations that dramatically influence the costs and revenues associated with the options that have been studied from a land use and planning perspective. Staff will be hoping to garner Council input and direction in the following areas:

Ratio of Employee / Affordable Housing to Market Rate Residential: The costs associated with development of Employee / Affordable Housing is only marginally different than for creating Market Rate housing. However the revenues generated by Employee / Affordable rents are significantly less than from Market Rate sales especially modeled over a ten year horizon. Staff will be looking for direction on how big an emphasis to place on the creation of Employee / Affordable Housing in redevelopment of this area. Employee / Affordable Housing can be created in a number of ways. It can be developed by the City and subsidized either with RDA funds, Affordable Housing funds, or a combination. Restricted Affordable units can also be required through development agreements with the private sector participants who choose to participate in the plan. However the private sector will likely be able to bear a smaller ratio of affordable to market rate units if they are to remain profitable and be enticed to contribute private sector investment in the implementation plan area. The policy direction on how much Employee / Affordable Housing to pursue and through which means will greatly influence the overall costs, revenues, and profitability predicted by the financial

PlanWorks Design
PO Box 981135
Park City, UT
84098
PHONE (435) 640-3188
E-MAIL mabarille@planworksdesign.com

model for any of the development scenarios that have been studied. For purposes of the financial summary provided staff advised:

- 80% of all residential units in the plan are assumed to be restricted affordable rental units with rents affordable to those at 40% of the area median income (AMI).
- The remaining 20% of residential units were modeled as for sale units with pricing affordable to those earning 80%-120% of the area median income.
- 100% of the residential units in the plan are modeled to provide for some niche of employee or affordable housing. This creates a financial model with the lowest return on investment.

Disposal of property or other Public / Private Sector partnership scenarios: One of the single biggest chips held by the City that will influence the costs and revenues associated with the modeled redevelopment is the use of City owned land. The ability to utilize publically owned land to support policy goals, generate revenues or entice private sector development partners is a well established and important tool in creating the intended pattern of redevelopment in RDA areas. The City's choices with respect to disposal of real property include the following range of options or some combination thereof:

- Sell parcels of land to private or non-profit developers to generate revenues that will replenish funds spent on public projects within the RDA
- Gift parcels of land to incentivize or require certain land use or policy objectives
- Provide land at a discounted value to incentivize or require land use or policy objectives
- Make land available to receive density from elsewhere in furtherance of policy objectives or development goals

Each of these options creates a different level of legal exposure and investment of staff time which should be vetted with senior management. Staff will be looking for preliminary direction on Council's preferred objectives and level of comfort with each of the options available. Future iterations of the financial model can be programmed to reflect the cost reductions or revenues realized by the options pursued.

RDA funds invested in infrastructure improvements: RDA funds could also be utilized to improve utilities, construct transportation related infrastructure, or develop public spaces depicted by the Implementation Plan. These expenditures would be shown on the cost side of the ledger when viewed from the municipal perspective and as a cost savings from a private sector point of view. In either case the amount invested will influence the return on investment and the likelihood of attracting outside investment in the plan. Staff will be seeking direction on the general level of investment preferred and which projects should be prioritized for funding.

PlanWorks Design
PO Box 981135
Park City, UT
84098
PHONE (435) 640-3188
E-MAIL mabarille@planworksdesign.com

RDA funds granted versus loaned or leveraged: RDA funds could be applied to actual construction costs or to provide improved development sites as a pure expenditure drawing down reserves in the RDA. They could also be utilized as matching funds for grants that may be available for transportation or housing related development and leveraged in this way to increase the overall investment in RDA area or to reduce the costs associated with those items for private sector development. Finally, RDA funds could be loaned directly or utilized to obtain low cost financing for selected projects reducing the overall cost associated with those improvements. Any of these scenarios could be specifically modeled in future iterations of the financial model and staff will be seeking direction on preferred vehicles for utilization of the funds available.

Summary:

The Implementation Plan and Phasing plan provide a template for two potential development patterns that could achieve a number of Park City Municipal policy objectives while achieving the primary objective of providing an additional identifiable and high functioning connection between the Resort on the hillside at the west end of the Lower Park Avenue neighborhood and another of the City's primary economic cogs the Historic Main Street Business District just a few blocks to the south and east. Providing the easiest means possible for residents and visitors to travel between these two focal points of the broader Park City Community will result in stronger economic returns for both the Resort and the Town, strengthen the ability to jointly market the amenities that are offered by each entity and further solidify the partnership between resort, city hall, and area businesses that is such a rare commodity among mountain resort towns.

The Implementation plan also seeks to create a smaller and more civic oriented focal point within the Lower Park Avenue neighborhood. This can be accomplished through the provision of a long term home for senior and educational activities, vibrant indoor / outdoor spaces that can host civic functions, and creating opportunities for a diversity of housing options.

Lastly, the final deliverables for the project will include the financial model that has been developed in conjunction with the Implementation Plan with the ability to update specific inputs and assumptions that will allow staff to make the financial summary a current reflection of ongoing discussion with and input from Council.

PlanWorks Design

PO Box 981135
Park City, UT
84098

PHONE (435) 640-3188
E-MAIL mabarille@planworksdesign.com

Data:

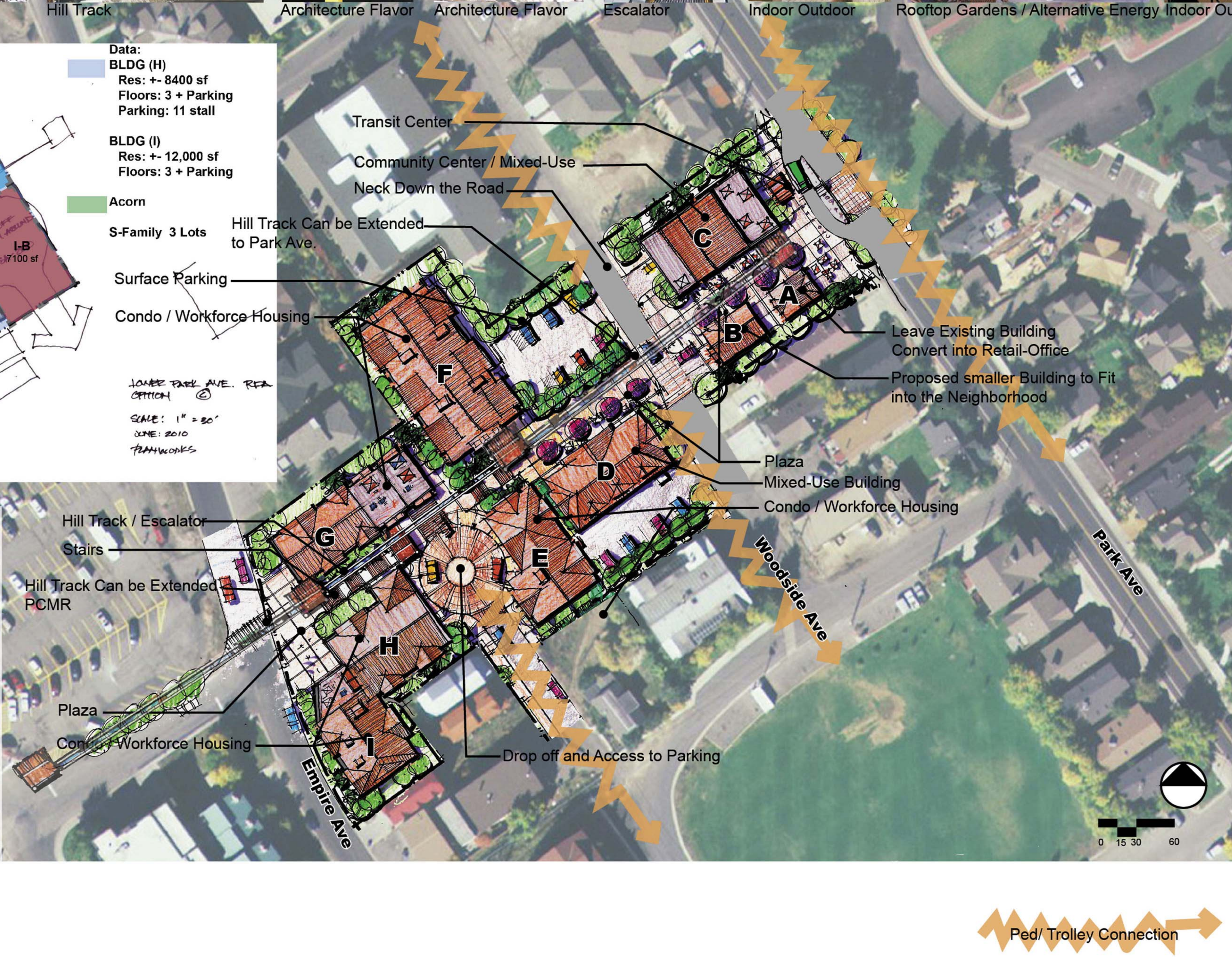
BLDG (H)
- Res: +- 8400 sf
- Floors: 3 + Parking
- Parking: 11 stall

BLDG (I)
- Res: +- 12,000 sf
- Floors: 3 + Parking

Acorn

S-Family 3 Lots

LOWER PARK AVE. RDA OPTION C
SCALE: 1" = 30'
JUNE: 2010



Option (1-A)

BLDG.		
(A)		
Parking		
Surface	2 Stalls	
Commercial	720 sf	
(B)		
Parking		
Surface	3Stalls	
Commercial	980 sf	
Residential	500 sf	
(C)		
Parking		
Structure	9	
Commercial	1350 sf	
Residential	1600 sf	
Community Center		4770 sf
(D)		
Parking		
Surface	9	
Structure	9	
Commercial	1870 sf	
Residential	6900 sf	
(E)		
Parking		
Structure	19	
Residential	11,400 sf	
(F)		
Parking		
Structure	16	
Residential	7,200 sf	
(G)		
Parking		
Structure	11	
Residential	8,400 sf	
(H)		
Parking		
Structure	12	
Residential	10,300 sf	
(I)		
Parking		
Structure	9	
Residential	8,600 sf	

Mountain Metro

Hill Track

Architecture Flavor

Architecture Flavor

Escalator

Indoor Outdoor

Rooftop Gardens / Alternative Energy

Indoor Outdoor

BLDG.

(A)
Parking
Surface 2
Commercial 720 sf

(B)
Parking
Surface 3
Commercial 980 sf
Residential 500 sf

(C)
Parking
Structure 9
Commercial 1350 sf
Residential 1600 sf
Community Center 4770 sf

(3-Plex) Southside
Parking
Surface 9
Residential 13,125 sf

(3-Plex / 4-Plex) Northside
Parking
Surface 18
Residential 14,585 sf

(G)
Parking
Structure 11
Residential 8,400 sf
Single Family

Residential (7 House@ 2600 sf) 18,200 sf
Acorn
Parking
Surface 4

Residential (3 Houses @ 2600 sf) 7,800 sf

Exhibit D - TEC Report (excerpts)

Taxing Entity Committee
Staff Report

Subject: Proposed Extension of the Lower Park Avenue RDA
Author: Bret Howser and Jonathan Weidenhamer
Date: September 18, 2012
Type of Item: Legislative

Summary Recommendation: The Taxing Entity Committee of the Park City Redevelopment Agency should consider adopting the attached resolution to extend the period of time in which the RDA may collect tax increment through 2030.

Background:
The Lower Park Avenue project area of the Park City Redevelopment Authority (LPA RDA) was created in 1990 for the purpose of financing community and economic development projects within the project boundaries via tax increment. The LPA RDA has collected over $23 M in net tax increment since 1991, which has been reinvested in the area in order to generate $443M in new assessed value.

Over the years, a haircut provision has gradually come into effect resulting in 40% of the tax increment going to the originating taxing entity while 60% remains in the RDA. In addition to this haircut, the RDA makes a mitigation payment to the Park City School District pursuant to a settlement agreement.

The LPA RDA is set to expire after 2015. The RDA Board, which is comprised of the City Council members and Mayor, approved an updated master plan for the entire District (Exhibit B) on January 7, 2010 and further approved a specific neighborhood, housing and community plan in and around the former Park Avenue fire station and senior center on January 27, 2011 (Exhibit C).

On August 9, 2012, consistent with the updated RDA master plan, the Park City Council adopted a Letter of Intent (LOI) with Park City Mountain Resort (Exhibit D) outlining the parameters for the redevelopment of the parking lots at the resort base. In order to finance the project outlined in that LOI, along with various other projects that are set forth in this report, the RDA would need to be extended to allow for tax increment to be collected through 2030.

To this end, Park City has called a meeting of the TEC on September 18, 2012, to consider a resolution extending the term of the RDA. The TEC is comprised of eight representatives of the taxing districts (two from each of the City, County, and School District, and one from the remaining taxing districts – in this case the Fire District – and one from the State Board of Education). A simple majority vote (five votes) is required to approve the extension.

Analysis:

The purpose of the Lower Park Avenue RDA
RDA's are a financing tool used for the public purpose of community and economic redevelopment in areas that might otherwise suffer from localized economic stagnation and blight. At least 23 different RDA's have been successfully utilized throughout the state of Utah for this very purpose.

The Redevelopment Plan for the LPA RDA identified the approach employed beginning in 1990 to spur economic and community redevelopment in the Lower Park area. Many of the projects anticipated in this plan have been effectuated and the area has seen significant growth over the years. The district has seen over $443 M in new assessed value above the $71 M base value in 1990. In addition to this growth, investment in the RDA has helped encourage growth and increased valuation in adjacent and surrounding areas which is not measured.

Since the inception of the Lower Park Ave RDA, local tax entities have participated in the following projects, amongst others:

- Park City Library Improvements
- Golf Course Pro Shop & Improvements
- City Park Improvements
- Olympic Plaza/Tower
- Snow Creek Cottages
- Poison Creek Trail
- 10-13th Street Stairs
- Mawhinney Parking Lot
- Multiple other affordable housing assistance

Financial History of the Lower Park Avenue RDA

RDA's also serve the dual role as an investment tool for public entities. When taxing entities participate in an RDA, they essentially invest the tax increment for a period of time (initially 25 years) and at the end of that period they receive an enhanced property tax revenue stream. Furthermore, a portion of the tax increment immediately makes its way back to the taxing entities as haircut provisions are put in place.

Tax increment contributed by taxing entities to the RDA is not "lost". It comes back to the taxing entity in the form of an enhanced revenue stream. The table below shows each entity's past contribution to the LPA RDA and the revenue stream they can expect once the RDA expires. Each taxing entity will have the investment "paid back" to them (in nominal terms) by the resultant revenue stream in a very short timeframe.

Lower Park Ave. RDA Investment Summary - 1991 thru 2015
(2012-2015 projected)

	PCSD	Summit Co.	Park City	PCFD	WBWCD	Mosquito	Total
Baseline Property Taxes	$10,123,074	$2,831,664	$4,209,556	$1,696,045	$324,937	$29,495	$19,214,772
Tax Increment to RDA	9,653,297	5,937,475	9,441,974	4,268,831	881,973	121,903	30,305,453
Increment to Tax Entity (Haircut)	9,806,809	2,473,994	4,125,464	1,906,635	403,352	64,042	18,780,296
Net Contribution to RDA	-153,512	3,463,481	5,316,511	2,362,196	478,621	57,861	11,525,158
Annual Revenue Stream Generated	2,060,060	494,515	874,814	387,412	90,368	17,153	3,924,322
Payback Years	0.0	7.0	6.1	6.1	5.3	3.4	

The Future of the Lower Park Ave RDA

While the success of the RDA since 1990, both in terms of effectuating economic and community redevelopment as well as enhancing property tax revenue streams for public entities is demonstrable and clear, Park City believes there yet remains work to be done.

Five joint meetings between the City Council and the Planning Commission have occurred from mid-July to December 2011. The purpose of these meetings has been to jointly work through a range of redevelopment challenges facing Park City, among them issues of priority, partnership, portfolio balancing (of the City's broad and diverse economic sustainability and community values. The following outcomes were agreed to by the City Council:

- Competition and market reality mean redevelopment is essential for a resort economy to remain viable and for its benefits (residential amenities) to continue without having to raise taxes;
- A portfolio approach to managing redevelopment is necessary, as some accrue on a citywide basis while others are more local;
- Partnership is necessary between Park City and the development community to stay sufficiently ahead of the market to obtain desired outcomes grounded in the community's stated core values;
- Because each neighborhood in Park City has its own specific qualities, each neighborhood merits its own redevelopment priorities;Park City needs a Bonanza Park plan that converts BoPa to a vibrant, affordable, mixed-used, locally serving District;
- Agreement to give additional density in BoPa to obtain protection of historic structures, increase connectivity, achieve housing affordability;
- The City will take a pro-active redevelopment posture in the LPA RDA and seek to forge partnerships with critical land owners;
- The "right" partner is PCMR in that they, as the largest land owner and economic generator, have the biggest ability to affect City and Community goals.

There are several unique opportunities on the near horizon for public-private partnerships in the Lower Park Ave area and at the resort base. The RDA is considering a variety of projects to improve housing, commercial, community amenities, transit and transportation, pedestrian access, and parking. In total, the City anticipates that in excess of $500 million will be added to tax base over the next 15 years as a result of these projects. The project list below specifies some of the projects on the docket. Extension of the RDA will allow these projects to go forward, which will achieve regional goals, such as enhanced transportation and circulation, integrated county-wide transit, affordable housing, senior community enhancements, and public parking for special events.

- Identification of corridors and acquisition of easements and ROW for future mass transit lines (Trolley, Bus Rapid Transit, or Light Rail)
- Neighborhood/ Mixed-use redevelopment and physical connection between City Park and PCMR
- Redevelopment of Bonanza Park into a mixed use district - including potential parking lot or mass transit hub.
- Redevelopment of parking lots surrounding PCMR into mixed use with underground parking
- Renewable Energy Generation Opportunities: Including constructing PV, small-scale wind, geothermal and biomass projects around projects and improvements within the RDA
- Installation of public art throughout the Lower Park Ave district

The City projects that additional investment from 2016-2030 from taxing entities will further enhance property tax revenue streams, as demonstrated in the chart below.

Lower Park Ave. RDA Investment Projection - 2016 thru 2030							
	PCSD	Summit Co.	Park City	PCFD	WBWCD	Mosquito	Total
Baseline Property Taxes	$3,711,251	$890,881	$1,576,000	$697,932	$162,801	$30,902	$7,069,767
Tax Increment to RDA	11,096,298	6,439,671	11,392,008	5,044,954	1,176,793	223,373	35,373,097
Increment to Tax Entity (Haircut)	17,884,344	4,293,114	7,594,672	3,363,303	784,529	148,915	34,068,877
Net Contribution to RDA	-6,788,047	2,146,557	3,797,336	1,681,651	392,264	74,458	1,304,220
Total Annual Rev Stream Generated	3,786,305	908,898	1,607,873	712,047	166,093	31,527	7,212,743
Annual Rev from 1st 25 Years	2,060,060	494,515	874,814	387,412	90,368	17,153	3,924,322
Annual Rev from Extension Years	1,726,246	414,383	733,058	324,635	75,725	14,374	3,288,421
Payback Years	0.0	6.2	5.7	5.7	5.2	4.2	

Proposed RDA Projects for 2015-2030

On January 7, 2010 Council held a work session with staff and consultants from Design Workshop and Jack Johnson Company. A broader implementation strategy and updated project list for the entire LPA RDA was developed. During the review of the plan Council unanimously supported seeking partnership opportunities to support the affordable housing and resort based economy goals (Exhibit B).

As Design Workshop began to populate the project list, it became apparent that similarly themed projects existed. Considering many of the projects are inter-related, and not mutually exclusive it became easier to group them by these themes. For example, creating more efficient mass transit and better walking routes may limit the required parking demand at the resort base – even though the projects to address these issues fall into different categories. The overriding themes identified were:

1. Parking Lot Redevelopment
2. Transit, Traffic, Circulation & Walkability
3. Community & Neighborhood Redevelopment and Improvement

Neighborhood projects

During the work session on January 7, 2010 additional direction was given to prepare an implementation strategy for City-owned property in the LPA RDA within the following framework and goals:

1. Maintain all existing green/open spaces
2. Maintain & don't overpower remaining historic fabric, scale, character and authenticity
3. Explore housing alternatives
4. Explore an east-west corridor
5. Explore community/senior center opportunities
6. All projects should have sustainability & green goals

PlanWorks Design completed an implementation strategy for City-owned property (Exhibit C). The Strategy was accepted by City Council on January 27, 2011. The Plan includes a list of project options and two alternate scenarios, one with smaller scaled concepts, and a second with more aggressive development alternatives. The work also includes high level financial models and a supporting narrative describing not only the planning effort, but some of the policy balance and levers officials will have to consider moving forward in their role of the LPA RDA. For example a portion of the narrative focuses on cost benefit versus return on investment related to using the LPA RDA as a means to financially subsidize specific community center or housing (senior and/or workforce) goals.

A phasing plan was proposed with the strategy document, with the initial phases focusing on land mainly owned by Park City (Fire Station, senior center). Outcomes are to include civic uses and an east-west connection of neighborhoods; and middle and latter phases contemplating partnership with and acquisition of private property to effectuate a blend of senior, market rate, affordable and perhaps seasonal housing goals.

Resort Base Parking Lot Redevelopment Project

Investing in the base of PCMR we believe will assist in providing a firm framework and structure for the continued evolution and strengthening of the resort economy on the whole and specifically in enabling the community to remain competitive in the destination resort economy for the long term This approach takes into account the full balance of the community visioning levers.

The PCMR exhibits are attached as Exhibit E. There are various community and economic benefits that will be amplified through RDA participation, allowing for more community “gets” than the previous development scenario. Major limitations of the prior development model include:

- Extremely large building footprints with expansive underground parking which lends to massive changes in development landscape all at once;
- Largely outside investment/developer focused on financial return;
- Would not allow as easily incrementally financed and constructed projects which achieve more character and variety, likely allowing better ties to local developers who understand and value our sense of community, local businesses for food retail, entertainment, and tend to be more open to innovation with non-traditional ways of viewing financial return (i.e. Silver Star);
- Harder to achieve sense of place and unique experience when everything comes at once and public space are big and formal rather than integrated and more funky and organic (i.e. Mountain Village at Telluride vs. Town of Telluride).

The following is the updated plan that would remedy these limitations:


PCMR Master Plan

Recommendation: The Taxing Entity Committee of the Park City Redevelopment Agency should consider adopting the attached resolution to extend the period of time in which the RDA may collect tax increment through 2030.

Attachments:
A – LPA RDA Extension Resolution - omitted jw
B – LPA RDA Master Plan - omitted jw
C – LPA RDA Neighborhood Plan -omitted jw
D – LOI with PCMR
E – PCMR Base Area Redevelopment Exhibits

Letter of Intent between Park City Redevelopment Authority ("RDA") and Park City Mountain Resort (PCMR)

This Letter of Intent is made and entered into this 9th day of August, 2012, by and between Greater Park City Company, a Utah corporation, dba, Park City Mountain Resort (PCMR) and Park City Redevelopment Authority (RDA) (jointly referred to herein as the Parties).

Purpose: This Letter of Intent shall clarify the understanding between the Parties with regard to the parking structure and transit center project conceptualized in Exhibit A (the Project), which is intended to be a joint project between the Parties and of a public as well as private benefit. This Letter is precursor to a definitive Agreement between the Parties stipulating the details of the Joint Project. The Letter outlines general guidelines under which the Parties will work together to arrive at an eventual Agreement.

Whereas, Park City Municipal Corporation and PCMR have an ongoing shared interest in hosting world class special events and mountain recreation based tourism;

Whereas, it is in the best interest of both Parties that these activities be welcomed in a manner that maximizes positive exposure for Park City as a world class destination, maximizes the capture of visitor expenditures within the greater Park City area, and minimizes the impacts to permanent residents;

Whereas, the ability to efficiently direct vehicle trips to logical nodes and to maximize transit ridership while minimizing impacts from congestion, traffic incidents, and reduced air quality is an integral part of operating a successful destination resort community;

Whereas, maintaining infrastructure, amenities, and a development pattern that is competitive in the regional, national, and international marketplace for destination visitors is important to both the economic health of the Parties and the quality of life that can be provided for Park City and Summit County residents;

Whereas, maintaining the health of our destination tourism based economy will result in long term revenue growth in the form of property tax, retail sales tax, TRT & RAP tax, and related spending that supports the overall Summit County business community;

Therefore, the Parties agree to explore the joint planning, financing, and development of a parking and transportation facility intended to further the public and private realization of the aforementioned goals and priorities.

1. Scope
    a. The Parties will work jointly to establish scope for each of the following aspects of the Project:
        i. Parking –

1. Event Parking – Park City Municipal Corporation will have access or long term lease rights to the parking structure for up to 35 days of each year for purposes of event parking. The Final Agreement will outline the detailed plan. Scheduling, events, specific days and number of parking spots will be reviewed and agreed upon annually by both parties.

ii. Transit Hub Size & Location– The Parties intend to establish strategies to improve user friendliness, increase ridership, minimize waiting times and delays, explore smart messaging in conjunction with improved circulation patterns and stop / hub location(s), improve ability to serve events, achieve trip reductions and increase shared vehicle trips for recreation, tourism, event, and employee visits.

iii. Housing – The Parties agree that 20% of existing housing obligations required in the approved PCMR MPD (ie: 8 units) will be located at the resort base. The Parties intend to examine the best location and size for these units consistent with the current MPD and in light of efficiency issues, economic feasibility, and the needs of the intended occupants/residents/buyers. The Parties will also examine properties held by both Parties and whether these create opportunity for partnership between the Parties to jointly or separately develop and/or operate housing of the appropriate type at a preferred location.

2. Timing/Phasing of the Project
   a. The parking structure, transit hub, circulation improvements, and smart messaging will be completed as part of the first phase, to the degree these can be completed within a single construction season.
   b. The housing obligations to be located at the resort base (outlined above in section 1, iii) will be completed concurrent with the first completed phase of the parking / transit structure or prior to receiving a Certificate of Occupancy of the first project approved under the MPD that is not parking or infrastructure related, whichever occurs later.
3. Financial Participation
   a. Both Parties will share a portion of the financial responsibility for the Project.
   b. The RDA will evaluate possible terms of contributing 20%-25% of the estimated costs of the Project, with a projected cap of $10 million, from proceeds of RDA Tax Increment Revenue Bonds. This contribution is to be made for the purpose of securing the overall viability of the Project and for securing public benefits, including but not limited to: housing, mitigating traffic and circulation impacts, neighborhood place making, improved integration with transit, and coordination/management authority for use during community events. A portion of these community benefits will occur concurrent with the first phase of the parking project.
      i. The RDA contribution will occur proportionally with the phasing of the Project and will be triggered by the issuance of a building permit. At no point during the phasing of the Project will the cumulative RDA contribution to date exceed 25% of the total Project cost to date.

c. All efforts will be made to secure Federal grant funding for the transit portion of the Project. Any federal funding secured for the project will reduce the Parties' respective contributions proportionately.

d. The Parties will explore alternative financing options (i.e.: RDA Increment Bonds, conduit bonds, mezzanine financing, etc.) allowable by state code to defray financing costs where possible. Any financing secured by or through the RDA which is to be repaid by PCMR or Project revenues will be in addition to the contribution identified in section 3(b) rather than in lieu of that contribution.

4. Project Management
    a. The Parties will finalize a project management plan in full compliance with federal, state and local procurement requirements. The parties have a goal of giving as much of the project management activity as possible to PCMR.
5. Ownership, Operations & Maintenance
    a. The Parties will agree to an ownership structure that will result in satisfactory operations, maintenance, and capital replacement to each of the Parties.
    b. The Parties will jointly agree to a minimum quality of ongoing service and maintenance for the structure prior to construction.
    c. In the event that the Project is partially funded by FTA grants, the Parties will consider an appropriate structure of ownership such that the value of the land can be used as a grant match. The Parties may explore condominiumizing the parcel, entering a long-term lease, etc., as potential alternatives.
        i. If land value is used as a grant match, the land will be donated and not sold to the RDA for additional cash consideration above and beyond the RDA contribution specified in 3(b).
6. Operating Revenues
    a. Operating revenues will be used to pay for operating and maintenance expenses directly related to the parking structure (not to include debt service).
    b. Any remaining net revenue will be distributed 90% to PCMR and 10% to the RDA.
    c. Policies for the collection of revenue will be set by PCMR after consultation with City Staff.
7. Extension of the RDA
    a. In the event that the Lower Park Avenue is not extended by vote of the Taxing Entity Committee and the RDA Board prior to expiration, any obligations of the Parties shall automatically terminate and be of no further force and effect.
8. Non-binding
    a. This letter is a statement of intent only, and is not a binding obligation of either of the Parties. Such obligations may only be contained in a binding Definitive Agreement executed by the Parties.

Acknowledgment:

~~Tom Bakaly~~ Diane Foster
Authorized Representative
Park City Redevelopment Authority

Acknowledgment:

Jenni Smith
President and General Manager
Greater Park City Company,
A Utah corporation,
Dba Park City Mountain Resort

Acknowledgment:

John D. Cumming
Chairman and Chief Executive Officer
Powdr Corp.,
A Delaware corporation

Acknowledgment:

John D. Cumming
Chairman and Chief Executive Officer
Powdr Development Company,
A Utah corporation

(1) Transit and Transportation Solutions:
- •Coordinate on 224 Cooridor
- •Separate user groups (Transit, day skier, drop-offs, lodging shuttles)

(2) Improved Sense of Arrival, Direct Users

(3) PCMC/PCMR Multi-Modal Transit / Parking Facility
- * Buses / Shuttles / cars
- * 1500 Parking Spaces
- * 2000 + riders per day
- * 30 + buses / hr peak period

(4) Redevelop Existing Transit Hub to full service Station: waiting area, restrooms, smart signage, separation of vehicle types

(5) Walkable Connections
- * Keep Visitors at one grade
- * Feed Retail
- * Reduce conflicts with Transit & Drop-Off

(6) Potential PCMC/ PCMR Housing
- * Affordable Housing
- * Senior Housing
- * Employee Housing
- * Transition to neighborhood
- * Add architectural interest to Multi-Modal Facility

(7) East - West Connection Multi-Modal to City Prop. / Park Ave

(8) Possible Electric Tram or People Mover Connection to negotiate change in grade

(9) City Owned RDA Property
- * Second strong connection Resort to Main St.
- * Transit improvements
- * Senior/Community Center
- * Housing Opportunities
- * Community programming

(10) Define and separate drop-off for ski-school, ski team, day skiers, etc

(11) Signature Plazas and gathering areas for events and apres ski entertainment

(12) North - South People Mover potential pedestrian link to Treasure Hill

(13) Preserve Possible Receiving Area to coordinate:
- * Design
- * Parking
- * Trafic / Circulation
- * Mitigate Neighborhood Impacts

UNIFYING PRINCIPLES

1) **Transit** - Improve ridership, intuitiveness, efficiency, circulation, and safety
2) **Circulation** - Separate and direct, transit, shuttles, and personal vehicles
3) **Walkability** - Utilize People Movers & grade separated bridges to provide clear and easily negotiated pedestrian routes
4) **Event / Peak Day Management** - Build on current cooperative operational strategies and ability to grow destination events while maintaining guest and resident experience
5) **Infrastructure** - Coordinate design and construction schedule (OTIS), integrate vs. duplicate
6) **Housing** - Explore partnerships to match user group with prefered location and environment

GOAL

Fully Coordinate PCMR / PCMC strategies in the LPA RDA area to:
- * maximize mutual benefits
- * preserve resident and guest experience
- * further link economic health
- * improve sustainability
- * avoid duplication and leverage resources

PARK CITY MOUNTAIN RESORT

PCMC / PCMR Potential Opportunities for Coordination in LPA RDA Area


Legend:
PCMR Properties
Mountianside Marriott
RDA
Existing PCMR Base
Future Base Area Re-Development [Existing MPD]:
Future Base Area Re-Development [Existing MPD]:
Silver King Dr.
Lowell Ave
Empire Ave
City Library
PCMR RESORT BASE
Property Ownership
PARK CITY MOUNTAIN RESORT
PlanWorks DESIGN
Dec: 2011

PCMR RESORT BASE

BSA and PCMR Overlay Plan

PARK CITY MOUNTAIN RESORT

PlanWorks DESIGN

Dec: 2011

PCMR Base Area Design Elements

12.8.11

Dec: 2011

Filter Opportunity	**Environment** **Responsible Environmental Stewardship**	**Community/Social Equity** **Community and Economic Diversity**	**Economic** **Sustainable Economy, public services, mitigate impacts**	**Quality of Life** **Keep Park City / Park City**
PCMR / PCMC Multi-modal Transportation Facility	• Incentivize transit use • Less wandering traffic / idling • Encourage car pooling & alt. modes	• Strengthen connection to Historic Main	• Increased Viability of Community and Resort Destination Events • Redevelopment consistent with destination resort vision	• Improved ability to minimize impacts of events
Improved Circulation Design	• Incentivize transit use • Less wandering traffic / idling		• Increased Viability of Community and Resort Destination Events	• Reduce congestions associated with Events and Peak days • Better community celebrations w/ fewer impacts
People movers / Walkways / Trams	• Reduce vehicle trips • Increase walking options	• Establish clearly defined connections between Resort and Main St. business districts	• Directly link PCMR and PCMC economic engines • Encourage guests to experience both	• Improve walkability • Keep mountain feel and ethic for guests & residents • Showcase historic neighborhoods thru ped. Experience
PCMR / PCMC Coordinated Housing Strategy	• Make walkable to services & job for intended user • Reduce vehicle trips • Fewer cars	• Add support of full & part time residents to Old Town economy • Plan for seniors, seasonal, camps, students and full time employees, as well as locals already employed	• Less duplication of resources / subsidy • Increased viability of housing and operations	• Allow each user group to be where they would prefer to live • Integrate fully w/ transit • Allow for unanticipated synergies
PCMC / PCMR Infrastructure & Policy Coordination (OTIS, Receiving Area, Marketing, Transportation)	• Minimize traffic impacts & congestion • Increase sustainability of resort driven economy • Minimize waste of resources • Right size facilities, infrastructure, design solutions	• Cooperative messaging to promote innovative transportation solutions • Joint marketing initiatives to introduce guests to resort and town iconic experiences • Lift Tkt. + Transit sticker = discounted F&B or Retail purchase	• Allow for maintenance of market share and rank as a resort destination while reducing impacts to locals • Economic growth consistent with core values and protective of guest & resident experience	• Focus growth where it can be properly designed and serviced while minimizing neighborhood impacts • Preserve iconic spaces • Coordinate use of technology, signage, & PR to increase livability and raise guest exp.

Exhibit E – July 26, 2012 staff report excerpts

Council's direction included:

i. Pursue multigenerational & affordable housing project on city-owned land at the location of the current senior center;
ii. Explore possible options for expanding the scope of the housing project through a joint venture with an adjacent property owner;
iii. Pursue temporary relocation of senior services to the 3rd floor of Carl Winters;
iv. Consider building a senior and community center in the location of the existing fire station;
v. Explore, through a robust engagement process, community needs and stakeholder priorities;
vi. Look for efficiencies in programming and use of all city-owned facilities in the neighboring "campus" including Library, City Park and the former fire station;
vii. Look for efficiencies in construction related activities to anticipated asset and building maintenance needs;
viii. Further consideration of an expanded library within the context of the rest of the projects; and
ix. Return with formal recommendations including next steps and a timeline for implementation.

Analysis:
The following analysis is broken into sections based on Council's direction to return with recommendations on next steps and a timeline for implementation.

SECTION 1

i. Pursue multigenerational & affordable housing project on city-owned land at the location of the current senior center;
ii. Explore possible options for expanding the scope of the housing project through a joint venture with an adjacent property owner;
iii. Pursue temporary relocation of senior services to the 3rd floor of Carl Winters, and
iv. Consider building a senior and community center in the location of the existing fire station.

Section 1 Overview - A primary part of the project agreed to on July 26, 2012 was a housing component that includes senior or multi-generational opportunities. Consistent with the preliminary Master Plan done by PlanWorks Design staff has been working with Elliott Work Group (EWG) to create a development approach addressing land owned by EWG at 1321 & 1323 Woodside Avenue, which is adjacent to the current senior center. Creating aging in place housing opportunities is a priority for the community as stated in the 2009 visioning exercise, community surveys, and Council's housing policy. It is also consistent with national trends that seniors would prefer to stay in their own homes, if possible. Those who choose to move are opting for locations close to children, friends, work, public transit and health care. Having a contiguous piece of land this large proximate to multiple services (shopping, transit, City Park) is a unique opportunity.

Section 1 Timing (Exhibit C) – Completion of the Iron Horse Bus Driver Housing project is scheduled for spring 2014. This is a critical domino in the overall timing and phasing plan for the entire RDA. The old fire station on Park Avenue houses multiple year-round transit drivers. As soon as they move to Iron Horse, the building can be torn down.

Staff recommends commencement of construction of the LPA multi-generational housing project in spring of 2014. The fire station and senior center will be demolished at that time, allowing for a permanent senior center to begin construction concurrently with the housing project. A primary driver for this approach are the multiple economies of scale of the adjacent construction projects being designed, bid and built at the same time. Additionally, we believe the overall construction impacts on the neighborhood can be consolidated.

This approach and timeline necessitates relocation of the services currently provided in the senior center. To prepare for a temporary relocation of senior activity after demolition of the senior center in May 2014, we recommend preparation of a flexible community space in the Carl Winters Building that seniors can use in the interim, but could then continue to be programmed by multiple users in the future. Assuming Council is supportive of remodel of the 3rd floor of the Carl Winters Building in summer of 2013 (see later section) temporary relocation of the senior programming could be limited to about one year.

Section 1 Scope – The space in the Carl Winters Building would include a commercial kitchen and lockable storage for the seniors' food and programming materials. This space would be reserved for Sundance use during the Festival. It could also be used by the Film Series for pre and post screening functions and, depending on Council direction, could be made available to other community organizations, – particularly as a reception space to be used in conjunction with events at the Jim Santy Auditorium. Council seemed supportive of this strategy in earlier discussions, provided staff began to consider permanent relocation strategies for senior activity.

In discussions with representatives from the senior center, we've learned their preference for relocation is into Carl Winters as opposed to Miners because there is a functioning elevator, there would be a commercial kitchen, and most importantly, consolidation of all activity on one floor.

The outcomes and priorities identified through a community stakeholder process would help Council identify future uses for the space (see Section 2).

SECTION 2

v. Explore, through a robust engagement process, community needs and stakeholder priorities.

vi. Look for efficiencies in programming and use of all city-owned facilities in the neighboring “campus” including Library, City Park and the former fire station;

Section 2 Overview - CRSA’s drawings were conceptual in scope. Multiple community members have inquired about leasing the space to be vacated by Soaring Wings, including non-profits, existing tenants, child care and artists. Staff recommends a comprehensive community engagement exercise to better understand specific programming needs of each of the existing and potential stakeholder user groups and how those needs might align with Council priorities.

Staff believes we can begin to implement projects such as the library expansion and EWG joint venture affordable housing project concurrently with additional planning and identification of community priorities for future uses of other facilities in the LPA RDA, including Miners Hospital, the adjacent Recreation Building and a possible permanent home for the seniors within a broader shared-use community center.

Section 2 Timing – A charrette is planned for Feb – May 2013. The priority here would be to identify what “permanent” uses and programming the community prioritizes in City facilities. Maximizing efficiencies in how we program and operate these facilities is a stated priority.

SECTION 3

vii. Look for efficiencies in construction related activities to anticipated asset and building maintenance needs;

Staff’s preliminary recommendations begin to identify areas where efficiencies can be recognized in cost of design and construction by grouping projects together. In other cases there are existing facilities that have routine, already-funded asset and building maintenance scheduled that could be incorporated within a broader project scope, with a goal of realizing construction economies (mobilized architect and contractor as well as shortening of the term of impacts to facility users). In the Library’s case, specific examples of these type of items are listed as “additive alternates” or “other” to recognize the option of funding through a separate funding source ie HVAC and roof (see Section 4 below).

City Council
Staff Report

Subject: City Manager’s Recommended Budget
Author: Nate Rockwood
Department: Budget, Debt, & Grants
Date: May 15, 2013
Type of Item: Legislative

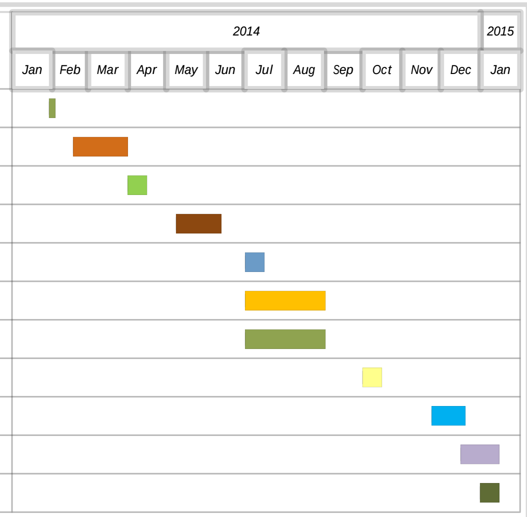
Summary Recommendations:
Hold a public hearing on the City Manager’s Recommended Budget.

Topic/Description:
FY 2014 Adjusted Budget and FY 2015 Recommended Budget and FY 2016 Recommended Plan

Background:
The City usually begins the budget process in January/February with the City Council identifying objectives for the next year during the Council Retreat. This year Council reaffirmed their goals, priorities, and desired outcomes. Council also reviewed the Budgeting for Outcomes (BFO) Program scoring criteria and weights and the 10-year revenue and expenditure projections (FIAR presentation), which showed the possibility of expenditures outpacing revenues in the future. Varying funding mechanisms were discussed for bolstering revenues, but no direction was given at that time. The forecasted 4.5% annual increase in the General Fund for expenditures was also mentioned, some discussion thereof occurred, however no direction to deviate from that policy was given.

The high-level timeline for the strategic planning and budget process was provided to City Council during their annual retreat and is as follows:

ID	Task Name	Start/Ongoing	Finish	Duration
1	Council Retreat	1/30/2014	2/3/2014	3d
2	Results Team deliberation	2/17/2014	3/31/2014	31d
3	Quarterly Goal Update (Q3.FY14)	4/1/2014	4/15/2014	11d
4	Council Budget Hearings	5/8/2014	6/12/2014	26d
5	Quarterly Goal Update (Q4.FY14)	7/1/2014	7/15/2014	11d
6	Business Plan FY14 Update	7/1/2014	9/1/2014	45d
7	Biennial Plan FY15 & 16 Revision	7/1/2014	9/1/2014	45d
8	Quarterly Goal Update (Q1.FY15)	10/1/2014	10/15/2014	11d
9	BFO Departmental Submission	11/24/2014	12/19/2014	20d
10	Biennial Plan FY15-16 Off-year Update	12/16/2014	1/15/2015	23d
11	Quarterly Goal Update (Q2.FY15)	1/1/2015	1/15/2015	11d



The timelines and process for the budget hearings is detailed below:

April 17 –Staff previewed some high-level major operating budget items:, Affordable Care Act (ACA)—Employer Shared Responsibility Provisions, Pay Plan, Health Insurance, Utah Retirement Systems (URS), Blue Ribbon Commission Pay Recommendation, and 4.5% increase in the General Fund.

May 5 - Staff delivered the City Manager's Recommended Budget (Tentative or Proposed Budget) to City Council. Public hearings are currently scheduled for May 15, 29, June 5, and 12. Discussion/action is slated for these dates as follows, barring changes as needed.

May 8 – Budget Staff presented the Tentative Budget, Budget Overview & Timeline, Update of Financial Impact Assessment Report (FIAR), and Benefits (pay plan, URS-Retirement, Health Insurance).

May 15 – Special Service Contracts and CIP Budget.

May 29 – Operating Expenditures - Biennial Plan Team Presentations and Fee Changes. Presentation and adoption of the Tentative Budget.

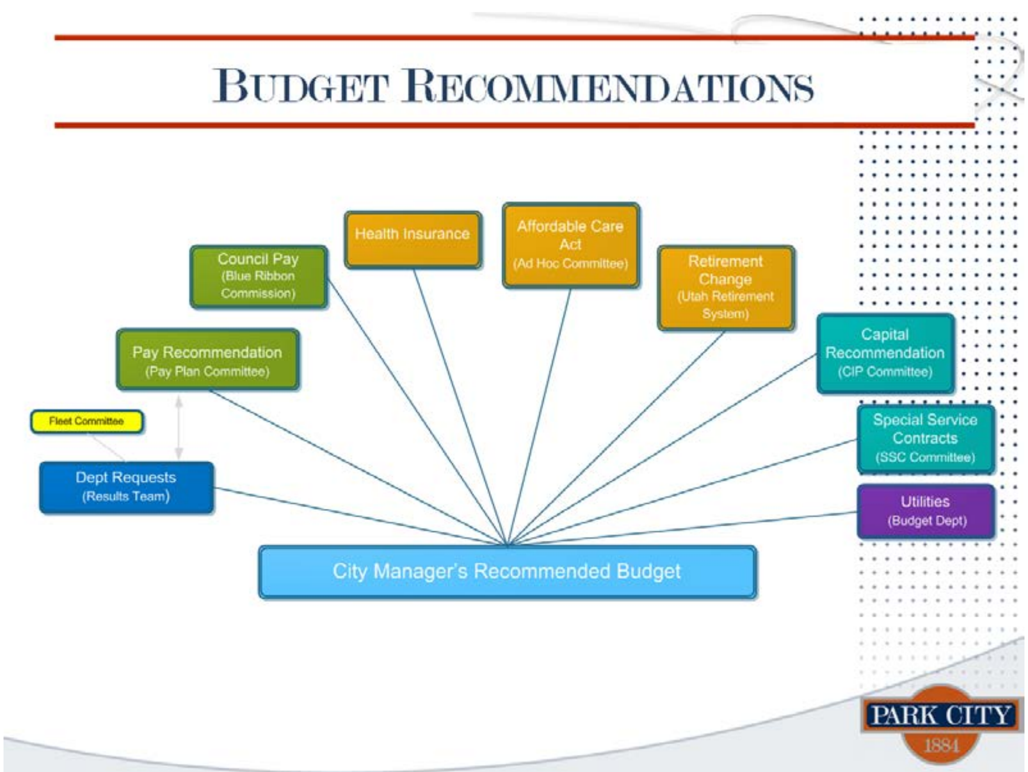
June 5 – Personnel Policies and Procedures (P&P) Manual, City Fee Resolution, Council Compensation, Budget Policies, Outstanding Budget Issues, Adopt CEMP update by resolution

June 12 – Presentation & Adoption of Final Budget (if no property tax increase), Adoption of Provisional Budget (if property tax will be increased)

Analysis:
This budget season will be the first year of the budget biennium. Between now and June, we will be working on adjusting the FY 2014 Budget as well as developing the FY 2015 Budget and the FY 2016 Plan.

The City Manager's Recommended Budget is constructed drawing upon Council input and direction received during the Council Retreat in January, as well as Council input received during work sessions and study sessions throughout the year. During the budget section of the City Council Retreat. During the budget section, Council was presented with the FIAR projection of the City's expenditures and revenues over the next ten years. In essence, the FY15 and FY16 budgets have to fit within the confines of the FIAR's projected expenditure increases (based off of a 10-year historical analysis of an average annual increase of Park City's expenditures), approved by Council. The funding level recommendation has to account for what could be considered "inflationary" increases like Pay Plan, health insurance, and retirement as well as more discretionary increases like Affordable Care Act (ACA) provisions, departmental requests, CIP enhancement, etc. Below are the City's Long-Term Budget Strategies for crafting the City Manager's Recommended Budget:

1. Budget draws upon Council input from Council Retreat and FIAR projections as a guide
    - Performance-driven operating budget based upon Council's goals, objectives, and desired outcomes
2. Two-year budget process with fewer budget requests coming in the "off-year" (the "off-year" is FY16 in this particular biennium budget)
    - Second-year budget requests that will be considered are ones that
        1. will come with revenue offsets;
        2. are accompanied by expense reductions, or that;
        3. are required by law; or
        4. are necessitated by market/environment changes that happened since the last budget adoption (since the adoption of the FY15 budget, in this case)
3. Budget committees' recommendations will be considered
    - Committees include Results Team as well as CIP, Pay Plan, and Fleet Committees and any other ad hoc committees needed for unique circumstances (such as this year's recommendations for the provisions of the Affordable Care Act)
    - Results Team will make recommendations by considering BFO score, manager's bid request, established need, available resources, and performance measures
4. All operating and capital budget requests should be considered during the budget process
5. General Fund budget surplus should be used for capital projects



Special Service Contracts

As part of the budget process, the City Council appropriates funds to contract with nonprofit organizations offering services consistent with the needs and goals of the City. According to City policy, up to one percent of the City's total budget is allocated. Payment may take the form of cash payment and/or rent contributions for the lease of City property in exchange for the value of in-kind services. The budget for Special Service Contracts for FY 2015 & FY 2016 is $515,000 per year. Special Service Contracts are awarded as two-year contracts in order to mirror the two-year budget cycle.

Special Service Contracts are awarded through a competitive application process. A request for applications (RFA) was issued in February 2014 and announced through local media. Letters announcing the RFA were also sent to previous awardees. Applications were accepted through March 31 and submitted to the Special Service Contract Subcommittee for review. This Subcommittee included Council Members Simpson and Matsumoto and city staff.

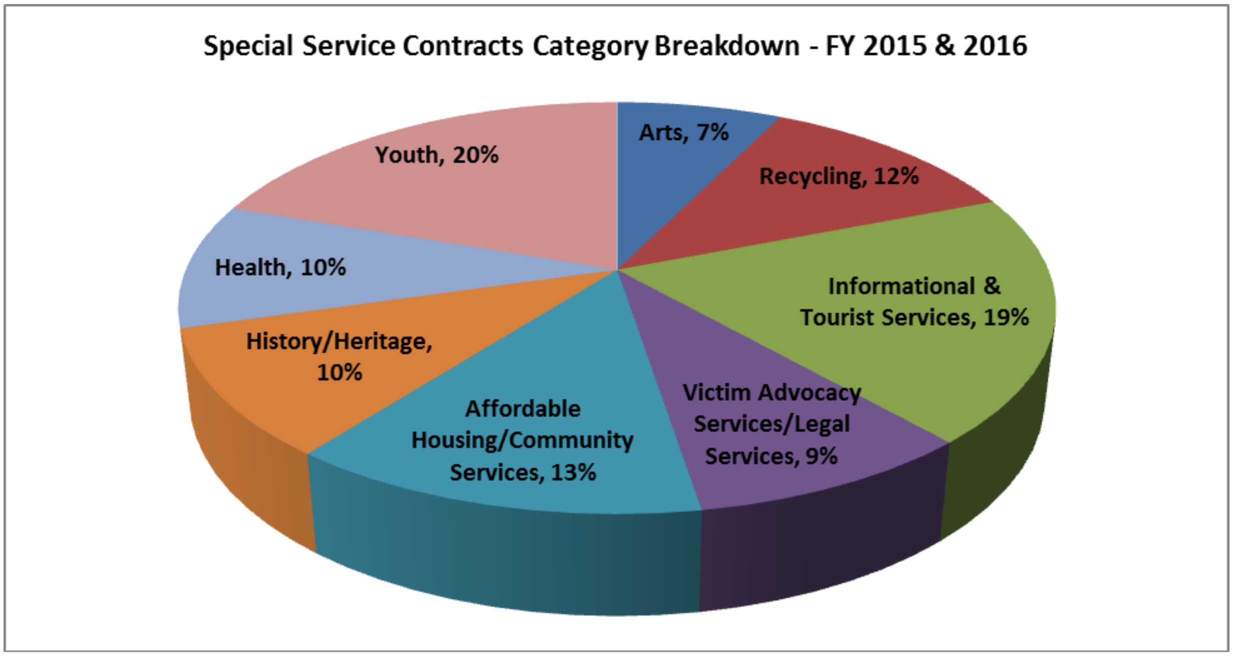
The selection process involved an examination of each application to determine how well it fit the criteria outlined in the City's Public Service Contract Policy. The applications were then ranked based on the outcome of the criteria match. Using these rankings, the committee allocated funding limited by the special service contract budget. In allocating funds, the committees examined additional criteria to determine if funding for some applications should be adjusted. These criteria consisted of whether the total allocation was sufficiently distributed among the service contract categories, the number of beneficiaries, whether certain gaps in community service are filled, if City Council goals are advanced, and whether the service would be provided by the City in the absence of it being provided through a non-profit organization.

A summary of the subcommittee recommendation is shown in the table below and a full summary with justifications and program descriptions from the Special Service Contract Subcommittee is found in *Attachment A*.

Special Service Contracts FY 2015 & 2016 (Subcommittee Recommended)

Organizations	2-Year Request	Previous Award (1-Year) FY 2014	Recommended Funding FY 2015	Recommended 2-Year Funding
Christian Center	$30,000	$12,000	$15,000	$30,000
Friends of the Utah Avalanche Center	$10,000	$1,750	$5,000	$10,000
Habitat for Humanity	$50,000	$0	$10,000	$20,000
Holy Cross Ministries - PC Promise	$23,000	$11,500	$11,500	$23,000
Mountain Mediation Center	$29,578	$12,600	$13,750	$27,500
Mountain Trails	$25,000	$10,000	$12,500	$25,000
Mountainland Community Housing Trust	$40,000	$18,000	$20,000	$40,000
P.C. Adult ESL	$19,400	$5,000	$9,700	$19,400
P.C. Historical Society and Museum	$83,000	$40,000	$41,500	$83,000
P.C. Historical Society and Museum - Newspaper Pres	$40,000	$0	$10,000	$20,000
Park City Chamber Bureau	$200,000	$100,000	$100,000	$200,000
Park City Film Series	$31,911	$0	$10,000	$20,000
Park City/Summit County Arts Council	$156,340	$25,000	$25,000	$50,000
PC Performances - Egyptian Theatre Productions	$20,000	$2,500	$2,500	$5,000
PC Performances - Performing Arts Complex Space	$60,000	$0	$0	$0
Peace House, Inc.	$65,000	$30,000	$32,500	$65,000
People's Health Clinic	$67,944	$38,000	$33,972	$67,944
Recycle Utah - Operating	$90,000	$33,000	$45,000	$90,000
Recycle Utah - Rent Contribution	$31,154	$31,154	$15,577	$31,154
Total	**$1,032,327**	**$352,504**	**$413,499**	**$826,998**
Youth Organizations	**2-Year Request**	**Previous Award (1-Year) FY 2014**	**Recommended Funding FY 2015**	**Recommended 2-Year Funding**
ArtsKids	$40,000	$12,500	$15,000	$30,000
Big Brothers/Big Sisters of Utah	$20,000	$0	$0	$0
Holy Cross Ministries	$15,000	$7,500	$7,500	$15,000
PC Education Foundation	$50,000	$20,000	$20,000	$40,000
PC Education Foundation - Internet	$15,000	$0	$7,500	$15,000
PC Performances - Egyptian Theatre Youth Programm	$20,000	$7,500	$7,500	$15,000
PC Performing Arts Foundation's MGSS	$20,000	$10,000	$10,000	$20,000
PC Performing Arts Foundation (Student Outreach)	$30,000	$5,000	$5,000	$10,000
Summit County Childrens Justice Center	$16,000	$8,000	$8,000	$16,000
Sundance Institute	$18,000	$9,000	$9,000	$18,000
Youth Winter Sports Alliance	$24,000	$12,000	$12,000	$24,000
Total	**$268,000**	**$91,500**	**$101,500**	**$203,000**
Grand Total	**$1,300,327**	**$444,004**	**$514,999**	**$1,029,998**

The SSC subcommittee is currently recommending awards in FY 2015 & 2016 totaling $515,000 per year. The following graph shows the recommended funding as allocate by category.



Capital Budget

The capital budget, as proposed by the City Manager, continues to fund high priority projects which meet Councils four goals. The following table shows a summary of current major projects with proposed funding amounts.

Major Capital Projects in 5-Year CIP				
Projects	**Proposed Budget**	**Principal Funding Sources**	**Scheduled Start**	**Scheduled Finish**
Walkable Community Projects (Total to be Completed)	$6.8 Million	GO Bond	Underway	Phased
Water Projects (2014 - 2019)	Estimate $44 Million	Water Revenue (Bonds)	Underway	Phased
OTIS (Total to be Completed)	$14 Million	Resort Sales Tax & Water Revenue (Bonds)	Underway	Phased Over 8 Years
PCMR Transit Center	$1.5 Million	Federal Grant Transit Sales Tax	Pending	Pending
Main Street/Downtown Enhancements	11.5 Million 3 Million	Resort Sales Tax GOED ED Funding	Underway	2020
Deer Valley Drive II	$950K	Resort Sales Tax	Underway	2015
Royal Street Rebuild	$1.5 Million	General Fund Streets Impact Fees	2014	2015
Soils Repository	$4.2 Million	Sale of Asset General Fund	Pending	Phased
Storm Drain Improvements	$8.5 Million	Resort Sales Tax	2015	2022
Library Expansion and Renovation (Total Anticipated Capital Cost)	$9.3 Million	Lower Park RDA	2014	2015
Open Space Acquisitions	11.5 Million	Resort Sales Tax	Pending	Pending
Senior Community Center	$1 Million	Lower Park RDA	2015	2016
Multi-Generational Housing	$8 Million	Lower Park RDA	2015	2018
Prospector Ave. Rebuild	$1.4 Million	Federal Grant General Fund	2016	2017
Prospector Drain - Regulatory Project	$3.2 Million	General Fund	Underway	Phased
Bonanza Park Redevelopment Infrastructure	$1.3 Million	CIP Fund Balance	Pending	Pending

This year's CIP committee (Blake Fonnesbeck, Jon Weidenhamer, Ken Fisher, Marina Smith, Nate Rockwood, Matt Cassel, Scott Robertson, Kayla Sintz and Matt Twombly) scored and prioritized all new and existing projects and all projects with significant changes in funding types or amounts and integrated them into the 5-Year Capital Improvement Plan. These projects were reviewed and ranked based on five criteria: Objectives (City Council Goals), Funding, Necessity, Previous Investment, and Cost/Benefit. In addition, this year projects were also evaluated and scored based on environmental impact (as measured by potential carbon reduction or increase to the City). The CIP requests and recommendations are highlighted in the Expenditures section of the City Manager's Recommended Budget Vol. 1, with a complete detailed CIP report included in the Volume II.

At the time of prioritization, projections showed a general fund transfer to the CIP Fund of approximately $3.2 million in FY 2014, $3.1 million in FY 2015 and $2.7 million in FY 2016. These figures include approximately $900K to $1 million in transfers from the General Fund for equipment replacement. The current CIP budget includes some minor additional general fund transfer to the CIP beyond what was allocated during the FY 2014 budget process (approximately $130,000 to $150,000 in FY 2015 to 2017 respectively). With such limited additional funding, the CIP committee was tasked with funding new projects primarily within the current planned transfer. This was accomplished by evaluating the funding of current projects and recommending reallocation of some previously funded projects and evaluating and reducing where possible the ongoing CIP projects.

The Committee recommended funding projects requiring operating surplus in the amount of $3,168,000 in the current fiscal year, $3,063,000 in FY 2015 and $2,732,000 FY 2016. The recommended project totals then taper from $2.4 million in FY 2017 to $2.1 million in FY 2019. The City Manager made one small adjustment to the CIP committee recommendation, which was to include the Council Chambers Advanced Technology Upgrades in the CIP for the amount of $68,000 in FY 2014.

The total proposed CIP budget (all funds combined) for the FY 2014 Adjusted Budget is $85.8 million ($41.7 million original budget and $44.1 million carry-forward budget). The proposed FY 2015 CIP budget is $33.2 million; FY 2016 CIP is $15.4 million. The General Fund surplus required to fund projects in FY 2015 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 Asset Management, Irrigation Controller Replacement, and the Royal Street Rebuild.

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

New Project Requests (All Funds Combined)

New Projects Recommended in 5-Year CIP

New CIP #	Score	Project Name	Project Manager	Fund	Revenue	Total Project Cost By Fund	Total Budget FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
000341	23.0	Prospector Avenue Reconstruction	Cassel	31	TRANS FR GEN FUND	400,000			100,000	300,000		
				31	FEDERAL GRANTS	1,000,000			1,000,000			
000349	20.8	Fiber Connection to Quinn's Ice & Water Facilities	Robertson	31	TRANS FR GEN FUND	65,000		65,000				
				51	WATER SERVICE FEES (TBD)	-						
000337	20.6	Engineering Survey Monument Re-establishment	Cassel	31	TRANS FR GEN FUND	20,000		10,000	5,000	5,000		
000350	19.9	Fleet Shop Equipment Replacement	Anderson	31	TRANS FR GEN FUND	75,000		15,000	15,000	15,000	15,000	15,000
000339	18.3	Engineering Small Projects Fund	Cassel	31	TRANS FR GEN FUND	100,000	100,000					
000338	18.1	Repair of Historic Wall/Foundation above Hillside Avenue	Cassel	31	TRANS FR GEN FUND	125,000	125,000					
000331	17.9	Library Technology Equipment Replacement	Robertson	31	TRANS FR GEN FUND	121,935	10,000	14,387	24,387	24,387	24,387	24,387
000347	16.9	Council Chambers Advanced Technology Upgrades**	Robertson	31	TRANS FR GEN FUND	68,000	68,000					

**New projects will be added to Water Fund 51 when the Water Financial Model and Division of Drinking Water Recommendations are finalized. Council will be updated and the Water Capital Budget will be included in the Council Adopted Budget*

***Project score fell below funding line but is recommended by City Manager*

The following figure shows projects that are not recommended for funding in the 5-Year CIP

New Projects Not Recommended in 5-Year CIP												
New CIP #	Score	Project Name	Project Manager	Fund	Revenue	Total Project Cost By Fund	Total Budget					
							FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
000346	17.7	Solar Installation - MARC	Ober	31	TRANS FR GEN FUND	426,800		426,800				
000345	17.5	Ice Dasher Safety Paneling Retrofit	Pistey	31	TRANS FR GEN FUND	20,000		20,000				
000336	17.0	Snow Creek Bridge Repairs	Cassel	31	TRANS FR GEN FUND	75,000		75,000				
000351	16.9	Survey Monuments for City/County Boundaries	Robertson	31	TRANS FR GEN FUND	35,000		35,000				
000344	16.8	McCleod Creek LOMA	Cassel	31	TRANS FR GEN FUND	200,000				200,000		
000332	15.4	Feasibility & Conceptual Design for Second Sheet of Ice	Fisher	31	TRANS FR GEN FUND	35,000		35,000				
000330	15.4	Additional Parking at McPolin Farm Trailhead	Carey	31	TRANS FR GEN FUND	75,000		75,000				
000340	15.1	Engineering Incubator Program	Cassel	31	TRANS FR GEN FUND	15,000		5,000	5,000	5,000		
000352	14.8	Legal Software for Electronic Document Management and Workflow	Robertson	31	TRANS FR GEN FUND	65,000	65,000					
000335	13.8	Feasibility & Conceptual Design Indoor Field Space	Fisher	31	TRANS FR GEN FUND	35,000		35,000				
000333	13.3	Feasibility & Conceptual Design for Indoor Aquatics	Fisher	31	TRANS FR GEN FUND	35,000		35,000				
000348	12.9	Additional Parking/ P.C. Police Building	Gustafson	31	TRANS FR GEN FUND	1,500,000		1,500,000				

The following table shows all projects funded with the general fund transfer, in order of how each project was scored by the CIP Committee.

Projects Recommended in 5-Year CIP (General Fund Transfer)*									
CIP #	Score	Project Name	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	Total
CP0006	26.4	Pavement Management Implementation	300,000	300,000	300,000	300,000	300,000	300,000	Ongoing
CP0266	24.3	Prospector Drain - Regulatory Project	256,967						256,967
CP0075	23.5	Equipment Replacement - Computer	255,000	275,000	296,000	296,000	296,000	296,000	Ongoing
CP0146	23.5	Asset Management/Replacement Program	582,709	552,709	552,709	552,709	552,709	552,709	Ongoing
CP0312	23.4	Fleet Management Software	27,000	27,000					54,000
000341	23.0	Prospector Avenue Reconstruction			100,000	300,000			400,000
CP0267	22.8	Soil Repository	143,033		300,000				443,033
CP0278	22.0	Royal Street		750,000					750,000
CP0325	21.8	Network & Security Enhancements	80,000	80,000					160,000
CP0326	21.8	Website Remodel	37,000						37,000
CP0290	21.5	APP Development		60,000					60,000
CP0074	21.5	Equipment Replacement - Rolling Stock	650,000	650,000	700,000	700,000	750,000	750,000	Ongoing
CP0217	21.4	Emergency Management Program	10,000	10,000	10,000				30,000
CP0258	21.3	Park Meadows Ponds Control Structure (Close Out)	(19,658)						(19,658)
CP0020	21.2	City-wide Signs Phase I	20,000						20,000
CP0327	20.9	Outdoor Tennis Court Rebuild	70,000						70,000
CP0283	20.9	Storm Water Utility Study		25,000					25,000
CP0061	20.9	Economic Development	50,000	25,000	25,000	25,000			125,000
000349	20.8	Fiber Connection to Quinn’s Ice & Water Facilities		65,000					65,000
CP0286	20.7	Ironhorse Electronic Access Control	25,000						25,000
000337	20.6	Engineering Survey Monument Re-establishment		10,000	5,000	5,000			20,000
CP0041	20.5	Trails Master Plan Implementation		30,000	30,000	30,000	30,000	30,000	Ongoing
CP0017	20.4	ADA Implementation	5,000	5,000	5,000	5,000	5,000	5,000	30,000
CP0003	20.3	Old Town Stairs	50,000						50,000
CP0250	20.3	Irrigation Controller Replacement	25,000	20,000	20,000	20,000	20,000	20,000	Ongoing
CP0191	20.0	Walkability Asset Management	45,000	40,500	40,500	40,500	40,500	40,500	Ongoing
000350	19.9	Fleet Shop Equipment Replacement		15,000	15,000	15,000	15,000	15,000	Ongoing
CP0036	19.7	Traffic Calming	50,000	37,500	37,500	10,000	10,000		145,000
CP0142	19.6	Racquet Club Program Equipment Replacement	80,000	60,000	60,000	60,000	60,000	60,000	Ongoing
CP0264	19.3	Security Projects	50,000		50,000				100,000
CP0318	19.3	Bonanza Park/RMP Substation Mitigation	(200,000)						(200,000)
CP0324	18.6	Recreation Software	85,000						85,000
CP0280	18.4	Aquatics Equipment Replacement	15,000	11,250	11,250	11,250	11,250	11,250	Ongoing
000339	18.3	Engineering Small Projects Fund	100,000						100,000
CP0128	18.3	Quinn's Ice/Fields Phase II	60,000						60,000
CP0229	18.2	Dredge Prospector Pond			150,000				150,000
000338	18.1	Repair of Historic Wall/Foundation above Hillside Avenue	125,000						125,000
000331	17.9	Library Technology Equipment Replacement	10,000	14,387	24,387	24,387	24,387	24,387	Ongoing
000347	16.9	Council Chambers Advanced Technology Upgrades**	68,000						68,000
CP0042	Not Rated	Property Improvements Gilmore O.S.	100,000						100,000
CP0214	Not Rated	Racquet Club Renovation	12,865						12,865
		Total	**3,167,916**	**3,063,346**	**2,732,346**	**2,394,846**	**2,114,846**	**2,104,846**	**15,578,146**

New Ongoing CIPs

Trails Master Plan Implementation

The following table shows ongoing General Fund projects in the 5-Year CIP. Trails Master Plan Implementation has previously been funded through Rap Tax Grants and larger blocks of Open Space/Parks Impact Fees and General Fund. It is expected that the project will continue to receive RAP Grants from year-to-year. It is recommended that the an annual amount of $20,000 Open Space/Parks Impact fees go towards the construction of new trail and pathways in the trails system. It is also recommended that $30,000 in General Fund Transfer is contributed annually towards trails improvement and trails asset management.

Library Technology Equipment Replacement

Council approved the Library Facility Remodel that included operational enhancements and public space for a digital media and technology lab. This CIP servers as a fund to replace aging technology not eligible under the Computer Replacement Fund. This consists primarily of the Automated Check in System with 5 bin Sorter, Self-checkout Machines with Payment System and the Security Gate System. Other computer replacement and technology items are included the Equipment Replacement – Computer CIP or within the Library's annual operating budget.

Ongoing CIP Projects with General Fund Transfer as Funding Source							
CIP #	**Project Name**	**FY 2014**	**FY 2015**	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**
CP0006	Pavement Management Implementation	300,000	300,000	300,000	300,000	300,000	300,000
CP0075	Equipment Replacement - Computer	255,000	275,000	296,000	296,000	296,000	296,000
CP0146	Asset Management/Replacement Program	582,709	552,709	552,709	552,709	552,709	552,709
CP0074	Equipment Replacement - Rolling Stock	650,000	650,000	700,000	700,000	750,000	750,000
CP0041	*Trails Master Plan Implementation*		*30,000*	*30,000*	*30,000*	*30,000*	*30,000*
CP0250	Irrigation Controller Replacement	25,000	20,000	20,000	20,000	20,000	20,000
CP0191	Walkability Asset Management	45,000	40,500	40,500	40,500	40,500	40,500
000350	Fleet Shop Equipment Replacement		15,000	15,000	15,000	15,000	15,000
CP0142	Racquet Club Program Equipment Replacement	80,000	60,000	60,000	60,000	60,000	60,000
CP0280	Aquatics Equipment Replacement	15,000	11,250	11,250	11,250	11,250	11,250
000331	*Library Technology Equipment Replacement*	*10,000*	*14,387*	*24,387*	*24,387*	*24,387*	*24,387*
	Total	**1,962,709**	**1,968,846**	**2,049,846**	**2,049,846**	**2,099,846**	**2,099,846**

Ongoing CIP Projects with General Fund Transfer as Funding Source

Adjustments to Ongoing Capital

With limited new funding for capital projects, the CIP Committee weighed several potential CIP scenarios. These scenarios ranged from simply drawing a hard funding line based on score and available funding levels to making significant reductions to ongoing projects. Ultimately, the committee landed on a mixture of reductions to ongoing projects and adjustments to project timing, which allowed the funding threshold (or funding line) to move down, allowing projects scoring further down the scoring list to be funded.

All Ongoing CIPs were evaluated by the responsible project managers to determine if reductions to funding would significantly affect city service levels. Projects were then adjusted proportionally by scoring and anticipated need. In many cases, ongoing capital projects had a carry-forward balance, which the CIP Committee and project manager felt was sufficient to cover anticipated needs despite reductions. Staff will continue to evaluate the funding levels for ongoing capital projects and make adjustments in future budget years as determined necessary. Public Art was removed as an ongoing CIP and will continue to be funded with 1% of qualifying capital projects as previously directed by City Council. Reductions to ongoing capital projects include:

5% - Asset Management/Replacement Program
7% - Equipment Replacement - Rolling Stock
50% - Economic Development
70% - ADA Implementation
20% - Irrigation Controller Replacement
10% - Walkability Maintenance
25% - Traffic Calming
25% - Racquet Club Program Equipment Replacement

Major Project Adjustment and Updates

Prospector Drain

On January 10, 2013, Council reviewed, approved, and signed the Proposed Administrative Order on Consent (Settlement Agreement) for Richardson Flat Tailings Site OU4 (the Prospector Drain) negotiated by Park City Municipal Corporation staff, the Environmental Protection Agency, the U.S. Fish and Wildlife Service, the Bureau of Land Management and the Utah Department of Environmental Quality. This Settlement Agreement provides for the preparation and performance of an Engineering Evaluation/Cost Analysis (EE/CA) and a non-time critical removal action for OU4. The Prospector Drain is a shallow groundwater drain underneath a portion of a historic tailings pond that has been developed with residences on the surface. The project will include site characterization, risk assessment, the development of removal action alternatives and their respective costs, and implementation of selected removal action.

The project is being done under an Administrative Order on Consent with the EPA to address the discharge of metals impacted water from the Prospector Drain and Biocell. Project involves first conducting an Engineering Evaluation and Cost Analysis, then selecting a remedial action and implementation. In addition, a Natural Resource Damage Assessment (NRDA) must be done that will determine compensatory restitution for damages to natural resources.

Previously the Prospector Drain was funded as a capital project in the Water Fund, however based on the recommendation of the city's financial audit it was determined that the project should be funded within the capital improvements fund (Fund 31), It is the recommendation of the environmental team that previously allocated environmental CIP funds should be used on the high priority Prospector Drain project. Funding for this project has been moved up to FY 2014 to cover current costs associated with the project. The current budget adjustment is based on a better understanding of potential outcomes and regulatory requirements of the project. In addition, we now have a better understanding of agency costs and NRDA costs.

We are not 100% certain the EPA will require a treatment plant to be built. But this is a realistic, worst case scenario. In the case where we are require to build a treatment facility, there will be an ongoing operating expense for routine maintenance. This amounts to potentially $420,000 estimated annual O&M (includes 25% contingency).

Deer Valley Drive

The Deer Valley Drive Reconstruction project was originally funded for FY2011 as part of the FY 2008 budget process. The project includes the reconstruction of Deer Valley Drive including water infrastructure as well as walkable/functional and aesthetic improvements to the street. The project has been divided into two phase. Phase I is partially funded with federal funds ($1M), water service fees ($1.6M), storm water funds (Additional Resort Sales Tax $760K) and General Fund transfer ($441K). It is the recommendation of the City Manager and the CIP Committee to use the Additional Resort Communities Sales Tax as the potential funding source for phase II ($950K).

The first phase of the Deer Valley Drive Reconstruction project included replacement of the existing collapsed storm drain, replacement of the gas line (work and design to be performed by Questar Gas), replacement of the existing distribution water line, pedestrian modifications at the round-about, left turn lane at the intersection of Deer Valley Drive and Deer Valley Drive North, bus pullouts, speed limit feedback signs, pedestrian lighting from the round-about to Sunnyside Drive, update of signage and road resurfacing.

The proposed second phase of the Deer Valley Drive Reconstruction project would include additional pedestrian lighting, crosswalks, possible bus shelters/bus stop amenities, cleaning of the creek, landscaping improvements along the corridor, a new entry feature near the intersection of Deer Valley Drive and Deer Valley Drive north, and improved sidewalks.

Water Projects

Water quality and delivery continue to be a top priority for Park City. With the rate of development that occurred over the past few years, water needs have been identified and the financing cost of these improvements has been developed to be fairly distributed between current users and new development. CIP changes to the Water Fund are also reflective of the City's continuing commitment to secure Park City's water needs through improvements to the City's water infrastructure. The Water Department and Budget Department are currently reviewing and evaluating the 2015 Water Fund Financial Model. This model projects the long-range operating and capital needs of the Water System and is used to determine future water rate increases and bonding needs. At the time the City Manager's Recommended Budget was prepared, some water project assessments and funding amounts were still in flux and a finalized water project list is not included in the document. A final list of recommend water projects and water rate adjustments will be presented to Council as part of the budget hearings and will be included in the Final Budget.

Walkability Projects

To date, approximately $7,900,000 has been utilized to fund the twenty seven substantially completed projects. $7,170,000 in voter approved bond funds remain from the $15 Million bond initiative. On March 5, 2013, staff presented a walkability update which included the remaining walkability project list and proposed project timeline to Council. At that time Council indicated that they were in favor of moving forward with the listed walkability projects and authorized issuing a General Obligation (GO) Bond for the remaining $7,175,000 of voter approved Walkability GO Bonds.

Three of the thirty six WALC Projects remain. Two are specifically identified within the Dans-Jans corridor and are currently in design. Easement coordination remains to be a challenge with the west side pathway but staff is confident a pathway will be constructed in the 2014 construction season. The east side pathway and subsequent underpass is still scheduled for 2015 construction. The remaining project identifies widening of the existing poison creek and Kearns pathways. Poison Creek is scheduled for construction June of 2014 and Kearns 2015.

Prospector Avenue Reconstruction
Park City is slated to receive $1,000,000 in Small Urban Fund Grant money in 2016. These funds require a 7% match but also have strict restrictions on how they are used. The CIP money requested is to allow our staff to complete the project in one season. Elements of the project include updated storm drains, sidewalks, bus pullouts, additional lighting, resurfacing of the road, bike lanes, etc. This project is scheduled for FY 2016, additional details including scope, schedules and community and business impacts will be discussed in detail as the project is designed and developed.

Solar Installation - MARC
Like all City properties, the MARC has been assessed for renewable energy potential. The MARC has the potential to triple the amount of City-owned solar capacity. This is the last property with major solar potential and the project is estimated to cost $436,500 after rebates. This project is currently not recommended in the Capital Improvement Plan, however, it was the highest ranked of the projects that are not recommended for funding. In light of the discussion held during the April 24, 2014 Renewable Energy Study Session, Council may wish to discuss reallocation of currently allocated funding sources to consider funding for this project.

A 194kW solar PV system on the MARC is projected to decrease the MARC's annual energy use by at least 16%. This results an average annual savings of $15,700, or about 14% of the MARC's total electricity expense. This 700+ panel system would be the largest and the most visible renewable energy project in the City. Park City would hedge against future energy costs over the 25-year, warrantied life of the system.

Lower Park Avenue RDA (LPA RDA)
Pursue an age-in-place and attainable housing project on city-owned land at the location of the current senior center, former Park Avenue fire station and adjacent land acquired from Knudson and Elliott Work Group. On May 15, 2014 City Council will discuss in work session the LPA RDA Master Plan and the possibility of embarking upon a a charrette to identify goals, relative density and scope of the project in summer 2014 with a projected start of construction in spring 2016.

The library renovation will start in June 2014 and completion is estimated in Spring 2015. The construction budget is $6.82 M, and the total budget is $9.32. The scope includes:

- Interior renovation and expansion of the library into all of floors one and two;
- Interior renovation of the 3rd floor for flexible community space and Park City Cooperative Preschool (PCCP) and Park City Film Series (PCFS). This community space is anticipated to be used in the short term to house senior center functions and support community activities during off hours, including pre and post function support to the Santy;
- An added, single-story entry sequence to the library at the north façade;

- A 2-story addition at the northwest corner providing added function, flexibility and consolidation of services; and
- Modifications of the 1992 addition to expose the original historic structure on the south, west and north facades.

Historic Preservation Grants and the CIP

The Historic Preservation Grant program was originally housed in the CIP and funded with Main Street and LP RDA funds as directed by Council and included in the RDA resolutions. The majority of historic preservation grants are awarded in the RDAs. Occasionally some historic preservation grant applications were received from property owners outside the RDAs. To provide for this Council allocated some general fund transfer funding in the CIP for these applications.

With recent changes to accounting rules (GASB), the City can no longer fund capital improvement projects with CIP funds for assets the City does not own. Historic Preservation Grants fall into this category. In order to continue the Historic Preservation Grant program, as part of the FY2014 budget process (last year – June 2013), the Finance and Budget Manager's moved funding for the program into the operating budget. At that time, the amount remaining in the CIP from the general fund transfer was $47,000. This was the total amount available to be drawn down or carried forward into future years (the total amount available from the GF was $47,000). When the budget was moved to operating, that amount was entered into the operating side as an annual amount. Meaning rather than a total of $47,000, the program now has an annual amount of $47,000 per year for properties in the general fund area (City limits) but not eligible for funding in an RDA.

The budget also now includes two non-departmental operating budgets for both the Main Street and Lower Park Avenue RDA. The direction given by the previous City Council was that Historic Preservation Grants are a high priority for the City and the RDA. Therefore, the City has followed a policy of allowing nearly unlimited funding for Historic Preservation Grants in the LP RDA and unlimited, to the extent possible, in the Main Street RDA (based on limited remaining funds available in the Main Street RDA). These non-departmental accounts are to be adjusted to match expenditures at the end of each fiscal year. Funding is limited to qualifying applicants and qualifying funding match as out lined in the Historic Preservation Grant policy.

Similar CIP/operating adjustments have been made to account correctly for Historic Abetment Projects and other past CIP project, which fall into this GASB definition. The Finance and Budget departments continue to work on this issue in to find ways that will not affect service levels to current city programs.

Additional Resort Communities Sales Tax

The City recently secured an additional funding source with the Additional Resort Communities Sales and Use Tax (ARST). It is anticipated that the ARST will generate approximately $3.2 million in FY 2014. The full amount of the anticipated revenue was designated to be received in the City's Capital Improvement Fund. The total allocation of the ARST funds will be adjusted each year as part of the CIP process. The potential funding type will vary between cash and debt as project timing is adjusted to match projected project expenditures.

The A/B scenario originally adopted by Council during the FY 2013 budget process designates total funding between 2014 and 2021 to the following capital projects:

Designated Project 2014 - 2021	Total Funding Amount
Historic Park City/ Main Street & Downtown Projects	$14.5 M
OTIS	$8.5 M
Open Space	$15 M
Storm Drain Improvements	$8.5 M
Total	**$46.5 M**

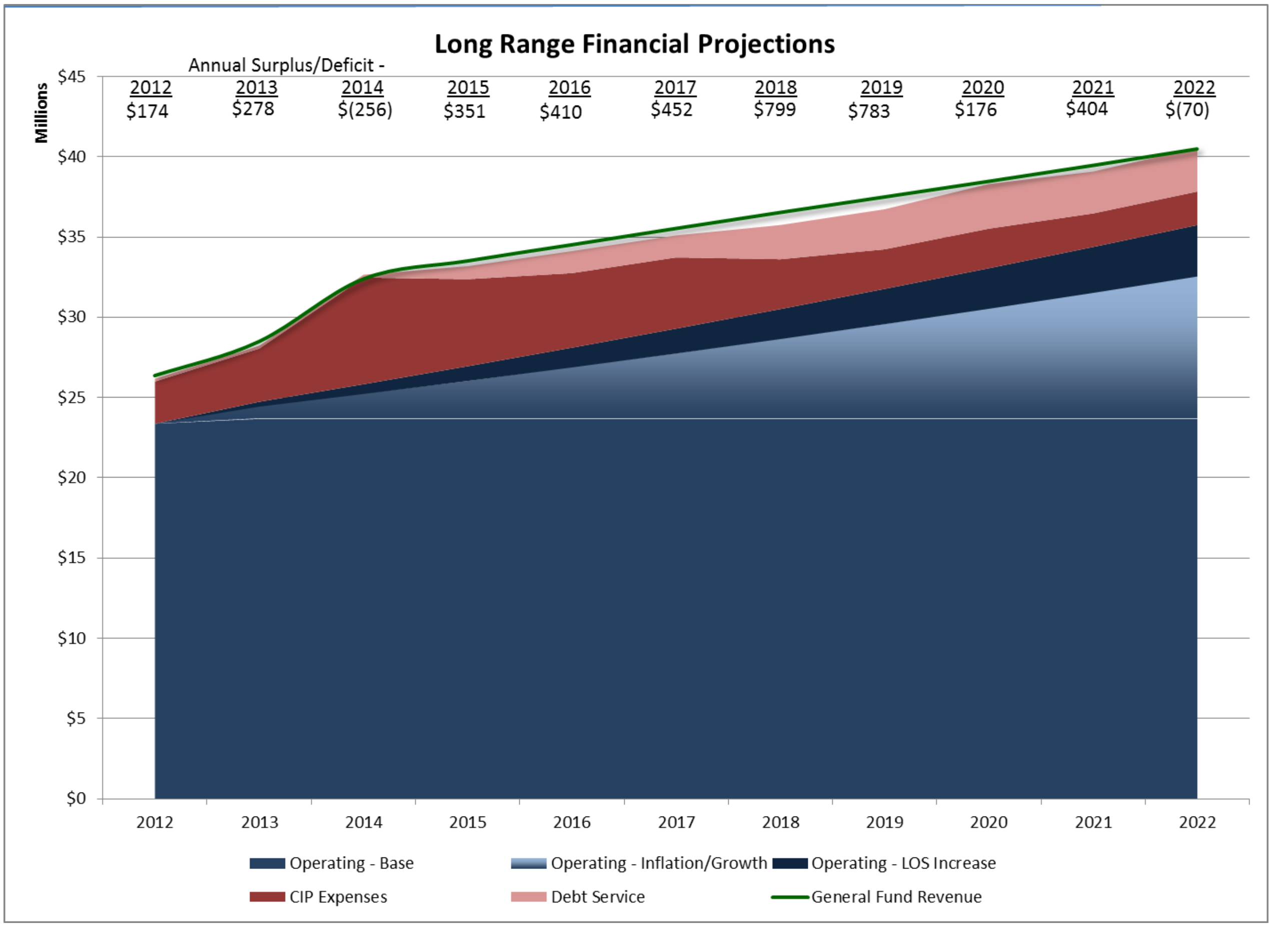
Open Space currently includes open space acquisition and easement monitoring fund allocations

Additionally the City secured a $3,000,000 economic development grant from the State of Utah Governor's Office of Economic Development for the Historic Park City Main Street & Downtown project. These funds will be used to offset the total $14.5 million downtown project therefore freeing up ARST funds for other appropriate capital projects.

The following table shows the current recommended ARST capital plan. This plan continues to show large open space purchasing ability ($15 million) in the first 4 years of the new tax.

Long Range Financial Model Scenario A/B - Accelerated funding for OTIS											
Project	Funding Type	Total Funding	Funding Available by Fiscal Year								
			FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022
OTIS (Phase A)	Cash	$ 1,800,000	$ 1,800,000								
OTIS (Phase B)	Debt	$ 2,300,000		$ 2,300,000							
OTIS (Phase C)	Cash	$ 1,900,000			$ 633,333	$ 633,333	$ 633,333				
OTIS (Phase D)	Debt	$ 2,500,000					$ 2,500,000				
Downtown Projects (Phase II)	Debt	$ 3,000,000	$ 3,000,000								
Downtown Projects (Phase III)	Debt	$ 3,500,000				$ 3,500,000					
Downtown Projects (Phase IV)	Debt	$ 3,200,000						$ 3,200,000			
Downtown Projects (Cash)	Cash	$ 1,800,000			$ 360,000	$ 360,000	$ 360,000	$ 360,000	$ 360,000		
Additional Open Space (Phase I)	Debt	$ 3,000,000	$ 3,000,000								
Additional Open Space (Phase II)	Debt	$ 4,000,000		$ 4,000,000							
Additional Open Space (Phase III)	Debt	$ 5,000,000				$ 5,000,000					
Additional Open Space (Cash)	Cash	$ 3,000,000	$ 1,500,000	$ 1,500,000							
Storm Drain System (Cash)	Cash	$ 4,000,000	$ 761,154	$ 1,080,000	$ 1,080,000	$ 1,080,000					
Storm Drain System (Debt)	Debt	$ 4,500,000					$ 1,500,000			$ 1,500,000	
DeerValley Dr. Phase II	Debt	$ 950,000	$ 950,000								
Downtown Improvement Maintenance Fund	Cash	$ 800,000		$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000

Additional Resort Communities Sales Tax Adjusted Table



Additional Resort Communities Sales Tax Adjusted Graph

This plan continues to show large open space purchasing ability ($15 million) in the first 4 years of the new tax. The plan includes additional ongoing resources for capital replacement/asset Management of the main street improvements in the amount of $100,000 per year. This asset management fund is similar to the walkability or trails asset management funds. Its allowable uses include capital replacement or renewal, which would extend the useful life of the capital asset. This does not cover expenses such as routine maintenance or enhanced levels of service, which are required to be accounted for in the General Fund operating budget. As can be noted in the graph above, the $3 million offset from the State for the Main Street improvements results in additional bonding capacity in FY2015 or additional cash in future years. Approximately $1 million of this additional bonding capacity was allocated to the Deer Valley Drive phase II project.

Originally OTIS Phase A was included in the Additional Resort Tax Plan at $1.8 million. This was the amount needed to complete the Empire Ave. portion of the OTIS projects. At the time the project was budgeted and contracts were put in place, it was not known if the additional resort tax would pass, therefore the project was budgeted using an additional transfer from the General Fund fund balance with the intention of reimbursing the amount to bring the General Fund fund balance back to the 18 percent (now 25 percent) once the election outcome was known. Through budget savings and strong revenues in FY 2012, FY 2013 and FY 2014 is anticipated that the General Fund fund balance will reach the newly raised 25 percent cap in FY 2015.

OTIS phase A funding came from the additional resort sales tax as planned, therefore freeing up the original transfer from the General Fund for other Council supported projects. These projects in FY 2014 include $1.5 million for the potential visual mitigation of the Bonanza Park Rocky Mountain Power Substation in either it current or proposed location. This project amount has been reduced to $1.3 million in the current budget. This reduction will allow projects to move forward which were in jeopardy of losing funding. It is recommended that City Council retain the majority of the Bonanza Park Mitigation funds until further discussion and development plans in the area are completed. It is anticipated that these discussions will take place over the next year. After that time Council as part of the next budget process can designate funding needs or reallocate funds to other high priority projects.

The majority of the projects listed above continue to be on schedule with the proposed budget with the exception of open space acquisition, which continues to be defined. To date approximately $4 million in open space funds have been committed as part of the Gillmor/Toll Canyon open space agreement, leaving an approximate $11 million for future acquisition or easement maintenance. Staff continues to move forward with implementing the City's open space acquisition program. The Citizens Open Space Advisory Committee (COSAC) continues to meet on a regular basis and have adopted a property criteria matrix.

Department Review:
Budget, Debt, & Grants Department, the Legal Department, and the City Manager reviewed this report

Alternatives:

A. Approve:
Staff recommends that Council hold a public hearing regarding the FY 2015 City Manager's Recommended Budget.

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:
The Tentative (City Manager's Recommended) Budget is scheduled to be adopted on June 6; however, changes can be made to until the Final Budget adoption on June 20.

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.

Attachments
A – Special Service Contract Program Descriptions/Justifications

Attachment A

Special Service Contract Subcommittee Recommendation

Organization	Funding Request (1-Year)	Previous Award (FY 2014)	Recommended Funding (1-Year)	Recommended Funding 2015 & 2016 (2-Year)	Justification/Description of Services
Christian Center	$15,000	$12,000	$15,000	$30,000	Pantry staffing costs and health snack program covered by funding allocation. Additional funds will go towards increasing the number of meals served in the food pantry by 40,000
Friends of the Utah Avalanche Center	$5,000	$1,750	$5,000	$10,000	Will provide funding for the Know Before You Go youth avalanche awareness program. The center will provide over 20 presentations in the Park City area over the next year. Additional funding will pay for a portion of the Avalanche Advisory program
Habitat for Humanity	$25,000	New*	$10,000	$20,000	This is a new programs which will provide funding for a Home Buyer Readiness education program for low to moderate income residents and workforce. *Habitat for Humanity received a SSC award for $10,000 in FY 2013 and an additional $10,000 in emergency SSC requests for contaminated soils that year. The City also awarded $10,000 in FY2012 towards the first affordable home in the project. The City initially donated land for the project in the amount of $210,000.
Holy Cross Ministries - Promise Park City	$11,500	$11,500**	$11,500	$23,000	Funding will provide for a Insurance Assistance Coordinator position which will be manager by Holy Cross Ministries. Insurance Assistance Coordinator position will work with other agencies to identify and help currently uninsured enroll in insurance programs which may be available.**The Promise Park City program was funded in FY2014 through the Park City Foundation for a Insurance Assistance Coordinator position.
Mountain Mediation Center	$14,789	$12,600	$13,750	$27,500	The recommendation is to fund the Executive Director position which is responsible for training and coordination of volunteer mediators
Mountain Trails	$12,500	$10,000	$12,500	$25,000	Funding will provide winter trail grooming in Round Valley and trail information services. Additional funding will help offset the cost of increased trail use and the addition of trail miles.
Mountainlands Community Housing Trust	$20,000	$18,000	$20,000	$40,000	Funding allocation to help support the Housing Resource Center and property listing data base.
P.C. Adult ESL	$9,700	$5,000	$9,700	$19,400	Funding allocation for the Adult ESL program and after school tutoring for children of adults in ESL program. Funding will also cover partial cost of ESL instructors.
P.C. Historical Society and Museum	$83,000	$40,000	$41,500	$83,000	This will help keep the research library open 5 days a week and provide a professionally trained Archivist and costs associated with historic preservation. The committee decided to fund the position for 1,200 hours at $26 which equals approximately $30,000 a year. The committee would like the museum to use the additional $20,000 ($10,000 per year) for exhibits and activates related to youth programming.
P.C. Historical Society and Museum - Newspaper Preservation	$20,000	New	$10,000	$20,000	Allocation will partially fund the ongoing preservation project of digitizing 1976-1982 editions of the Park Record and The Newspaper. This project is funded through partnerships with the Summit County and University Marriott Libraries.
Park City Chamber/Bureau	$100,000	$100,000	$100,000	$200,000	Funding allocation for the Chamber includes the 4th of July activities, Film Commission expenses, and approximately 1/2 visitor information cost as reported in the budget (value in-kind not included).
Park City Film Series	$15,956	New	$10,000	$20,000	Partial funding for the Books 2 Movies Program (50%) and the Reel Community Series.
Park City/Summit County Arts Council	$78,170	$25,000	$25,000	$50,000	The recommended partial allocation of funds for the costs associated with Cultural Tourism and Marketing and the roughly half of the Director's salary associated with Cultural Tourism ($8,250 per year). The amount also includes $13,000 per year to administer the Public Art Advisory Board (as set forth in the Public Art Policy).
PC Performances Egyptian Theatre Productions	$10,000	$2,500	$2,500	$5,000	Funding for partial cost associated with non-youth productions. Funding for Youtheatre is located in Youth Organization section below.
PC Performances Performing Arts Complex Space Remodel	$30,000	$0	$0	$0	Funding would provide for purchase or renovation of space in basement of Main Street Mall. The subcommittee does not recommend funding for this type of service at this time.
Peace House, Inc.	$32,500	$30,000	$32,500	$65,000	Recommendation includes funding for the Peace House Women's Shelter and Education Services.
People's Health Clinic	$33,972	$38,000	$33,972	$67,944	The People's Health Clinic estimates that it costs $60 per patient for treatment. The Subcommittee based PHC's allocation on the amount required to provide care to Park City's non-benefitted employees: 226 Part-time or Seasonal Non-benefited City Employees budgeted in FY 2015 x $60 per visit (PHC's cost/visit) x 2.5 annual visits per Employee = approximately $34,000. The People's Heath Clinic has show great improvement in efficiency in recent years.
Recycle Utah	$45,000*	$33,000	$45,000	$90,000	The committee recommended funding requests for a portion of the cost for Transportation, Youth Education (25% of Outreach Director salary), Park City Leadership Projects, Sustainability Week, Snow Sports Equipment Handling, Dumpster Days and E-waste. The funding includes $10,000 per year to sponsor 2 free hazardous waste collection events, $5,000 per event. These events were previously funded through contributions from Park City departmental budgets. The City intends to consolidate all funding to Recycle Utah in the SSC process.
Recycle Utah - Rent	$15,577**	In-kind	In-kind	In-kind	**In-kind rent and utilities for old bus barns
Sub Total:	**$577,664**	**$354,927**	**$413,499**	**$826,998**	

Special Service Contract Subcommittee Recommendation - Youth Organizations					
Youth Organizations	**Funding Request (1-Year)**	**Previous Award (FY 2014)**	**Recommended Funding (1-Year)**	**Recommended Funding 2015 & 2016 (2-Year)**	**Justification/Description of Services**
ArtsKids	$20,000	$12,500	$15,000	$30,000	The recommendation is to fund program costs consisting of stipends for artists, facilitators, and supplies.
Big Brothers/Big Sisters of Utah	$10,000	$0	$0	$0	The subcommittee evaluated significant cost per visit related to this program. In addition the committee felt this program was not providing significant benefit within the Park City limits. The subcommittee is not recommending funding at this time.
Holy Cross Ministries	$7,500	$7,500	$7,500	$15,000	Holy Cross Ministries has provided high quality programing over the last several years. This is a school readiness for low-income children entering kindergarten.
PC Education Foundation	$25,000	$20,000	$20,000	$40,000	The subcommittee recommends allocating a $36,000 stipend to teaching staff in providing a 5 day a week after school education program. This program has seen a large increase in student enrolment. Funding will allow program to continue to admit additional students.
PC Education Foundation - Low Income Internet	$7,500	New	$7,500	$15,000	This program will provide internet access to Park City School District's free and reduced lunch students. The goal is to provide 570 students (450 households) with internet access. Park City Education Foundation will fund 1/2 the program costs $15,000, Park City Municipal 1/4 $7,500 and Summit County 1/4 $7,500.
PC Performances - Egyptian Theatre Youth Programming	$10,000	$7,500	$7,500	$15,000	Funding for Youtheatre - Park City Youth Productions
PC Performing Arts Foundation Mega Genius Supply Store (MGSS)	$10,000	$10,000	$10,000	$20,000	After School tutoring program. The program has shown positive growth and program interest during the initial evaluation period. The subcommittee recommends full funding for the program. Over time, the subcommittee would like to see the program become self supportive through the storefront operations as originally proposed.
PC Performing Arts Foundation Student Outreach	$15,000	$5,000	$5,000	$10,000	The program provides funding for student performance workshops which includes national level artists and film makers.
Summit County Children's Justice Center	$8,000	$8,000	$8,000	$16,000	The program provides for staff training and resources to aid in help provided to children victimized by child abuse and other crimes.
Sundance Institute	$9,000	$9,000	$9,000	$18,000	This provides funding for the Filmmakers in the Classroom and High School Screenings programs.
Youth WinterSports Alliance	$12,000	$12,000	$12,000	$24,000	The recommendation consists of funding $12,000 of expenses related to the McPolin Get Out and Play Program.
Sub Total:	**$134,000**	**$91,500**	**$101,500**	**$203,000**	

Grand Total:	**$711,664**	**$446,427**	**$514,999**	**$1,029,998**

PARK CITY COUNCIL MEETING MINUTES- DRAFT
SUMMIT COUNTY, UTAH,
May 8, 2014

Study Session

Ann Ober, Regional Collaborations Manager, spoke about the future of Mountain Accord and relations to the General Plan. Mayor Thomas recognized the Mountain Accord as a great journey and feels the most important aspect is determining the end goal. Council member Beerman stated that as the process is leading up to the end product and the hope is to find common ground with all the stakeholders. Council member Henney stated that he feels the commonality is tying the resources with growth and using the challenges to enhance quality of life in the big picture. Council member Simpson felt the most important step is to find the commonality with our regional partners. Stated she felt that the Council needs to bring forth the top values/goals to a discussion with regional partners. Council member Matsumoto stated she hopes the transportation system will grow but not encourage growth. Council member Peek expressed his concerns with the growth as well speaking of the experiences he has seen with UTA concerning overlay. Kent Cashel, Transit/Transportation Manager, stated that the mode of transportation dictates growth, speaking about the fixed the fixed locations drawing in the economic growth. Mayor Thomas expressed concerns with Mass transit and what that will do to the sense of community for Park City. Council member Simpson spoke to the working group that she is affiliated with and stated that they recognize the importance of how we grow to dictate where, how and what we want to protect. Council member Simpson stated that she feels that the City needs to incentivize town center development. Council member Beerman stated that one of his hopes is to look at Wildlife/Wilderness areas just outside of City limits. Mayor Thomas inquired about the framework of the agreement with the Mountain Accord. Foster stated that there is an agreement and the City is paying $50,000 per year for two years. Mayor Thomas encouraged staff and Council to remember the City goals as well. Foster reminded Council of the mindset during the Olympics as to “Are we going to have this done to us or are we going to lead the way?”

Work Session

Council Questions and Comments and Manager’s Report

Council member Beerman attended the Summit Lands board meeting. Attended multiple Mountain Accord system group meetings. Attended Outdoor Recreation Conference finding it interesting that the Governor’s office is now looking into recreation.

Council Member Henney thanked Council member Peek for attending his liaison meeting. He has been traveling Europe and observed there is no free parking except in Nice with an EV parking spot. Spoke about the bike share program and it was very interesting to see how they were being used and found it was the residents not the tourists. He would like to take a deeper look at how this would work in our community.

Council member Simpson attended the Fire Board meeting and a Special Service Contract discussion with staff as well as a library board meeting stating they will be coming to Council with recommendations to fill vacancies on the board.

Council member Peek attended the Historic Preservation board meeting, they have had a great turnout with school kids and they are going green by swapping out 150 light bulbs.

Council Member Matsumoto stated she was stuck in traffic and observed two young moose watching the traffic.

Mayor Thomas attended a Peace House luncheon. He received a letter from a 5th grader regarding adding more bike lanes.

Matt Dias stated that there is an open seat on the Equality board- Mayor Thomas agreed to fill that seat.

Council had a few questions regarding the construction update.

<u>Presentation of City Manager's Recommended Budget</u>
Jed Briggs, Budget Operations Manager and Nate Rockwood, Capital Budget, Debt and Grants Manager, presented the first piece of the budget. Rockwood spoke to the revenues related to the General Fund showing the projected 10 year forecast. Spoke about the trends regarding sales tax stating that we have had a unprecedented February and March and he expects for that to continue. He stated that there was a quick recovery from the recession however it was more due to new businesses and will now start to see the actual recovery. Briggs stated that we are very fortunate. Touched on strategic planning discussing the inflationary or non-discretionary increases. Spoke to the weighting system of the Budgeting for Outcomes process and how it relates to the Council Core Values. Simpson requested information regarding the increases in the health care costs in the future.

Regular Meeting
6:00 pm

I. ROLL CALL- Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, May 8, 2014. Members in attendance were Jack Thomas, Andy Beerman, Dick Peek, Liza Simpson, Tim Henney and Cindy Matsumoto. Staff member present were Diane Foster, City Manager; Polly Samuels McLean, Assistant City Attorney; Matt Dias, Assistant City Manager; Marci Heil, City Recorder; Francisco Astorga, Planner; Christy Alexander, Planner; Wade Carpenter, Police Chief; .

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF
Mayor Thomas recused himself from North Silver Lake and Echo Spur. Peek stated that he did have a conversation with the adjacent property owner but it will not affect his decision. Simpson stated ditto.

III. PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*
There were no public comments.

IV. CONSIDERATION OF MINUTES FROM APRIL 24, 2014

Council member Peek had one addition to add Wasatch County to the list of communities that participated in the Joint meeting.

Council member Beerman moved to approve with correction.
Council member Simpson seconded
Approved unanimously

V. CONSIDERATION OF RESOLUTION HONORING LOU HUDSON

Mayor Thomas read the resolution honoring Lou Hudson.

Council member Simpson moved to approve the resolution honoring Lou Hudson
Council member Peek seconded
Approved unanimously

VI. SWEARING IN CEREMONY FOR LIEUTENANT DARWIN LITTLE AND OFFICER ROBERT McKINNEY

Mayor Thomas swore in Officer McKinney and Lieutenant Little. Chief Carpenter presented a short bio on each gentleman and stated that we are very lucky to have great talent joining our Force.

VII. 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)

1. Consideration of a Professional Service Agreement Award- Stoneridge Trail & Trail head project to PEC Engineering in the amount of $24,735
2. Consideration of Construction Contract Award- Poison Creek Pathway project to Lyndon Jones Construction in the amount of $443,935.50
3. Consideration to authorize the City Manager to execute an Amendment to the Dual Meter Vault Repair Project Construction Agreement, in a form approved by the City Attorney, with Hills Construction, Inc., as Change Order No. 1 for an increase to the contract in an amount not to exceed $44,000.00
4. Consideration to authorize the City Manager to execute an Amendment to the Water Conveyance-2013 Pipelines Project-Segment B Construction Agreement, in a form approved by the City Attorney, with COP Construction, Inc., as Change Order No. 1 for an increase to the contract in an amount not to exceed $461,128.15
5. Consideration to authorize the City Manager to execute the Tenth Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with

Bowen Collins & Associates for General Engineering Services for an increase to the contract in an amount not to exceed $35,000.

Council member Simpson moved to approve the consent agenda
Council member Matsumoto seconded
Approved unanimously

VIII. OLD BUSINESS

1. Consideration of an Ordinance approving the re-establishment of Lots 30 and 31 of Holiday Ranchettes Subdivision, located at 2519 and 2545 Lucky John Drive, Park City, Utah City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney continued from April 24, 2014.

Planner Alexander presented, with the applicant Steve Schuler, stating that the lots were original combined in 1999 and now the owner wishes to divide the lots into two one acre parcels.

Mayor Thomas opened the public hearing.

Steve Swanson, representing the Holiday Ranch HOA, stated that they have a working document with the owner and stated that the process has worked out ok. He stated that the Holiday Ranch HOA is strong and will be here to stay. They work hard to create harmony in their neighborhood.

Mayor Thomas closed the public hearing.

Council member Simpson moved to approve the re-establishment of Lots 30 and 31 of Holiday Ranchettes Subdivision, located at 2519 and 2545 Lucky John Drive, Park City, Utah City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney
Council member Henney seconded
Approved unanimously

2. Consideration of the North Silver Lake Condominium Plat located at 7101 Silver Lake Drive, Record of Survey City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney continued from March 6, 2014

Mayor Thomas left the Council chambers. Planner Astorga presented the condominium plat for the North Silver Lake Condominiums. Astorga informed the Council that condition of approval number 7 has been met. Council member Beerman inquired about the difference between a multi-family dwelling and hotel. Astorga stated that when the conditional use permit was approved in 2010 the applicant was not looking at a lock out unit. In 2013 they decided to modify the conditional use permit to allow lock outs. The intent is nightly rental but gives the owner the option of living in the unit full-time and does not have public facilities for restaurants.

Mayor Pro Tem Simpson opened the public hearing.

Bob Dillon, representing the neighbors, stated that when the owner came forth with the lock out the neighbors sat down with the developer and came to an agreement. He spoke to the details of the agreement between the developer and neighbors stating that they are ok with the plat.

Mayor Pro Tem Simpson closed the public hearing

Council member Peek moved to approve the North Silver Lake Condominium Plat located at 7101 Silver Lake Drive, Record of Survey City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney
Council member Beerman seconded
Approved unanimously

3. Consideration of the 901 Norfolk Avenue Subdivision Plat Amendment, 901 and 907 Norfolk Avenue, Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney continued from April 17, 2014

Planner Alexander stated that the applicant is looking to reconfigure the lot lines from three lots into two lots of record. She stated the Planning Commission forwarded a positive recommendation.

Mayor Thomas opened the public hearing. There were no comments. Mayor Thomas closed the hearing. Council member Simpson thanked Alexander for an excellent staff report.

Council member Beerman moved to approve the 901 Norfolk Avenue Subdivision Plat Amendment, 901 and 907 Norfolk Avenue, Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney
Council member Henney seconded
Approved unanimously

4. Consideration of approval of a subdivision plat for the Roundabout Subdivision Record of Survey for 300 Deer Valley Loop, Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney continued from April 24, 2014.

Planner Alexander stated that this is an application to amend the current subdivision plat. The request is to remove the lot line in order to create one lot in to build an underground parking unit as well as creating 4 condominium unit. Blake Henderson, applicant, reiterated Planner Alexander's comments. Also speaking to the benefits of the underground parking and lot-line removal stating that they are committed to following the construction mitigation plan and will be mindful of the neighboring properties and the community.

Mayor Thomas opened the public hearing. None, closed the public hearing

Council member Simpson moved to approve a subdivision plat for the Roundabout Subdivision Record of Survey for 300 Deer Valley Loop, Park City pursuant to the

findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney
Second Peek
Approved unanimously

IX. NEW BUSINESS

1. Consideration of an Ordinance vacating a portion of Deer Valley Drive adjacent to the proposed Roundabout Condominiums Plat located at 300 Deer Valley Loop Road pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney

Planner Alexander stated that in conjunction with the previous amendment this proposal would place one shared driveway off Deer Valley Drive. Staff and the applicant have met with Matt Cassel, City Engineer, to review the application. Cassel felt the best option was relocating the bus pull out and in turn the City would vacate a portion of the right of way. Council member Simpson inquired if Transit had weighed in. Alexander stated that they have not discussed this with Transit.

Mayor Thomas opened the public hearing. There were no comments. Mayor Thomas closed the public hearing.

Council member Simpson moved to approve an Ordinance vacating a portion of Deer Valley Drive adjacent to the proposed Roundabout Condominiums Plat located at 300 Deer Valley Loop Road pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney
Council member Beerman seconded
Approved unanimously

2. Consideration of the Echo Spur plat amendment- Lot 21-32, Block 58 Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney.

Mayor Thomas stepped out again. Planner Astorga spoke to the amendment stating that this is a reconfiguration of the lots due to the fact that 3 lots do not meet the current lot size regulations. The Planning Commission had a 2-2 vote and the Chair voted in favor. Council member Beerman inquired about the debate of the Planning Commission. Astorga stated that two of the members felt that the plan did not meet the General Plan. Astorga stated that staff feels the development does follow the Old Town guidelines. The challenge that staff has ran into is that the General Plan is updated but the LMC is not creating a contradiction. Council member Peek clarified that the process for plat amendments uses the LMC not the General Plan. Astorga confirmed. Sean Kelleher, developer, stated that they are looking at a sustainability aspect and feel that this was the best option for the area. Polly Samuels McLean, Assistant City Attorney, stated that her recollection of the discussions ultimately determined the LMC regulates the nitty-gritty of a project and the General Plan is more general. Astorga stated that when the code is not clear staff looks at the surrounding developments and with this project they found it fits with the current conditions. Council member Henney stated that he feels that it does meet the general idea of the General Plan. Council member Simpson inquired about the fate of the berm and the 4th street right of way. Kelleher stated he has been working with Cassel and has submitted a proposed encroachment agreement with landscaping around the berm. Council member Simpson requested that City Manager Foster be involved with the discussions regarding the area around Rossi Hill. Council concurred.

Mayor Pro Tem Simpson opened the public hearing. There were no public comments. She closed the public hearing.

Council member Peek moved to approve the Echo Spur plat amendment- Lot 21-32, Block 58 Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney.
Council member Henney seconded
Approved unanimously

X. ADJOURNMENT

Council member Beerman moved to adjourn
Council member Henney seconded
Approved unanimously

MEMORANDUM OF CLOSED SESSION

The City Council met in a closed session at approximately 2:00 p.m. Members in attendance were Mayor Jack Thomas, Andy Beerman, Liza Simpson, Dick Peek, Cindy Matsumoto and Tim Henney. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Polly Samuels McLean, Assistant City Attorney; Blake Fonnesbeck, Public Works Operations Manager; Matt Cassel, City Engineer; Kent Cashel, Transit/Transportation Manager; Kayla Sintz, Planning Manager; Ann Ober, Regional Collaboration Manager; Matt Abbott, Environmental Project Manager; Heinrich Deters, Trails and Open Space. **Council member Simpson moved to close the meeting to discuss Property, Litigation, and Personnel. Council member Beerman seconded. Motion carried.**

Council member Henney moved to open the closed session. Council member Matsumoto seconded. Motion 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 Marci S.Heil, City Recorder.

Resolution No. -14

RESOLUTION DESIGNATING MAY 17 – MAY 24, 2014
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; and

WHEREAS, the purpose is to focus attention on the severe problems created by noxious and invasive weeds and the City will be holding a weed pull on May 17th to kick off Invasive Weed Awareness week;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council designate May 17- May 24, 2014 as **NATIONAL INVASIVE WEED AWARENESS WEEK IN PARK CITY, UTAH**.

PASSED AND ADOPTED this 15th day of May, 2014.

PARK CITY MUNICIPAL CORPORATION

____
Mayor Jack Thomas

Attest:

____
Marci Sue Heil, City Recorder

Approved as to form:

____
Mark D. Harrington, City Attorney

City Council
Staff Report

Subject: Sale of City-Owned Rio Grande Parcel
Author: Heinrich Deters
Department: Sustainability Department
Date: May 15, 2014
Type of Item: Administrative- Real Estate Purchase Agreement Approval

Summary Recommendations:
Staff recommends Council review and approves the attached Real Estate Purchase Agreement (Exhibit A) for the proposed sale of city-owned parcel SA-398-X to 820 Park Avenue LLC in the amount of $5,000.

Topic/Description:
Potential Sale of City-Owned Property

Background:
In May 2012, Park City Municipal Corporation purchased approximately 650 sq/ft of property along 9th street at the Summit County Tax sale. The purchase price was $3,873. The parcel was purchased to provide some control in the upcoming development of the adjacent parcel, commonly referred to as the 'Rio Grande Parcel'.

On December 13, 2013, representatives of 820 Park Avenue LLC, the developer of the Rio Grande Parcel, approached the City offering $5,000 to purchase the city-owned parcel.

The parcel was identified within the City's adopted property disposition list in 2013 and 2014.

Analysis:
Where Park City Municipal originally purchased the tiny 9th street property to be able to influence development on the Rio Grande parcel, should the development go in a direction that the City did not think appropriate. Staff believes that the development approved by the Planning Commission is consistent with Council goals and is therefore recommending moving forward on the sale with a stipulation that the sale be conditioned upon restrictive language noting the parcel should be utilized to provide vehicular access from/to the development from 9th Street and not Park Avenue, pedestrian improvements and underground utilities.

On April 24th, 2014, 820 Park Ave. LLC and Park City Municipal entered into a REPC, as part of the parallel planning process. As noted in section 4 (f) of Exhibit A, the agreement was conditioned upon the approval by City Council in an open meeting.

Because the value of the proposed sale is less than $250,000, public notice of disposition is not mandated by Local or State Code.

The closing is contemplated to occur immediately before recordation of the proposed plat amendment. The plat will restrict the access in a plat note.

Department Review:
This report has been reviewed by the Sustainability, Legal and Executive Departments.

Significant Impacts:
None

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?		~		Fiscally and legally sound
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Neutral	Neutral	Neutral	Positive
Comments:				

Funding Source:
Funds received should be returned to the Open Space Management Fund, which were utilized to initially purchase the parcel.

Recommendation:
Staff recommends Council review and approves the attached Real Estate Purchase Agreement (Exhibit A) for the proposed sale of city-owned parcel SA-398-X to 820 Park Avenue LLC in the amount of $5,000.

Exhibit A- Real Estate Purchase Agreement

REAL ESTATE PURCHASE AGREEMENT - LAND

THIS REAL ESTATE PURCHASE AGREEMENT (this "Agreement") is made and entered into as of the 24th day of April, 2014, (the "Effective Date") by and between PARK CITY MUNICIPAL CORPORATION, a municipal corporation of the State of Utah ("Seller"), and 820 PARK AVENUE, LLC, a Utah limited liability company ("Buyer"). Seller and Buyer are sometimes collectively referred to herein as the "Parties" and separately as a "Party."

RECITALS:

A. Seller owns a parcel of real property located in, Park City, Summit County, Utah, (the "Property") which parcel is more particularly described and depicted on Exhibit "A," which is attached hereto and incorporated herein.

B. Seller desires to sell the Property to Buyer, and Buyer desires to purchase the Property from the Seller, upon the terms and conditions contained in this Agreement.

NOW, THEREFORE, in consideration of the covenants and promises contained in this Agreement, Buyer and Seller agree as follows:

AGREEMENT:

1. Purchase of Property. Subject to the terms and conditions of this Agreement, Seller agrees to sell the Property to Buyer, and Buyer agrees to purchase the Property from Seller. Seller hereby agrees to effect this purchase and sale transaction through the use of a special warranty deed (the "Deed"), in the form attached hereto as Exhibit "B."

1.1 Included Items. N/A

1.2 Excluded Items. N/A

1.3 Water Rights. No water rights are included in this sale.

1.4 Survey. A survey will NOT be required.

2. Purchase Price and Method of Payment. The "Purchase Price" for the Property shall be $5,000, payable in cash at the time of the Closing as hereinafter defined.

3. Title Commitment.

a. Title Commitment. Within five (5) days after the Effective Date of this Contract, Seller shall deliver or cause to be delivered to Buyer a commitment for title insurance ("Title Commitment") pertaining to the Property issued by Coalition Title Agency (the "Title Company"), in Park City, Utah. The Title Company shall also furnish to Buyer a copy of all documents referred to in the Title Commitment.

b. Review of Title Commitment. Buyer shall have five (5) days after the Buyer's receipt of the Title Commitment in which to examine the Title Commitment and to specify to Seller, in writing, those items reflected thereon which Buyer will accept as permitted exceptions to title ("Permitted Exceptions"), and those items which Buyer finds objectionable ("Title Objections"). Seller may, in its sole and absolute discretion, but is not obligated to, correct or remove any or all Title Objections, give Buyer written notice thereof, and deliver (or cause to be delivered) at or prior to the Closing an amended Title Commitment reflecting the correction or deletion of such matters. If Buyer does not deliver to Seller a written notice specifying those items which are Permitted Exceptions and those items which are Title Objections within the above stated time period, then all of the items reflected on the Title Commitment shall be deemed to be Permitted Exceptions.

c. Uncorrected Title Objections. If Buyer gives Seller written notice of Buyer's Title Objections, Seller may elect to correct or remove any or all Title Objections or to provide Buyer and the Title Company with satisfactory evidence of Seller's ability to correct and remove any or all Title Objections prior to the Closing (which Seller may elect to do in its sole and absolute discretion) within five (5) days after receipt of the Title Objections (the "Cure Period"). If Seller has not cured, or chooses not to cure, all of the Title Objections within the Cure Period, then Buyer may either (i) terminate this Agreement by giving Seller written notice thereof within five (5) business days after the last day of the Cure Period, and both Parties shall be released from all further obligations under this Agreement; or (ii) waive all or any of the Title Objections and close the transaction with no reduction in the Purchase Price, in which event the uncorrected and unremoved Title Objections shall be deemed waived by Buyer and shall thereafter be deemed to be Permitted Exceptions under this Agreement. In order to terminate this Agreement as provided in this Section, Buyer must give written notice of such termination within five (5) business days after the expiration of the Cure Period. If Buyer fails to give such written notice of termination within the time required herein, it shall be conclusively deemed that Buyer has elected to waive the Title Objections not so corrected or removed and to accept all of them as Permitted Exceptions.

4. Property Sold As Is, Where Is, and with All Faults: Disclaimers and Related Matters. As a material inducement to Seller to enter into this Agreement and to sell and convey the Property to Buyer subject to the terms of this Agreement and for the Purchase Price stated herein, Seller and Buyer covenant and agree as set forth in this Section 4. Buyer acknowledges and agrees that but for Buyer's agreement to these provisions, Seller would not sell the Property to Buyer.

a. Seller hereby specifically disclaims any warranty, guaranty, promise, covenant, agreement, or representation of any kind or character, oral or written, past, present or future, of, as to, or concerning: (i) the nature and condition of the Property, including, without limitation, (a) the water, soil and geology, the suitability thereof and/or of the Property for any and all activities and uses which Buyer may elect to conduct, (b) the manner or quality of the construction or materials, if any, incorporated into the Property and/or the manner, quality, state of repair or lack of repair of the Property or any improvements thereon or related thereto, and (c) the existence of any environmental hazards or conditions (including but not limited to the presence of hazardous substances of any type including soils and/or above or below ground storage tanks, and/or pipelines) at, on, under, or near the Property or the compliance with any applicable environmental laws or other applicable laws of any governmental authority; (ii) the nature and extent of any right of way, lease, lien, encumbrance, license, reservation, or other condition concerning the Property; (iii) the value of the Property and/or the income or profits which may or may not be derived from the Property, or any potential appreciation in value or the resale value of the Property; (iv) the existence or availability of utilities or other services, or the right to obtain utilities or other services related to the Property, (v) the existence, applicability, availability, validity, or enforceability of any entitlements or development rights related to or appurtenant to the Property; and (vii) the compliance of the Property or its operation with any laws, ordinances, or regulations of any governmental authority, including without limitation any environmental laws and/or any land use laws or the compliance of the Property or its operation with any development agreements, covenants, conditions, or restrictions, or any other agreements or arrangements related to the development, use, or operation of the Property.

b. The sale of the Property is made on an "AS IS," "WHERE IS" AND "WITH ALL FAULTS" basis, and Buyer expressly acknowledges and agrees that Seller makes no warranty or representation, express or implied, or arising by operation of law, including, but not limited to, any warranty of condition of title (other than the special warranty of title with respect to the Property), habitability, merchantability, suitability or fitness for a particular purpose with respect to the Property or any portion thereof. Seller has no obligation to make repairs, replacements or improvements to the Property, or to pay any fees, costs or expenses related to the Property, or for any other liability or obligation with respect to the Property (except for any taxes or assessments to be paid by Seller at Closing as expressly set forth in this Agreement). Buyer further acknowledges and agrees that the provisions of this Section 4 have been and are a material factor in the determination of the Purchase Price to be paid by Buyer to Seller for the Property.

c. Seller and Buyer acknowledge that Buyer owns certain real property adjacent to the Property, which is more particularly described in Exhibit "C" attached hereto and incorporated herein by this reference (the

"Buyer's Adjacent Property"). Buyer is in the process of seeking all necessary approvals through Seller's regulatory process for the development and construction of certain improvements on Buyer's Adjacent Property that will include the renovation of an existing historic building located thereon and the construction of certain residential and commercial condominium units thereon ("Buyer's Development"). Buyer desires to acquire from Seller the Property so that Buyer may include the Property as part of Buyer's Development. This Agreement is independent of the regulatory process and in no way guarantees any approval through that process.

d. Buyer covenants that it stipulates as part of its application to Seller for regulatory approval of Buyer's Development on Buyer's Adjacent Property and as part of the terms of the sale, that the Property shall be utilized only for: (1) vehicular ingress and egress to Buyer's Development, (2) for the construction and installation of underground utility lines and, (3) for public pedestrian infrastructure, all of which must be approved to the reasonable satisfaction of Seller in connection with Buyer's application for the Seller's final plat approval for Buyer's Development.

e. Further, Buyer covenants that it stipulates as part of its application to Seller for regulatory approval of Buyer's Development on Buyer's Adjacent Property and as part of the terms of the sale, that Buyer shall design the improvements to be constructed on the Property and on Buyer's Adjacent Property such that vehicular ingress and/or egress onto Buyer's Adjacent Property will not be directly from Park Avenue. Buyer covenants that Buyer shall design the vehicular ingress and egress for Buyer's Development so that all vehicles enter and exit Buyer's Development from 9th Street. Buyer expressly covenants and agrees that the conditions set forth in this Section 4 of this Agreement shall survive the Closing and shall be enforceable by Seller as conditions required by Seller for final plat approval for Buyer's Development.

f. The sale of the property is subject to City Council approving this sale in an open public meeting.

5. Closing. The terms "Closing" and "Closing Date" are used in this Agreement to mean the time at which the Title Company records the Deed in the Office of the Summit County Recorder. The Closing shall occur immediately prior to the date the plat amendment for Buyer's Development is recorded with the County Recorder, with the Closing to occur at the office of the Title Company, unless the Buyer and the Seller mutually agree in writing to close the transaction on an alternate date.

a. Buyer Deliveries. On or before the Closing Date, the Buyer shall deliver into escrow at the Title Company the payment of the Purchase Price in cash or wire transfer of funds.

b. Seller Deliveries. On or before the Closing Date, the Seller shall deliver into escrow at the Title Company the duly executed and acknowledged Deed in favor of the Buyer, conveying fee title to the Property, subject to the Permitted Exceptions.

The Seller shall not pay closing costs, including title insurance, escrow or recording costs.

c. Buyer's Costs. The Buyer shall pay the following items at or before the Closing:

i. The Purchase Price;

ii. All closing, escrow and recording costs; and

iii. The cost of title insurance policy to be issued to Buyer by the Title Company.

d. Prorations.

i. All water, sewer, and utility charges for the Property shall be prorated between Seller and Buyer as of the Closing Date.

ii. All real property taxes and assessments pertaining to the Property shall be prorated between Seller and Buyer as of the Closing Date.

6. Seller's Representations, Warranties and Covenants.

a. The Parties expressly understand that each of the following representations, warranties, and covenants made herein is material, and that the Buyer is relying upon each of such representations, warranties, and covenants to be true and correct as of the Effective Date of this Agreement and as of the Closing Date, as though such representations, warranties and covenants had been made on each of such dates. As a condition to the Closing, the Seller hereby makes the following representations and warranties, in addition to any others made in this Agreement:

i. At the Closing, the Seller will be the sole owner of the Property and will hold title to the Property in fee simple.

ii. The Seller has no actual knowledge of any pending claim, suit, or litigation that involves the Property.

iii. Between the date of this Agreement and the Closing Date, the Seller, without the Buyer's prior written consent, shall not subject the Property to any mortgage, pledge, lien, or other encumbrance.

iv. All official action required to be taken by Seller in order to authorize the sale of the Property to Buyer has occurred, and the officer of Seller who executes this Agreement has full authority to execute this Agreement on behalf of Seller.

7. **Seller's Remedies.** In the event that Seller shall fulfill all of Seller's obligations pursuant to this Agreement and Buyer is in breach or defaults in performing Buyer's obligations hereunder for any reason other than Seller's breach or default, Seller shall be entitled to (i) waive the contractual obligations of Buyer in writing; (ii) extend the time for performance by such period of time as may be mutually agreed upon in writing by the Parties hereto; (iii) terminate this Agreement, in which event the Parties shall be released herefrom and shall have no further rights, obligations, or responsibilities hereunder; or (iv) enforce specific performance of this Contract.. Seller's extension of the time for Buyer's performance pursuant to clause (ii) above shall not constitute an election of remedies and shall not prohibit Seller's exercise of Seller's other remedies set forth above, in the event Buyer fails to cure such breach prior to the expiration of such extension period.

8. **Buyer's Remedies.** In the event that Buyer shall fulfill all of Buyer's obligations pursuant to this Agreement and Seller is in breach or defaults in performing Seller's obligations hereunder for any reason other than Buyer's breach or default, Buyer shall be entitled to (i) waive the contractual obligations of Seller in writing; (ii) extend the time for performance by such period of time as may be mutually agreed upon in writing by the Parties hereto; (iii) terminate this Contract; or (iv) enforce specific performance of this Contract. Buyer's extension of the time for Seller's performance pursuant to clause (ii) above shall not constitute an election of remedies and shall not prohibit Buyer's exercise of Buyer's other remedies set forth above, in the event Seller fails to cure such breach prior to the expiration of such extension period.

9. **Brokerage Commissions.** The Seller and the Buyer are not represented by a broker or real estate agent in this transaction.

10. **Additional Acts and Consideration.** Both the Buyer and the Seller agree to execute all other documents and to do such other acts as may be reasonably necessary or proper in order to consummate the transaction contemplated by this Agreement.

11. **Notices.** All notices, requests, demands, and other communications required under this Agreement, shall be in writing. Such written communication shall be effective upon personal delivery to any Party or upon being sent by overnight mail service; or by certified mail, return receipt requested, postage prepaid, and addressed to the respective Parties as follows:

If to the Seller:

Park City Municipal Corporation
Attention: Legal Department/ Polly Samuels McLean
P.O. Box 1480
Park City, UT 84060

If to the Buyer:

820 Park Avenue, LLC
Attention: Rory Murphy

2590 Sidewinder Drive
Park City, UT 84060

Either Party may change its address for purposes of this Agreement by giving written notice to the other Party.

12. **Modification.** Neither Party to this Agreement may amend or modify this Agreement, except in a writing executed by the Parties hereto.

13. **Risk of Loss.** If, prior to the Closing Date, the Property or any portion thereof is damaged by fire, acts of God, or other casualty or cause, the Buyer shall have the right to terminate this Agreement.

14. **Entire Agreement.** The Parties expressly agree that this Agreement and the Exhibits attached hereto constitute the full and complete understanding and agreement of the Parties, with respect to the subject matter hereof, and that this Agreement supersedes all prior understandings, agreements, and conversations between the Parties, whether oral or written, with respect to the subject matter hereof. Any prior negotiations, correspondence, or understandings related to the subject matter of this Agreement shall be deemed to be merged into this Agreement and the attached Exhibits.

15. **Severability.** If any term or provision of this Agreement is invalid or unenforceable for any reason whatever, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining provisions of this Agreement.

16. **Captions and Headings.** The section headings or captions appearing in this Agreement are for convenience only, are not a part of this Agreement, and are not to be considered in interpreting this Agreement.

17. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be an original for all purposes, but all of which shall constitute but one and the same instrument.

18. **Governing Law.** This Agreement shall be construed in accordance with the laws of the State of Utah.

19. **Assignability.** This Agreement shall bind and inure to the benefit of the assignees, heirs, and successors in interest of the Buyer and the Seller. Neither the Buyer nor the Seller shall assign its rights or delegate its obligations hereunder without the prior written consent of the other. Seller may withhold its consent to any such assignment by Buyer in Seller's sole discretion.

20. **Time of the Essence.** Time is of the essence with respect to the performance of the Parties under this Agreement.

IN WITNESS WHEREOF, the Parties to this Agreement have executed this Agreement as of the day and year first above written.

BUYER:

820 PARK AVENUE, LLC,
a Utah limited liability company

By:______________________________
Rory Murphy
Title: Manager

SELLER:

PARK CITY MUNICIPAL CORPORATION,
a Municipal Corporation of the State of Utah

By:______________________________
Name: Diane Foster
Title: City Manager

EXHIBIT A
TO
REAL ESTATE PURCHASE AGREEMENT

Legal Description of the Property

The Property referred to in this Agreement is located in Park City, Summit County, Utah and is described as:

BEGINNING AT A POINT NORTH 493.02 FEET AND WEST 642.94 FEET FROM THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT IS ALSO LOCATED SOUTH 28°50'00" EAST 65.51 FEET AND NORTH 54°01'01" EAST 21.68 FEET FROM THE SURVEY MONUMENT LOCATED AT THE INTERSECTION OF PARK AVENUE AND 9TH STREET; AND RUNNING THENCE ALONG THE EAST LINE OF PARK AVENUE NORTH 28°50'00" WEST 65.52 FEET; THENCE ALONG THE EAST LINE OF PARK AVENUE NORTH 23°29'13" WEST 15.36 FEET; THENCE SOUTH 59°41'36" EAST 11.10 FEET TO A POINT ON A 15.00 FOOT RADIUS CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 54°05'49" EAST; THENCE ALONG THE ARC OF SAID CURVE 22.34 FEET THRU A CENTRAL ANGLE OF 85°20'49"; THENCE NORTH 58°45'00" EAST 72.49 FEET; THENCE SOUTH 26°45'59" EAST 19.62 FEET; THENCE SOUTH 13°18'00" EAST 32.00 FEET TO A POINT WHICH IS 50 FEET SOUTHERLY AT RIGHT ANGLES FROM THE NORTH LINE OF BLOCK 53, SNYDERS ADDITION TO PARK CITY SURVEY; THENCE SOUTH 54°01'00" WEST 86.46 FEET TO THE POINT OF BEGINNING. (THE BASIS OF BEARING FOR THE ABOVE DESCRIPTION IS NORTH 35°59'00" WEST BETWEEN THE SURVEY MONUMENTS LOCATED ON PARK AVENUE BETWEEN 9TH STREET, AND 11TH STREET).

LESS AND EXCEPTING ANY PORTION LYING WITHIN THE TOWN LIFT SITE, PHASE A.

(TAX SERIAL NO. SA-398-X)

EXHIBIT B
TO
REAL ESTATE PURCHASE AGREEMENT

Form of Special Warranty Deed to be executed and delivered by Seller.

WHEN RECORDED, RETURN TO:

820 Park Avenue, LLC
2590 Sidewinder Drive
Park City, Utah 84060

SPECIAL WARRANTY DEED

PARK CITY MUNICIPAL CORPORATION, a municipal corporation of the State of Utah, whose address is P.O. Box 1480 Park City, Utah 84060, as "GRANTOR", hereby specially warrants and conveys against acts of itself and none other to 820 Park Avenue, LLC, a Utah limited liability company, whose address is 2590 Sidewinder Drive, Park City, Utah 84060, as "GRANTEE", for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, all right, title and interest in and to a parcel of land located in SUMMIT COUNTY, UTAH and further described below:

> BEGINNING AT A POINT NORTH 493.02 FEET AND WEST 642.94 FEET FROM THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT IS ALSO LOCATED SOUTH 28°50'00" EAST 65.51 FEET AND NORTH 54°01'01" EAST 21.68 FEET FROM THE SURVEY MONUMENT LOCATED AT THE INTERSECTION OF PARK AVENUE AND 9TH STREET; AND RUNNING THENCE ALONG THE EAST LINE OF PARK AVENUE NORTH 28°50'00" WEST 65.52 FEET; THENCE ALONG THE EAST LINE OF PARK AVENUE NORTH 23°29'13" WEST 15.36 FEET; THENCE SOUTH 59°41'36" EAST 11.10 FEET TO A POINT ON A 15.00 FOOT RADIUS CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 54°05'49" EAST; THENCE ALONG THE ARC OF SAID CURVE 22.34 FEET THRU A CENTRAL ANGLE OF 85°20'49"; THENCE NORTH 58°45'00" EAST 72.49 FEET; THENCE SOUTH 26°45'59" EAST 19.62 FEET; THENCE SOUTH 13°18'00" EAST 32.00 FEET TO A POINT WHICH IS 50 FEET SOUTHERLY AT RIGHT ANGLES FROM THE NORTH LINE OF BLOCK 53, SNYDERS ADDITION TO PARK CITY SURVEY; THENCE SOUTH 54°01'00" WEST 86.46 FEET TO THE POINT OF BEGINNING. (THE BASIS OF BEARING FOR THE ABOVE DESCRIPTION IS NORTH 35°59'00" WEST BETWEEN THE SURVEY MONUMENTS LOCATED ON PARK AVENUE BETWEEN 9TH STREET, AND 11TH STREET).

LESS AND EXCEPTING ANY PORTION LYING WITHIN THE TOWN LIFT SITE, PHASE A.

Summit County Serial Number SA-398-X

SUBJECT TO the following restriction which shall run with the land and be binding upon the GRANTEE and all who subsequently hold any right, title, estate or other interest in the above described property (the "Property"):

The Property shall be utilized for vehicular access to the development located at 820 Park Avenue, for underground utility improvements and for improvements to public pedestrian improvements.

SUBJECT TO all other existing rights-of-way and easements for all public utilities of any and every description now located on, in, under or over the confines of the above described property.

SUBJECT TO the rights of entry thereon for the purposes of obtaining, altering, replacing, removing, repairing or rerouting said utilities, including the City's water and sewer facilities, and all of them.

SUBJECT TO any existing rights-of-way or easements of private third parties.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed by an officer duly authorized to execute the same, this ___ day of ________________, 2014.

PARK CITY MUNICIPAL CORPORATION

By:______________________________

Title:_____________________________

ATTEST:

____

EXHIBIT C
TO
REAL ESTATE PURCHASE AGREEMENT

Legal Description of Buyer's Adjacent Property

That certain real property located in Park City, Summit County, Utah, described as follows:

(PARCEL 1)

BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF BLOCK 53, SNYDER'S ADDITION TO PARK CITY, 50.39 FEET SOUTHEASTERLY FROM THE NORTHWESTERLY CORNER OF SAID BLOCK; THENCE SOUTH 28°02' EAST ALONG SAID SOUTHWESTERLY LINE OF SAID BLOCK 248.41 FEET; THENCE NORTH 63°42' EAST 51.1 FEET TO A POINT ON THE SOUTHWESTERLY BOUNDARY OF PROPERTY CONVEYED BY THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY TO THE UNION PACIFIC RAILROAD COMPANY BY DEED DATED MARCH 31, 1947; THENCE NORTH 27°55' WEST 128.4 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 277.50 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH AN ANGLE OF 26°54'41", AN ARC DISTANCE OF 129.61 FEET, TO A POINT 50 FEET SOUTHEASTERLY AT RIGHT ANGLES FROM THE NORTHWESTERLY LINE OF SAID BLOCK 53, THENCE SOUTH 54°49' WEST 25.72 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

BEGINNING AT A POINT WHICH IS SOUTH 28°50 EAST 298.80 FEET FROM THE NORTHWEST OF BLOCK 53, SNYDER'S ADDITION TO PARK CITY, UTAH, SAID POINT ALSO BEING SOUTH 63°42' WEST 117.64 FEET FROM A POINT DESIGNATED POINT "D" AS DESCRIBED IN COMPROMISE AGREEMENT DATED JANUARY 3, 1901 BETWEEN UNION PACIFIC RAILROAD COMPANY AND THE UTAH CENTRAL RAILROAD COMPANY AND RUNNING THENCE NORTH 63°42' EAST 51.10 FEET; THENCE NORTH 27°55' WEST 117.00 FEET; THENCE SOUTH 61°10' WEST 52.92 FEET TO THE EASTERLY LINE OF PARK AVENUE; THENCE SOUTH 28°50' EAST ALONG SAID EASTERLY LINE 114.73 FEET TO THE POINT OF BEGINNING.

(PARCEL 2)

BEGINNING AT A POINT WHICH IS SOUTH 28°50' EAST 184.07 FEET AND NORTH 61°10' EAST 52.92 FEET FROM THE NORTHWEST CORNER OF BLOCK 53, SNYDER'S ADDITION TO PARK CITY, UTAH AND RUNNING THENCE NORTH 27°55' WEST 11.40 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 277.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 130.92 FEET TO A POINT 50.00 FEET SOUTHEASTERLY *AT RIGHT* ANGLES FROM THE NORTHWESTERLY LINE OF SAID BLOCK 53; THENCE NORTH

54°01' EAST 60.04 FEET TO THE MOST EASTERLY CORNER OF THAT CERTAIN PARCEL OF LAND HERETOFORE CONVEYED BY UNION PACIFIC RAILROAD TO UTAH POWER AND LIGHT COMPANY BY QUIT CLAIM DEED DATED MARCH 16, 1950; THENCE SOUTH 30°46'52" EAST 145.54 FEET; THENCE SOUTH 61°10' WEST 36.41 FEET TO THE POINT OF BEGINNING.

Tax Serial No. SA-340

City Council
Staff Report

PLANNING DEPARTMENT

Application #:	**PL-14-02271**
Subject:	**Town Lift Subdivision, Plat B1-3, Lot B-3, First Amended & 820 Park Avenue Subdivision**
Author:	**Anya Grahn, Historic Preservation Planner**
Date:	**May 15, 2014**
Type of Item:	**Administrative – Plat Amendment**

Summary Recommendations

Staff recommends the City Council hold a public hearing for the Town Lift Subdivision, Plat B1-3, Lot B-3, First Amended & 820 Park Avenue Subdivision plat amendment, located at the same address, and consider approving the proposed plat amendment based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Description

Applicant:	820 Park Avenue LLC, represented by Rory Murphy
Location:	820 and 838 Park Avenue
Zoning:	Historic Recreation Commercial (HRC) District
Adjacent Land Uses:	Residential condominiums, single-family residential, vacation rentals, commercial and retail
Reason for Review:	Plat amendments require Planning Commission review and City Council approval.

Proposal

The applicant is requesting a Plat Amendment for the purpose of combining all of the metes and bounds parcels at 820 Park Avenue as well as approximately 229 square feet of City-owned property on the north and approximately 123.4 square feet of the neighboring property to the south at 838 Park Avenue. There is an existing historic structure on the property at 820 Park Avenue, which has been identified as Significant on the City's Historic Sites Inventory. The applicant wishes to combine these parcels in order to move forward with a Historic District Design Review (HDDR) approval that will permit the new Rio Grande Development at 820 Park Avenue to connect to the Town Lift Plaza to the south through a common wall.

Purpose

The purpose of the Historic Recreation Commercial (HRC) District is to:

(A) maintain and enhance characteristics of Historic Streetscape elements such as yards, trees, vegetation, and porches,
(B) Encourage pedestrian oriented, pedestrian-scale Development,
(C) minimize visual impacts of automobiles and parking,
(D) preserve and enhance landscaping and public spaces adjacent to Streets and thoroughfares,

(E) provide a transition in scale and land Uses between the HR-1 and HCB Districts that retains the character of Historic Buildings in the Area,
(F) provide a moderate Density bed base at the Town Lift,
(G) allow for limited retain and Commercial Uses consistent with resort bed base and the needs of the local community,
(H) encourage preservation and rehabilitation of Historic Buildings and resources,
(I) maintain and enhance the long term viability of the downtown core as a destination for residents and tourists by ensuring a Business mix that encourages a high level of vitality, public Access, vibrancy, activity, and public/resort-related attractions.

Background

Rio Grande

820 Park Avenue, LLC submitted a Historic District Design Review (HDDR) application for the renovation of the historically "Significant" Rio Grande railroad shed as well as a new multi-unit dwelling containing ten (10) condominium units. As part of this application, the applicant requested to move the historic structure to the southeast corner of Park Avenue and 9th Street; however, the Planning Director and Chief Building Official determined that unique conditions did not exist that warranted the relocation of the structure on October 9, 2013. This determination was overturned by the Historic Preservation Board (HPB) on November 13, 2013. The Planning Director has also granted a height exception based on LMC 15-2.5-5(A)(4) in order to allow the clearstory architectural feature to extend fifty-percent (50%) above zone height, or to forty-eight feet (48'). This architectural feature does not include habitable space. The HDDR application was deemed complete on October 17, 2013, and the application was approved on April 14, 2014.

The Planning Commission also reviewed and approved the applicant's request for a Conditional Use Permit (CUP) on January 8, 2014 and February 12, 2014. The CUP approval included the following uses:

- Multi-Unit Dwellings (a building containing four (4) or more dwelling units);
- Commercial Retail and Service, Minor;
- Café or Deli
- Outdoor dining;
- Office (intensive);
- Parking Area or Structure with five (5) or more spaces

The ground level storefront spaces and historic Rio Grande Building will contain 4,541 square feet of commercial retail and service, minor; café or deli; or office (intensive) use. The developer has not yet leased these spaces and has not yet determined the final mix of these uses. A condition of approval was added to the CUP to ensure that all future commercial retail uses of this development must meet the Parking Requirements for Specific Land Use Categories, as outlined by LMC 15-3-6. The development will also include ten (10) condominium units. Master Planned Developments (MPDs) are not required in the Historic Recreation Commercial (HRC) District.

The development of this site and increased commercial retail use in the neighborhood will result in additional traffic and parking demands. The City Engineer has required that the applicant limit vehicular access to the site from 9th Street so as to not increase traffic congestion along Park Avenue and at the 9th Street-Park Avenue intersection. Site triangles are better on 9th Street than Park Avenue, and 9th Avenue is a lesser traveled street. Vehicular ingress and egress to the site's underground parking is located off 9th Street.

The parcel at 820 Park Avenue is currently a metes and bounds parcel. Approximately 229 square feet at the north end of the property is owned by the City. Staff has recommended that 820 Park Avenue, LLC and Park City Municipal enter into a Real Estate Purchase Contract for the city-owned parcel, SA-398-X, which is located along the 9th street frontage of the project. The proposed conveyance will provide legal access to the project from 9th street. The applicant also intends to purchase approximately 123 square feet of Lot B-3 of the Town Lift Subdivision, Plat B1-3 in order to connect the new development at 820 Park Avenue to the Town Lift development directly to the south at 838 Park Avenue. Condition of Approval #8 has been added so that this plat amendment is contingent upon the applicant purchasing property from the Sweeneys and Park City Municipal Corporation.

Town Lift Subdivision, Plat B1-3
As previously noted, the applicant intends to construct a common wall between the Rio Grande and Town Lift Developments. These two (2) sites will be connected through doorways that allow building users to pass from the Rio Grande development through the Town Lift development in order to access the Town Lift Plaza and ski lift. In order for the Rio Grande development to connect to the Town Lift development, 820 Park Avenue, LLC, has entered into an agreement to purchase 123 square feet of the property to the south at 838 Park Avenue from the Sweeneys. A portion of the new building will occupy the 123 square feet in order to connect the sites.

The original Sweeney Master Planned Development (MPD) was approved in December 1985, and identified this site as the Coalition East Property. The following year, City Council called up and approved a slightly modified MPD for the Sweeney Town Lift. Lot B-3 was identified as the location of the ticket building. A total of 4,000 square feet of commercial space, or 4 commercial unit equivalents were approved through the modified MPD. At the time of the approval, the Sweeneys stressed the importance of retaining open space in order to provide a pedestrian gathering space and ski staging area.

In December 1993, the Planning Commission approved the MPD and preliminary plat for the Sweeney Town Lift Properties. The following year, City Council approved the Sweeney Town Lift Phase B plat amendment through Ordinance 94-7 (see Exhibits D and E).

Since 1994, there has been a single amendment to the record of survey for the Caledonian Condominium plat in order to identify and remove 1,700 square feet from the condo plat. This parcel became known as Lot B-4 and was reserved for open space, which could include the construction of the skier bridge (Exhibit F). It cannot be developed without an amendment to the MPD.

The Planning Commission held a Public Hearing and voted unanimously (6-0) to forward a positive recommendation of the Town Lift Subdivision, Plat B1-3, Lot B-3, First Amended & 820 Park Avenue Subdivision plat amendment on April 23, 2014.

Analysis
There is an existing historic structure—the Rio Grande freight shed—that is currently located on the southern half of the property at 820 Park Avenue. The applicant intends to develop this site and construct a three (3) story multi-use structure adjacent to the historic structure. The applicant also intends to purchase the City-owned parcel directly to the north of the property that contains approximately 229 square feet as well as approximately 123 square feet of property from 838 Park Avenue, or Lot B-3 of the Town Lift Subdivision, Plat B1-3 in order to connect the existing Town Lift ticket building with the new mixed use development through a common wall. The following table outlines the existing and conditions as well as those following development:

	HRC Zone Designation	Existing Conditions (approximately sf)	Proposed Conditions (including new development)
Lot Size	Not specified	City Owned parcel : 210 SF 820 Park Ave parcels: 12,327 SF Town Lift Subdivision: 123.4 SF	Parcels will be combined under 820 Park Ave LLC ownership: 12,660.06 SF
Setbacks			
Front (West)	10 ft.	25 feet	10 ft.
Rear (East)	10 ft.	37 ft.	10 ft.
Side (North)	5 ft.	37 ft.	5 ft.
Side (South)	5 ft.	31 ft.	0 ft. (Per LMC 15-2.5-3(E)(3), a side yard between connected structures is not required where the structures are designed with a common wall on a property line and the lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official.)
Height above existing grade	32 ft.	26 ft.	26.5 ft. (new rear addition)

Floor Area Ratio (includes residential and non-residential uses)	4.0	.05	2.37

As shown by the table, the applicant intends to purchase approximately 123 square feet of Lot B-3 of the Town Lift Subdivision, Plat B1-3 in order to build a common wall of approximately 65 feet along the shared property line. This common wall will enable the applicant to connect his development at the Rio Grande site with the Sweeney Town Lift development to the south. The Sweeney Town Lift MPD, Phase B was approved by the Planning Commission in 1992. At that time, staff completed a comparison of the original 1985 Sweeney MPD and the 1992 application (Exhibit G). For the purpose of this staff report, staff has evaluated the open space requirements based on the total square footage of the total site—Sweeney Town Lift MPD, Phase B—and has found that the loss of 123.4 square feet will not have a significant impact on their open space requirements as the developer has already exceeded his open space requirements for this particular portion of the Sweeney MPD.

	1986 Sweeney MPD	1992 Application	2014 Application
Square feet of total Town Lift Subdivision, Plat B1-3	50,399 SF	50,094	47,157.9 SF (based on 1994 recorded plat and 123.4 deduction)
Open Space of total site	21,794 SF	33,587 SF	33,463.6 SF
Percentage of Open Space	43%	67%	70.9%

There have been some changes to the overall square footage of the site between the 1986 and 2014 applications. Staff finds that the previous planner on the project calculated the total square footage of this city block in 1992 by multiplying the north property line (161.45 ft.) by the east property line (310.74 ft.). There may have been a calculation or measuring error; however, the square footage of each lot on the recorded Town Lift Subdivision, Plat B1-3 is labeled and was used by staff for this analysis.

The proposed plat amendment does not increase any degree of nonconformity with respect to setbacks. The existing Town Lift ticket building's reduced setbacks were approved during the 1993 MPD. The applicant at 820 Park Avenue is purchasing this property in order to construct a shared wall with the existing Sweeney-owned building on Lot B-3. As previously described, Land Management Code Section 15-2.5-3(E)(3) states that a side yard between connected Structures is not required where the Structures are designed with a common wall on a Property Line and the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official. The longest dimension of a Building joined at the Side Lot Line may not exceed 100 feet. The proposed shared wall is approximately 65 feet in length.

The Planning Commission approved the applicant’s Conditional Use Permit (CUP) on February 12, 2014, and the Historic District Design Review (HDDR) was approved by Planning staff for the proposed development at 820 Park Avenue on April 14, 2014. Going forward, the applicant will require a building permit prior to the start of any construction. A condominium plat is also needed in order for the developer to sell the ten (10) residential condominium units or any of the commercial spaces of this development.

Good Cause
Planning Staff believes there is good cause for the application. Combining the city owned tax parcel SA-398-X, the metes and bounds parcel at 820 Park Avenue, and approximately 123 square feet of the property at 838 Park Avenue will allow the applicant to move forward with plans to redevelop the site. These plans include restoring the historic Rio Grande freight shed and adding a new multi-use development. This proposal is consistent with the General Plan and purpose statements of the zone, including maintaining and enhancing the long term viability of the downtown core as a destination for residents and tourists by ensuring a business mix that encourages a high level of vitality, public access, vibrancy, activity, and public/resort-related attractions.

If left un-platted, the property remains as is. The development facilitated by this plat amendment will also utilize best planning and design practices, while preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Staff finds that the plat will not cause undo harm on any adjacent property owner because the proposal meets the requirements of the Land Management Code (LMC) and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements. In approving the plat, the City will gain two (2) ten foot (10’) snow storage easements along Park Avenue and 9th Street. The applicant cannot move forward with their plans to develop the site until the plat amendment has been recorded. There currently are not any existing encroachments on the site.

Process
The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review
This project has gone through an interdepartmental review. Issues raised have been addressed by revisions to the application and/or conditions of approval. No additional issues were raised regarding the subdivision.

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

Public Input

No public input was provided at the April 23, 2014, Planning Commission.

Alternatives

- The City Council may approve the Town Lift Subdivision, Plat B1-3, Lot B-3, First Amended & 820 Park Avenue Subdivision plat amendment as conditioned or amended; or
- The City Council may deny the Town Lift Subdivision, Plat B1-3, Lot B-3, First Amended & 820 Park Avenue Subdivision plat amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the Town Lift Subdivision, Plat B1-3, Lot B-3, First Amended & 820 Park Avenue Subdivision plat amendment; or
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and the City-owned property would not be combined with the existing metes and bounds parcel at 820 Park Avenue. Further, no changes would be made to the Town Lift Subdivision, Plat B1-3 as the 123 square feet of property at 838 Park Avenue would not be attached to the property at 820 Park Avenue. Any additions to or renovations of the historically significant Rio Grande freight shed would not be permitted as designed and approved, and this development could not move forward as approved.

Recommendation

Staff recommends the City Council hold a public hearing for the Town Lift Subdivision, Plat B1-3, Lot B-3, First Amended & 820 Park Avenue Subdivision, and consider approve the Town Lift Subdivision, Plat B1-3, Lot B-3, First Amended & 820 Park Avenue Subdivision based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat
Exhibit B – Existing Conditions Survey
Exhibit C – Vicinity Map/Aerial Photograph and streetscape photos
Exhibit D –Town Lift Phase B plat amendment
Exhibit E – Ordinance 94-7
Exhibit F – Town Lift Subdivision, Plat B1-3 including Lot B-4
Exhibit G – Minutes from 4.23.14 Planning Commission hearing

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 14-

AN ORDINANCE APPROVING THE TOWN LIFT SUBDIVISION, PLAT B1-3, LOT B-3, FIRST AMENDED & 820 PARK AVE SUBDIVISION LOCATED AT 820 Park Avenue, PARK CITY, UTAH.

WHEREAS, the owners of the properties located at 820 and 838 Park Avenue have petitioned the City Council for approval of the plat amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on April 23, 2014 to receive input on the proposed subdivision;

WHEREAS, on April 23, 2014 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 15, 2014 the City Council held a public hearing on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Town Lift Subdivision, Plat B1-3, Lot B-3, First Amended & 820 Park Ave Subdivision.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Town Lift Subdivision, Plat B1-3, Lot B-3, First Amended & 820 Park Ave Subdivision as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 820 Park Avenue within the Historic Recreation Commercial (HRC) Zoning District.
2. The applicant is requesting to combine approximately 229 square feet of City-owned located on the southeast corner of 9th Street and Park Avenue, the metes and bounds parcel at 820 Park Avenue, and approximately 123 square feet of Lot B-3 of the Town Lift Subdivision, Plat B1-3.
3. The existing historic Rio Grande Freight Shed is designated as “Significant” on the City’s Historic Sites Inventory (HSI).

4. The applicant submitted a Historic District Design Review (HDDR) application on June 19, 2013. The application was deemed complete on October 17, 2013.
5. The Planning Director and Chief Building Official determined that unique conditions did not exist that warranted the relocation of the historic Rio Grande Building on October 9, 2013. The applicant submitted an appeal to this determination on October 18, 2013, and the Historic Preservation Board (HPB) granted the appeal and reversed staff's determination on November 13, 2013.
6. The Planning Director has granted a height exception based on LMC 15-2.5-5(A)(4) in order to allow the clearstory architectural feature to extend fifty-percent (50%) above zone height, or to forty-eight feet (48'). This architectural feature does not include habitable space.
7. The proposed development will feature a shared party-wall with the Town Lift Condominiums along the south elevation. Land Management Code (LMC) 15-2.5-3(E) states that a side yard between connected structures is not required where the structures are designed with a common wall on a property line and the lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official. The longest dimension of a building joined at the side lot line may not exceed 100 feet, and the applicant is proposing a common wall of approximately twenty feet (20').
8. Indirect access from the Rio Grande development to the Town Lift Plaza will be provided on the fourth floor of the Rio Grande development and through the Town Lift Condominiums.
9. The applicant submitted a Conditional Use Permit (CUP) on June 19, 2013. The application was deemed complete on November 26, 2013. The Planning Commission approved the CUP for a multi-unit dwelling of ten (10) units; commercial retail and service, minor; outdoor dining; café or deli; office (intensive); and a parking structure of twenty-four (24) spaces on February 12, 2014.
10. On March 3, 2014, the applicant applied for a plat amendment; the application was deemed complete on March 11, 2014.
11. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of developing the site at 820 Park Avenue, which includes renovating the historic Rio Grande freight shed and constructing a multi-use structure on the site.
12. The amended plat will create one new12,660.06 square foot lot.
13. 838 Park Avenue was included as part of the 1985 Sweeney Master Planned Development (MPD). In December 1993, the Planning Commission approved the MPD and preliminary plat for the Sweeney Town Lift Properties. City Council approved the Sweeney Town Lift Phase B plat amendment through Ordinance 94-7 in December 1993. 838 Park Avenue is included as Lot B-3 of this plat amendment.
14. Staff finds that the loss of approximately 123 square feet of Lot B-3 of the Sweeney Town Lift Subdivision, Plat B1-3 will not affect the property's open space requirement as the amount of open space will continue to exceed 43% as dictated by the 1985 Sweeney MPD.
15. 820 Park Avenue, LLC and Park City Municipal Corporation are entering into a real estate purchase contract for the city-owned parcel, SA-398-X, located along 9th Street.

16. The development is not located within the sensitive lands overlay.

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

Conditions of Approval:
1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit for any work that expands the footprint of the home, or would first require the approval of an HDDR, shall be granted until the plat amendment is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
5. A 10 foot (10') wide public snow storage easement is required along the street frontages of the lot along Park Avenue and 9th Street. This easement shall be shown on the plat.
6. Any encroachments across property lines must be addressed prior to plat recordation and shall either be removed or encroachment easements shall be provided.
7. Access to the development at 820 Park Avenue shall be limited to 9th Street.
8. Rio Grande LLC shall have purchased the City-owned tax parcel SA-398-X and approximately 123 square feet of Lot B-3 of the Town Lift Subdivision, Plat B1-3 prior to recording the plat with Summit County.

<u>SECTION 2. EFFECTIVE DATE.</u> This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this ___day of May, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibit A

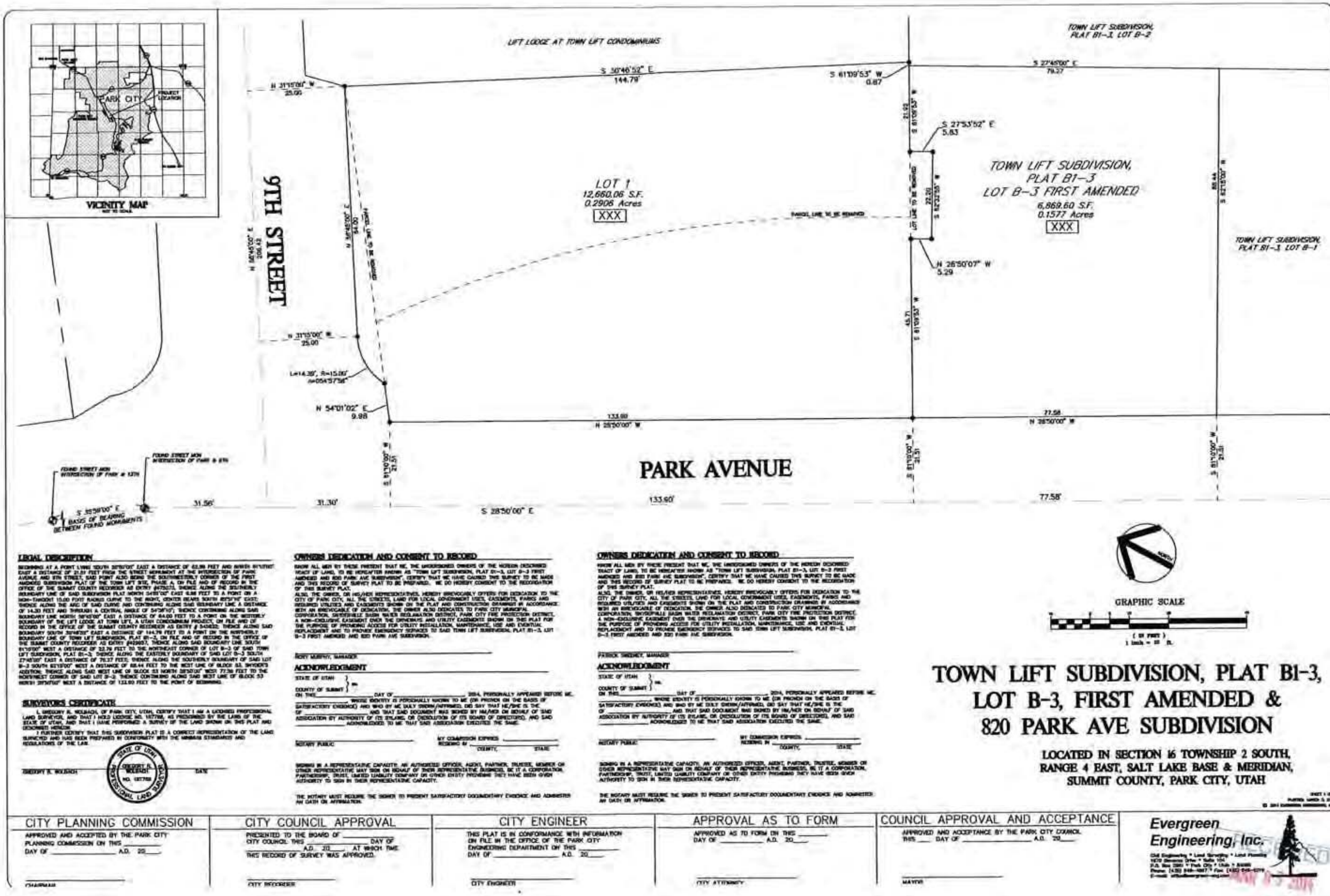
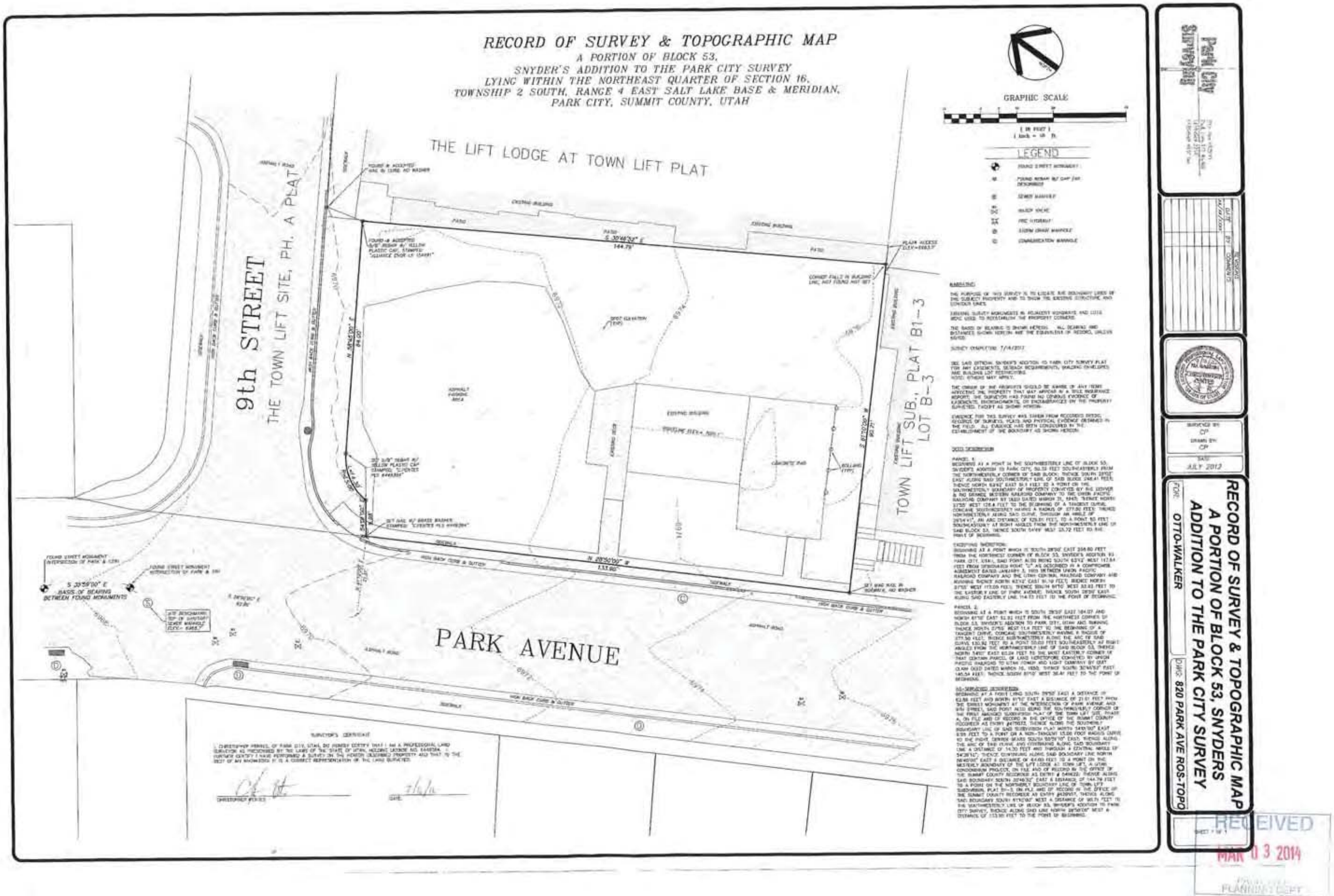

LIFT LODGE AT TOWN LIFT CONDOMINIUMS
TOWN LIFT SUBDIVISION, PLAT B1-3, LOT B-2
VICINITY MAP
PARK CITY
9TH STREET
S 30°46'52" E
144.79'
S 61°09'53" W
0.87
S 27°45'00" E
79.27
N 31°15'00" W
25.00
S 27°53'52" E
5.83
LOT 1
12,660.06 S.F.
0.2906 Acres
XXX
TOWN LIFT SUBDIVISION, PLAT B1-3 LOT B-3 FIRST AMENDED
6,869.60 S.F.
0.1577 Acres
XXX
TOWN LIFT SUBDIVISION, PLAT B1-3, LOT B-1
N 28°50'07" W
5.29
L=14.39', R=15.00'
N 54°01'02" E
9.98
133.60
N 28°50'00" W
77.58
PARK AVENUE
31.56'
31.30'
133.60'
77.58'
S 28°50'00" E
BASIS OF BEARING BETWEEN FOUND MONUMENTS
LEGAL DESCRIPTION
SURVEYOR'S CERTIFICATE
OWNERS DEDICATION AND CONSENT TO RECORD
ACKNOWLEDGEMENT
GRAPHIC SCALE
TOWN LIFT SUBDIVISION, PLAT B1-3, LOT B-3, FIRST AMENDED & 820 PARK AVE SUBDIVISION
LOCATED IN SECTION 16 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, SUMMIT COUNTY, PARK CITY, UTAH
CITY PLANNING COMMISSION
CITY COUNCIL APPROVAL
CITY ENGINEER
APPROVAL AS TO FORM
COUNCIL APPROVAL AND ACCEPTANCE
Evergreen Engineering, Inc.

Exhibit B



104

Exhibit C

8

7

6

5

4

3

2

1

LAND MANAGEMENT CODE ANALYSIS

RECEIVED
MAR 0 3 2014
PARK CITY
PLANNING DEPT.

HRC ZONE:

PROJECT USES:
MULTI-UNIT DWELLING (CONDITIONAL USE)
COMMERCIAL RETAIL AND SERVICE, MINOR (CONDITIONAL USE)
NEIGHBORHOOD CONVENIENCE COMMERCIAL (CONDITIONAL USE)
RESTAURANT AND CAFE, OUTDOOR DINING (CONDITIONAL USE)

REQUIRED SETBACKS:
FRONT YARD: 10'
REAR YARD: 10'
SIDE YARD: 5'
CORNER YARD: 10'

FLOOR AREA RATIO (F.A.R.):
NON RESIDENTIAL USES: 1

BUILDING HEIGHT:
ZONE HEIGHT: 32'
ROOF EXCEPTION: 37'
MECHANICAL EXCEPTION: +5'
ELEVATOR PENTHOUSE: +8'
PLANNING DIRECTION EXCEPTION: 20% OF ROOF AREAS

PROJECT AREA SUMMARY		
OPEN SPACE (INCLUDING DRIVEWAY)	4,543	36.27%
OPEN SPACE WITHOUT DRIVEWAY	3,540	28.26%
BUILDING AREA BREAKDOWN		
COMMERCIAL	5,856	20.69%
RESIDENTIAL	17,056	60.25%
DECKS	892	3.15%
MISC	4,505	15.91%
TOTAL BUILDING AREA	28,309	

SITE AERIAL IMAGE - PANORAMA KEY

ONWUEGBU Architecture
1942 Parkridge Drive • Salt Lake City • Utah 84121
801.712.4078 • 801.618.3849 (fax) • info@ochimso.com

CONSULTANTS

CIVIL:	EVERGREEN ENGINEERING
STRUCTURAL:	JARRATT ENGINEERING
MECHANICAL:	PVE INC.
ELECTRICAL:	SHA CONSULTING ENGINEERS
LANDSCAPE:	
INTERIOR DESIGN:	

STAMP

PRELIMINARY
NOT FOR PERMIT OR CONSTRUCTION

SHEET DATA

DESIGNED BY:	HDO
DRAWN BY:	STAFF
REVIEWED BY:	HDO

PROJECT

RIO GRANDE DEVELOPMENT

820 PARK AVENUE
PARK CITY, UTAH 84060

REVISIONS

No.	Date	Description

ISSUE/PHASE

ISSUE:	HDDR APPLICATION
ISSUE DATE:	06.13.2013
PROJECT #:	2013-03

SHEET TITLE

PANORAMAS

NOT FOR CONSTRUCTION

HDDR-01

SHEET OF

Exhibit D

106

SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 163931 as prescribed by the laws of the State of Utah. I further certify that by authority of the owner I have made a survey of the tract of land shown on this plat and described herein and subdivided said tract of land into lots, private easements, and public right-of-ways to be hereafter known as TOWN LIFT SUBDIVISION, PLAT B1-3 and that same has been correctly surveyed and staked on the ground as indicated on this plat.

John Demkowicz 2/14/95

John Demkowicz L.S. No. 163931 — Date

BOUNDARY DESCRIPTION

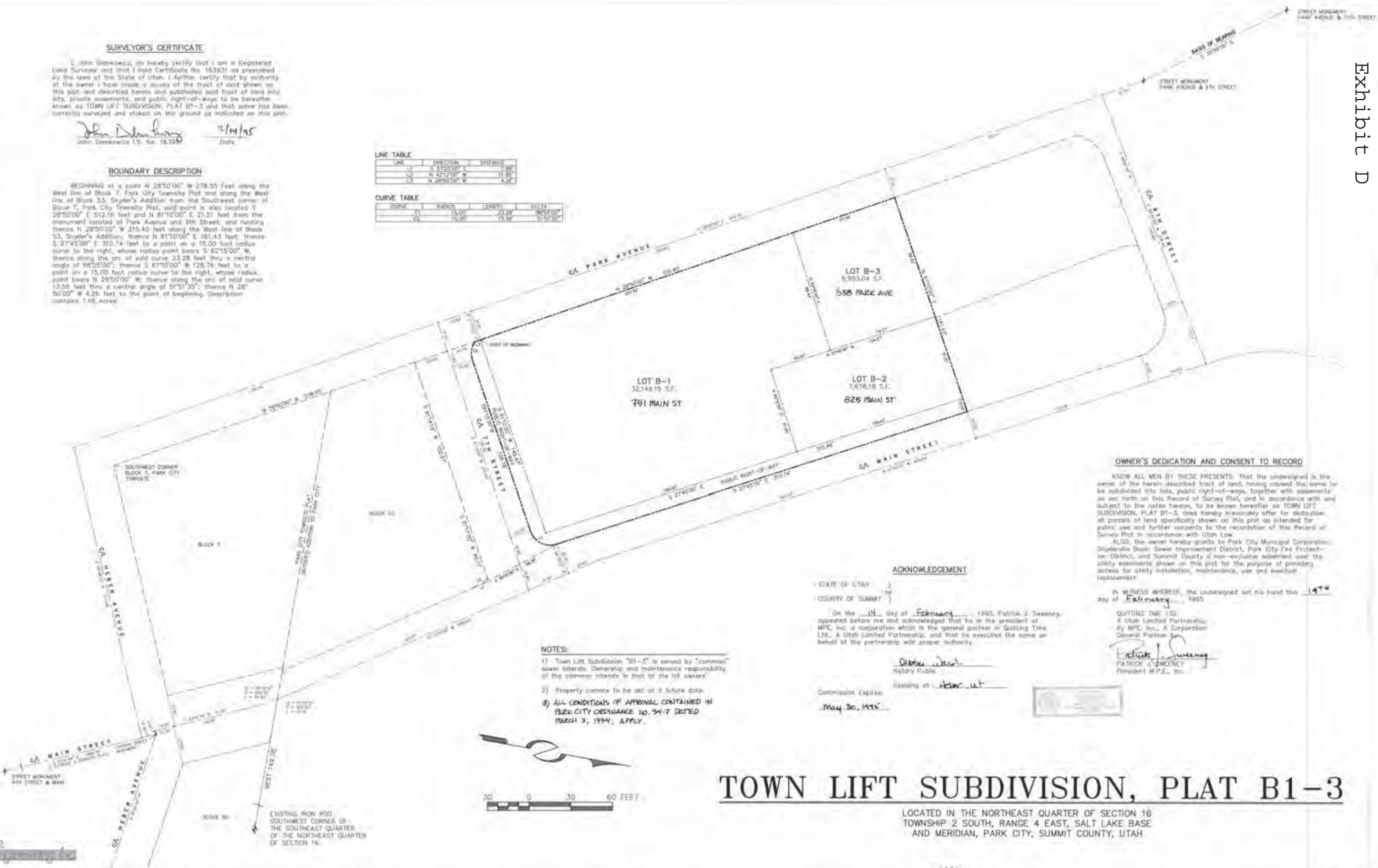
BEGINNING at a point N 28°50'00" W 278.55 Feet along the West line of Block 7, Park City Townsite Plat and along the West line of Block 53, Snyder's Addition from the Southwest corner of Block 7, Park City Townsite Plat, said point is also located S 28°50'00" E 512.16 feet and N 61°10'00" E 21.51 feet from the monument located at Park Avenue and 9th Street; and running thence N 28°50'00" W 315.40 feet along the West line of Block 53, Snyder's Addition; thence N 61°10'00" E 161.43 feet; thence S 27°45'00" E 310.74 feet to a point on a 15.00 foot radius curve to the right, whose radius point bears S 62°15'00" W; thence along the arc of said curve 23.28 feet thru a central angle of 88°55'00"; thence S 61°10'00" W 128.78 feet to a point on a 15.00 foot radius curve to the right, whose radius point bears N 28°50'00" W; thence along the arc of said curve 13.58 feet thru a central angle of 51°51'35"; thence N 28°50'00" W 4.26 feet to the point of beginning. Description contains 1.18 Acres.

LINE TABLE

LINE	DIRECTION	DISTANCE
L1	S 33°25'00" E	7.86'
L2	N 42°12'00" W	11.85'
L3	N 28°50'00" W	4.26'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	15.00'	23.28'	88°55'00"
C2	15.00'	13.58'	51°51'35"



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: That the undersigned is the owner of the herein described tract of land, having caused the same to be subdivided into lots, public right-of-ways, together with easements as set forth on this Record of Survey Plat, and in accordance with and subject to the notes hereon, to be known hereafter as TOWN LIFT SUBDIVISION, PLAT B1-3, does hereby irrevocably offer for dedication all parcels of land specifically shown on this plat as intended for public use and further consents to the recordation of this Record of Survey Plat in accordance with Utah Law.

ALSO, the owner hereby grants to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement.

IN WITNESS WHEREOF, the undersigned set his hand this 14TH day of February, 1995

QUITTING TIME LTD.
A Utah Limited Partnership
By MPE, Inc., A Corporation
General Partner by

Patrick J. Sweeney
PATRICK J. SWEENEY
President M.P.E., Inc.

ACKNOWLEDGEMENT

STATE OF UTAH)
ss
COUNTY OF SUMMIT)

On the 14 day of February, 1995, Patrick J. Sweeney, appeared before me and acknowledged that he is the president of MPE, Inc. a corporation which is the general partner in Quitting Time Ltd., A Utah Limited Partnership, and that he executed the same on behalf of the partnership with proper authority.

Debbie Ward
Notary Public

Residing at: Heber, ut

Commission Expires:
May 30, 1995

NOTES:

1) Town Lift Subdivision "B1-3" is served by "common" sewer laterals. Ownership and maintenance responsibility of the common laterals is that of the lot owners.

2) Property corners to be set at a future date.

3) ALL CONDITIONS OF APPROVAL CONTAINED IN PARK CITY ORDINANCE NO. 94-7 DATED MARCH 3, 1994, APPLY.

TOWN LIFT SUBDIVISION, PLAT B1-3

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

JOB NO. 2-2-91 FILE TL\RS\PB3R4

PAGE 1 OF 1

ALLIANCE ENGINEERING INC.	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	#429957 RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 4th DAY OF April 1995 A.D. BY James R. Bland S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 27th DAY OF April 1995 A.D. BY [signature] CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 20TH DAY OF APRIL 1995 A.D. BY Eric W. DeHaan PE PARK CITY ENGINEER	APPROVED AS TO FORM THIS 9TH DAY OF May 1995 A.D. BY Mark D. Harrington PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 3RD DAY OF MARCH 1994 A.D. BY Anita L. Sheldon PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 3RD DAY OF MARCH 1994 A.D. BY [signature] MAYOR	STATE OF UTAH, COUNTY OF SUMMIT AND FILED AT THE REQUEST OF Coalition Title DATE 05-17-95 TIME 11:41 AM BOOK PAGE $33.00 Alan Spriggs FEE RECORDER

Exhibit E

ORDINANCE NO. 94-7

AN ORDINANCE APPROVING THE SWEENEY TOWN LIFT PHASE B FINAL PLAT, A SUBDIVISION LOCATED NORTH OF 7TH STREET BETWEEN PARK AVENUE AND MAIN STREET, PARK CITY, UTAH

WHEREAS, the owners of the property known as the Sweeney Town Lift Phase B petitioned the Planning Commission for approval of the Sweeney Town Lift Phase B final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed plat on February 23, 1994; and

WHEREAS, on February 23, 1994, the Planning Commission approved the Sweeney Town Lift Phase B Plat attached hereto as Exhibit A; and

WHEREAS, it is in the best interest of Park City to approve the final plat,

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

SECTION 1. The Sweeney Town Lift Phase B Subdivision plat is approved as shown on the attached Exhibit A with the following conditions:

1. The Town Lift Design Review Task Force approved the volumetrics on August 2, 1993. Final design approval will be required to be granted by the Town Lift Design Review Task Force prior to building permit issuance. The plans shall be consistent with the preliminary approval and with the approved Guidelines and Volumetrics.

2. A cross-easement agreement has been drafted to meet the requirements for a Master Owners' Association. That agreement shall be approved by the City Attorney. The City has been granted an Easement Deed and Restrictive covenant providing an easement for open space in which Quitting Time agrees to maintain the open space at the town Lift Base to a standard equal to that of the City maintained pocket plazas. Prior to the issuance of the final occupancy permit for the first completed phase, a security shall be posted for one year's open space maintenance.

3. Quitting Time shall be required to maintain the vacant properties until such time they are developed according to the Master Plan. Natural drought resistant grasses will be planted over a minimum of six inches of tested top soil. Rocky Mountain wildflower mix will be planted in selected locations. Litter will be removed in the spring after the snow melt, mid-summer and in the fall. Noxious weeds will be removed as needed by Quitting Time.

4. A comprehensive plan for the Lift Base is included in the Guidelines and Volumetrics and shall include restrooms, a drinking fountain, signage, landscaping and lighting. The restrooms will be located in phase B3 and available to the public during the hours of business operation of the leased space in phases B2 and B3 and during the operation of the Lift and ticket office. These improvements will be constructed at the time the respective phases are developed. A security will be required to be posted prior to building permit issuance for each phase to ensure completion of the improvements.

5. A Streetscape and Landscape plan is included in the Guidelines and Volumetrics. These improvements will be required to be completed prior to the final occupancy permit for each phase. Prior to building permit issuance for each phase, a security will be required to be posted to ensure completion.

6. Prior to plat recordation, a security shall be posted for the completion of the sidewalks and street lights on Main Street and 7th Street. The improvements shall be installed no later than October 15, 1995.

7. Prior to plat recordation, a parks fee of $3,105 shall be paid.

<u>SECTION 2</u>. This ordinance shall take effect immediately.

DATED this [illegible] day of March, 1994.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch

BRADLEY A. OLCH, MAYOR

ATTEST:

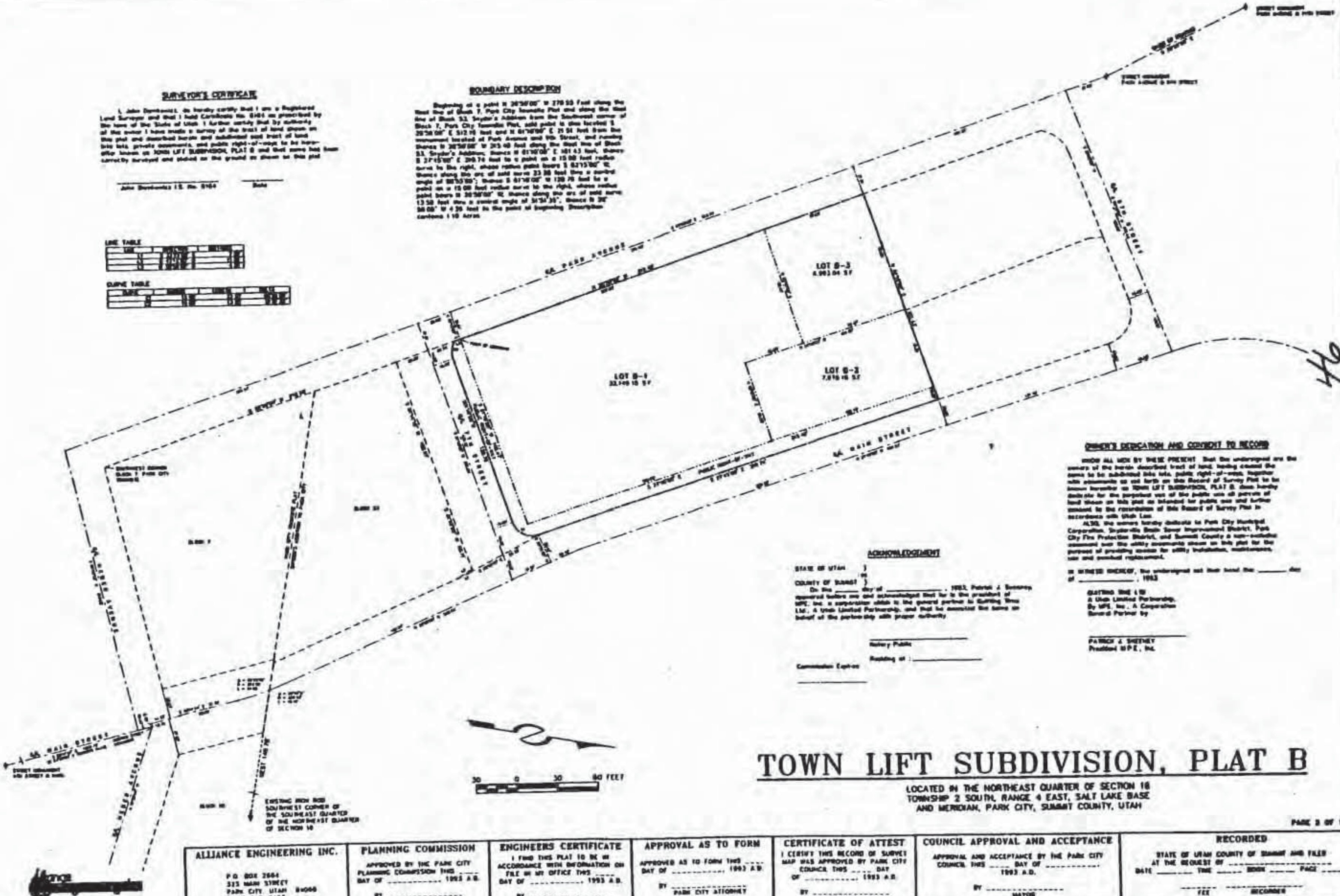
Anita L. Sheldon

ANITA L. SHELDON, CITY RECORDER

APPROVED AS TO FORM:

Jodi F. Hoffman

JODI F. HOFFMAN, CITY ATTORNEY



TOWN LIFT SUBDIVISION, PLAT B

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

PAGE 3 OF 16

ALLIANCE ENGINEERING INC.	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF __________ 1993 A.D. BY __________ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF __________ 1993 A.D. BY __________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF __________ 1993 A.D. BY __________ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF __________ 1993 A.D. BY __________ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF __________ 1993 A.D. BY __________ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF __________ DATE ______ TIME ______ BOOK ______ PAGE ______ ______ FEE ______ RECORDER

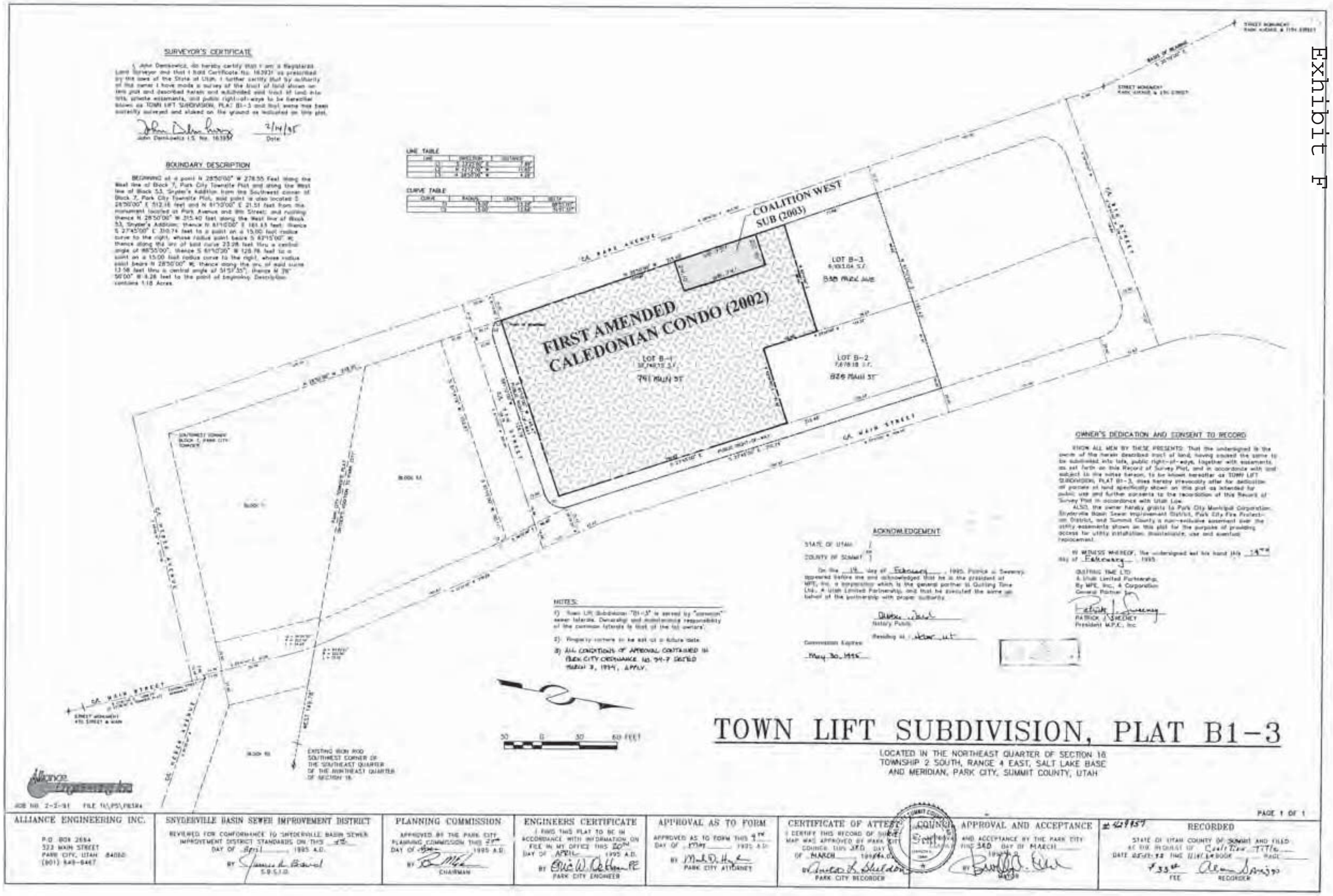

SURVEYOR'S CERTIFICATE
BOUNDARY DESCRIPTION
LINE TABLE
CURVE TABLE
COALITION WEST SUB (2003)
FIRST AMENDED CALEDONIAN CONDO (2002)
LOT B-1
LOT B-2
LOT B-3
OWNER'S DEDICATION AND CONSENT TO RECORD
ACKNOWLEDGEMENT
NOTES:
TOWN LIFT SUBDIVISION, PLAT B1-3
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH
PAGE 1 OF 1
ALLIANCE ENGINEERING INC.
P.O. BOX 2664
323 MAIN STREET
PARK CITY, UTAH 84060
(801) 649-6467
SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
PLANNING COMMISSION
ENGINEERS CERTIFICATE
APPROVAL AS TO FORM
CERTIFICATE OF ATTEST
COUNCIL APPROVAL AND ACCEPTANCE
RECORDED

Exhibit F

Exhibit F

PARK CITY PLANNING DEPARTMENT
REVISED STAFF REPORT

background

TO: PLANNING COMMISSION
FROM: PLANNING STAFF
DATE: DECEMBER 10, 1992
RE: SWEENEY TOWN LIFT MPD

===

I. PROJECT STATISTICS

Project Name:	Sweeney Town Lift Properties MPD/ Town Lift Project Part Phase B
Applicant:	Quitting Time, LTD
Location:	East of Park Ave., West of Extended Main Street, North of proposed 7th St. near the Town Lift Base
Proposal:	Conditional Use Approval/Small Scale MPD/Sketch & Preliminary Plat for a portion of an approved Large Scale MPD
Zoning:	HCB-MPD
Adjacent Land Uses:	Vacant, Approved Mixed Use MPD, Lift Base, Historic Residential
Date of Application:	August 10, 1992
Project Planner:	Nora Seltenrich
Staff Recommendation:	Conditional Approval

II. BACKGROUND INFORMATION

On December 18, 1985, the Planning Commission approved the Sweeney Properties Large Scale MPD. The project was called up by the City Council and a slightly modified plan was approved on October 16, 1986. The Sweeney Properties MPD includes a number of properties and individual development parcels. The total number of units approved includes 258 residential units and 19 support commercial units for a total of 277 unit equivalents. The approval has a lengthy list of conditions, most of which apply to the Hillside development parcels which are not addressed as a part of this proposal.

Since the MPD approval, the Developer has granted various easements, processed rezones, gained plat approvals and participated in the concept approval for the Town Lift Project.

Although no construction of new units has taken place on site, considerable construction of ski runs, foot/bike trails, grading, including demolition of the Coalition West garages and removal of three houses has taken place. Accordingly, the MPD is proceeding in general compliance with the Phasing Plan which was approved as a part of the MPD.

The concept approval for the Town Lift project included two of the Sweeney properties, the Coalition East property and the Coalition West property. The concept approval was not detailed enough to serve as the conditional use/small scale MPD review for the Coalition East and West Parcels, so the developer is requesting that review for the Coalition East Parcel.

Any Large Scale Master Plan requires that each portion of the Master Plan be reviewed in more detail as a Small Scale Master Plan under the Conditional Use process. The Large Scale Master Plan identifies the broad parameters such as density ranges, uses, building heights and general site planning. The more specific review gives more detail for what is actually planned to be built. The specific building design for this project will also be subject to review by the Historic District Commission or the Town Lift Design Review Task Force.

III. PROJECT DESCRIPTION

The applicant is requesting conditional use/small scale MPD/preliminary plat review of a portion of an approved Large Scale MPD. This area was referred to as the Coalition East Property in the Large Scale MPD. It was also included in the concept approval for the Town Lift Project. The proposed uses and concept have not changed significantly from the original Sweeney Properties MPD. The following is a unit comparison of the three plans:

Comparison SPMP, Concept Approval and Current Application

	SPMP	Conceptual Approval	Current Application
Maximum Elevation[1] South Building[2]	7050	7050	7052.5
Gross Square Feet South Building[2]	62,115	57,500	58,600
Footprint South Building[2]	15,529	14,996	14,813
Average Height[3] South Building[2]	44	42	44
Gross Square Feet All Buildings	91,731	---	66,373
Footprint[4] Total Site	24,605	19,596	16,507
Average Height[3] All Buildings	41	---	39.5
Square Feet Total Site	50,399	50,094	50,094
Open Space Total Site	21,794	30,498	33,587
% Open Space	43	61	67
Unit Equivalents (U.E.)	40	---	40±2

--- Not specified in Conceptual Approval or unable to calculate
[1] Top of pitched roof
[2] Main Building or Phase B1 Current Application
[3] Height is calculated as follows: First floor assumed to be 14 feet, second floor 10 feet, third floor 10 feet, fourth floor 10 feet, etc. No adjustment made for pitched roofs vs. flat roofs. Number of Stories determined by Gross Square Feet divided by Footprint[4].
[4] Footprint is defined as the building outlines as view from above; i.e. ski lift terminus, plaza space, and open decks at grade are not considered footprint.

This proposal includes three structures referred to as B-1 Main Building, B-2 Maze Building and B-3 Ticket Building. A copy of the guidelines and volumetrics for the proposed plan which describes the building concepts in more detail has been provided to the Planning Commissioners. Included with the volumetrics are reductions of the 10 technical sheets. Specific building design has not been done at this time, but the guidelines specify the building forms. The specific architecture will require approval by the historic District Commission. These guidelines reflect the buildings as proposed without modifications made in response to Planning Commission input. The volumetric will have to ba amended to reflect the revised plans which the applicant is now proposing.

Briefly, the proposal is a mixed use project with retail along extended Main Street and residential units above. Code required parking will be provided in underground structures. No parking will be required to be built under City streets or rights of way. The plan must address and adhere to the Flood Plain Ordinance and the ADA requirements. The plan includes 7th Street.

Building B-1 Main Building is proposed to contain 32.5 unit equivalents; 18 Commercial and 14.5 residential. The building is split into different design elements so that the Main Street Commercial is compatible with the balance of the Town Lift project in form. It is anticipated that this building will function like a hotel with the residential unit equivalents being broken into hotel type rooms.

Building B-2 Maze Building is proposed to be mostly subterranean, providing one level of commercial accessing off of Main Street. It would contain approximately 4,000 sq ft of commercial or 4 commercial unit equivalents.

Building B-3 Ticket Building anticipates one level above the skier maze to act as the ticket office and one level of commercial accessing from Park Avenue. There is a total commercial square footage of approximately 4,000 sq ft or 4 commercial unit equivalents.

Proposed Revision

At your last meeting, Pat Sweeney presented some revised drawings for Building B1 of the Sweeney Town Lift Properties Master Plan. The revisions were in response to input by both staff and the Planning Commission that the building as previously designed at 62 feet was not supportable. Previous approvals on the property granted height up to 60 feet to the top of a pitched roof (55 feet in height as measured by the Land Management Code). The staff suggested that a building height of 45 feet may be more appropriate given the context of the neighborhood. Some Commissioners had reservations about a 45 foot tall building fronting on Park Ave and felt that 35 feet may be more compatible. It is important to remember that 55 feet of height was approved as a part of the Sweeney Properties Master Plan.

The applicant took the staff and Planning Commission comments into consideration and presented a revised plan for building B1 which does not exceed 45 feet in height. The pitched roof has been eliminated and the design is now reminiscent of a "grand frontier hotel." The mass contained in the upper floor of the building has been spread out and no significant decrease in square footage is being proposed. The majority of the mass is proposed to be relocated to the facade of the building which faces the Skier Plaza adjacent to the base of the Town Lift. No increase in the footprint is proposed. The applicant feels strongly that the amount of open space being provided is an important component of the proposal and does not wish to reduce the amount of that open space. The open space area does provide a pedestrian gathering area and a ski staging area. In addition, the open space provides a visual break along Park Avenue.

<u>Staff Analysis of Revised Plan</u>

The staff review team met to discuss the revisions. The context of both Park Avenue and the Town Lift project were considered during the discussions. At first there was some reservation about the amount of "mass" of the building and a feeling that perhaps a pitched roof would help decrease that mass. However, the team then discussed what we were trying to accomplish by adding a pitched roof element to the Park Avenue facade and whether the same purpose could be accomplished in another way. After looking at the neighborhood, with the Watts garage and the flat roofed buildings along Main Street, the conclusion was that a flat roofed building in and of itself was not the problem. The Chief Building Official supports the flat roof as it alleviates some serious snow shedding problems since this building is surrounded by public space.

Park Avenue, in the vicinity of this project, is zoned HRC. The expectation is that this area will develop into an enclave of commercial businesses within existing structures and will have new construction of up to 35 feet in height on vacant parcels. The project just to the south, 693 Main (Fletcher-Kimball), proposes to renovate and replace the existing structures and house either commercial or affordable housing uses. Eventually, there will be new buildings and renovation of existing buildings which will house commercial uses. The hope is that this will become a pedestrian friendly neighborhood commercial area. It is also important that this area provide a friendly pedestrian transition from Park Avenue to the Town Lift itself and then to the balance of the development in the area.

Further analysis of the proposed plan reveals that the current proposal may not promote a pedestrian friendly Park Avenue. The building looks like the back of a building and the skier plaza. The skier plaza itself is very inviting, containing several gathering areas and extensive landscaping. Unfortunately, this area is elevated from Park Avenue. The primary direction of the staff, therefore, is to work on the Park Avenue facade of Building B1 and the transition from Park Ave to the skier plaza. The direction was as follows:

-Provide pedestrian transition from Park Ave to the skier plaza by stepping necessary retaining walls, installing grand stairways and providing landscaping.

-Make the Park Ave facade of Building B1 more pedestrian friendly by stepping the building, and providing more sidewalk space. This may result in a loss of square footage which may be able to be accommodated in Building B3.

-Relook at the entrance to the parking structure at the corner of Park and 7th. If this were relocated, that corner of the building could be more pedestrian friendly and could provide a better transition to the residential scale structures to the south.

-Provide 8 feet of clear width between all buildings and any columns to allow snow removal. An additional 2.5 feet should be provided from the outside of any columns to the curb.

Applicant Response

All of the recommendations of the staff were carefully reviewed by the applicants and some work has been done to provide a better transition between Park Ave and the Skier Plaza. The facade of the building cannot be changed significantly, however, due to the location of the entrance to the parking garage. The applicants have looked extensively at relocating that access and have determined that given the grades and the necessary functions of the building, a relocation is not practical. The facade has been changed slightly to provide more area at the corner of 7th and Park Ave for a slightly wider sidewalk. There is about 15 feet of area between the building and the edge of the curb. It is important to point out that this occurs for only 46 feet of a 315 foot property frontage. The required setback in the HRC zone would be 10 feet.

The Park Avenue/Skier Plaza elevation change is necessary due to the elevation which the floor of the parking garage has to be to meet the requirements of the Flood Plain Ordinance. The plaza level cannot therefore be lowered. The transition between Park Avenue has been redesigned to provide more of a landscaped area and to provide for an area for benches to accommodate bus drop of and pick up. A pedestrian circulation plan has been provided to help understand how pedestrians will move in this area.

The plans have been revised to accommodate the necessary widths of sidewalk as proposed by staff.

Sketch and Preliminary Plat

As a part of this application, sketch and preliminary plat approval are being requested. The plat creates 8 parcels. Some of the parcels represent development parcels, while others are necessary for agreed upon land trades with McIntosh Mill and with other partners. The final plat will have to be approved by the Planning Commission and

City Council. At that time, it will be reviewed for necessary easements for pedestrian circulation.

IV. ISSUES FOR DISCUSSION

Building Height and Mass. The applicant has done an admirable job at responding to the comments of the Planning Commission and Planning Staff. The staff is comfortable with the flat roofed structure at 45 feet, understanding that there is some entitlement to a building which is quite a bit taller. The open space proposed to be provided is significant in this area, and again, in excess of what is required as a part of the Sweeney Properties Master Plan or what would be required of a new project in the HRC Zone. The Main Street, 7th Street and Skier Plaza facades all seem appropriate given the context of the project. The Park Avenue facade is still of concern, however.

The applicants feel strongly that 46 feet in a total frontage of 315 feet will not result in a significant impact to the pedestrian scale of Park Avenue. The staff maintains that the corner of 7th Street and Park Avenue is a critical transition between residential scale and a large commercial project. The staff would support the project if the building were stepped back further (20 feet) from Park Ave to provide more of a pedestrian area; or if the building were redesigned to make the corner of 7th and Park Ave an inviting neighborhood commercial space. In either case, the staff would recommend that the facade along Park Ave be a maximum of 2 stories (3 stories is now proposed) stepping back to the maximum height.

Compliance with the Town Lift Concept Approval Conditions. There are a number of conditions of the Town Lift Concept Plan which apply to this property. There was a recommendation as a part of the Phase I approval for the Town Lift Project to the City Council that the first phase be required to pay a share of the Employee Housing requirement. That was never stipulated as a part of the revision of the 1982 agreement. The employee housing is therefore tied to a later phase of the Town Lift Development. A Open Space Enhancement Plan is required for the area around the Town Lift Base and for the area between Park Avenue and Woodside. The plan is to address public amenities such as restrooms and drinking fountains. In addition, circulation from the base of the ski run and this project should be addressed. A Master Owners Association will be required to be set up to ensure a consistent level of maintenance and to establish who is responsible for maintaining what. All of these things are addressed as conditions of approval.

There are other conditions related items such as Flood Plain which will be addressed as conditions of this approval.

V. STAFF RECOMMENDATION

The staff recommends approval of the Conditional Use for a Small Scale MPD and sketch and preliminary plat for the Sweeney Town Lift Properties Master Plan based upon the following findings:

1. The Sweeney Properties Master Plan was approved in 1986 by the City Council. The Master Plan has been determined to be valid and following the approved phasing plan. This proposal is consistent with a portion of that Master Plan and is required by that approval to receive a Small Scale Master Plan approval from the Planning Commission. That approval granted 40 unit equivalents and a height of 55 feet as measured by the Park City Land Management Code to the area of this proposal. The current proposal is within or below those parameters. **The Planning Commission further finds that a project which is no more than 35 feet in height would be more compatible with the neighborhood. The Commission would support negotiations to reduce the height below what this approval reflects.**

2. The Town Lift Project received concept approval On September 19, 1991. The area of the current proposal was included in that concept approval and is consistent with the approval. There are a number of conditions of that approval which apply to this project and are covered in the conditions of approval.

3. A portion of Park Avenue in the vicinity of the Town Lift was rezoned to HRC. Commercial uses are permitted in this area and it is anticipated that the area will develop with commercial and residential uses. **In order for the project to be compatible with the Park Avenue neighborhood, a number of conditions of approval have been placed on the approval. These conditions are intended to help maintain a pedestrian scale to the Park Avenue portion of the project.**

4. The proposal meets the criteria set forth for Small Scale Master Plans as outlined in sections 1.13 and 1.14 of the Land Management Code.

5. Adequate information has been submitted to satisfy the requirements of the subdivision regulations for sketch and preliminary plat.

The recommendation for approval is subject to the following conditions:

1. The plans and Design Guidelines and Volumetrics will be revised to reflect the revised building height as proposed by the applicant with the following modifications:

a. The Park Avenue facade of building B1 shall be no more than 2 stories, stepping to the maximum height of 45 feet; and

b. Building B1 will be setback from the Park Avenue curb a minimum of 20 feet to accommodate additional pedestrian circulation area; or

c. Building B1 will be redesigned to relocate the parking garage entrance so that the corner of Park Avenue and 7th street can be redesigned to provide neighborhood commercial uses with a pedestrian scale.

2. The Town Lift Design Review Task Force shall review and approve volumetrics for buildings B1, B2 and B3 prior to final plat approval. Prior to any permit issuance, the Town Lift Design Review Task Force will review and approve final building plans.

3. Prior to plat recordation or any permit issuance, a Master Owners Association will be established which will be responsible for the maintenance of all landscaping within the project, the walkways and plazas. The City staff shall review and approve the documents which establish this Master Association. The develop and the City shall enter into an agreement specifying that the Master Owners Association shall be responsible for maintenance of the landscaping and plaza areas. Said agreement shall indicate the minimum level of maintenance acceptable to the City. This level shall be consistent with the balance of the Town Lift Project. The developer shall provide the City with an acceptable financial guarantee in the amount of one year's maintenance cost as a part of the agreement.

4. An Open Space Enhancement Plan will be required to be approved prior to plat recordation or permit issuance. That plan shall address the improvement of the open area between Woodside Ave and Park Ave. This plan shall also include a comprehensive plan to address the lift base which shall include, but not be limited to, public restrooms, drinking fountains, signage, landscaping and lighting. The plan shall address timing of installation of the improvements.

5. A Streetscape and Landscape Plan shall be submitted and approved by staff prior to plat recordation or building permit issuance. The plan shall be consistent with this approval and with the balance of the Town Lift Project. A Security shall be required to be posted to ensure installation of the improvements.

6. Prior to plat recordation, a security shall be required to be posted to cover the cost of all public improvements.

7. The City Engineer shall review and approve all grading, drainage and utility plans prior to any permit issuance.

8. The parking shall be underground and shall comply with the requirements of the Land Management Code.

9. 7th Street must be constructed prior to or concurrent with building B1.

10. Any Density previously assigned but not used in this portion of the Sweeney MPD or the Town Lift Concept Plan will not be able to be used in later phases.

11. The project is in an identified Flood Plain and will be subject to the Flood Plain Ordinance. If the buildings need to be modified to meet the Ordinance, no additional building height and no parking reduction will be considered. If parking is required to be reduced as a result of compliance with the Flood Plain Ordinance, associated reductions in square footage will also be required.

12. A Construction Staging and Phasing Plan will be required to be submitted and approved by the City Staff prior to plat recordation or any building permit issuance.

13. A parks dedication fee of $1035 per new parcel created is required to be paid prior to plat recordation.

2. <u>129 Main Street – Steep Slope Conditional Use Permit</u>
(Application PL-14-02251)

Chair Worel opened the public hearing. There were no comments. Chair Worel closed the public hearing.

MOTION: Commissioner Joyce moved to CONTINUE 129 Main Street, Steep Slope CUP to May 14, 2014. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA – Discussion, public hearing, action.

1. <u>820 Park Avenue - Subdivision</u>
(Application PL-14-02271)

Planner Anya Grahn reviewed the application for a plat amendment to combine approximately 123 square feet of the Town Lift Subdivision Plat B1-3, Lot E3, First Amended, as well as a metes and bounds parcel at 820 Park Avenue, and a City-owned tax parcel SAA-398-X, which contains approximately 229 square feet. The existing Rio Grande Building is identified as Significant on the City's Historic Sites Inventory. Planner Grahn reported that on November 13, 2013 the Historic Preservation Board reversed the Staff determination and upheld an appeal to move the structure to the southeast corner of 9^{th} and Park Avenue.

Planner Grahn stated that on February 12, 2014 the Planning Commission approved a conditional use permit that included 10 residential condominium units, a commercial retail and service minor, café or deli, outdoor, office intensive, as well as an underground parking structure that contains approximately 24 parking spaces. The project is a multi-use development with ground level store front spaces and upper level residential units. At the time of the CUP approval, a condition of approval was added to make sure that any parking demands caused by the retail would not exceed the number of parking stalls required. Planner Grahn noted that the City Engineer limited vehicular access to 9^{th} Street to help with traffic congestion that might be caused by this development.

Planner Grahn reported that the applicant has entered into a real estate purchase agreement in order to purchase the City-owned parcel that is located along 9^{th} Street, as well as the Sweeney owned parcel. Planner Grahn noted that this was part of the original

Sweeney MPD that was approved in 1985, and it is part of Lot E-3, which includes the ticket office. It was allowed four commercial unit equivalents. The Staff analysis included on page 65 of the Staff report shows that even though 123 square feet would be lost, the project would still comply with the open space requirements of the MPD. Planner Grahn reviewed a graph on page 64 of the Staff report showing that the applicant's proposal meets the setbacks. They were proposing a 65' long common wall with the Sweeney Parcel. The LMC allows a common wall up to 100' in length.

The Staff found good cause to combine the parcels as it would allow the applicant to move forward with the Historic District Design Review that was approved on April 14th, 2014. The plat will not cause undue harm to any adjacent property owners and the City would gain two 10' wide snow storage easements along 9th Avenue and Park Avenue. The applicant had submitted a condo plat amendment that should come before the Planning Commission in late May to condominiumize the project.

Rory Murphy, representing the applicant, pointed out that they were cleaning up the lot lines. He noted that curb cuts on Park Avenue were changed to go on to 9th Avenue. The City owns the lot and they needed to clean up the lines to enable them to access from 9th Avenue. It was easier to purchase the property rather than to obtain an easement from the City. The little piece on the Sweeney side reflects the common wall boundaries as they currently exist.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Strachan moved to forward a POSITIVE recommendation to the City Council for the Town Lift Subdivision Plat B1-3, Lot B-3 the First Amended and 820 Park Avenue Subdivision, according to the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

<u>Findings of Fact – 820 Park Avenue</u>

1. The property is located at 820 Park Avenue within the Historic Recreation

Commercial (HRC) Zoning District.

2. The applicant is requesting to combine approximately 229 square feet of City-owned located on the southeast corner of 9th Street and Park Avenue, the metes and bounds parcel at 820 Park Avenue, and approximately 123 square feet of Lot B-3 of the Town Lift Subdivision, Plat B1-3.

3. The existing historic Rio Grande Freight Shed is designated as “Significant” on the City’s Historic Sites Inventory (HSI).

4. The applicant submitted a Historic District Design Review (HDDR) application on June 19, 2013. The application was deemed complete on October 17, 2013.

5. The Planning Director and Chief Building Official determined that unique conditions did not exist that warranted the relocation of the historic Rio Grande Building on October 9, 2013. The applicant submitted an appeal to this determination on October 18, 2013, and the Historic Preservation Board (HPB) granted the appeal and reversed staff’s determination on November 13, 2013.

6. The Planning Director has granted a height exception based on LMC 15-2.5-5(A)(4) in order to allow the clearstory architectural feature to extend fifty-percent (50%) above zone height, or to forty-eight feet (48’). This architectural feature does not include habitable space.

7. The proposed development will feature a shared party-wall with the Town Lift Condominiums along the south elevation. Land Management Code (LMC) 15-2.5-3(E) states that a side yard between connected structures is not required where the structures are designed with a common wall on a property line and the lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official. The longest dimension of a building joined at the side lot line may not exceed 100 feet, and the applicant is proposing a common wall of approximately sixty-five feet (65’).

8. Indirect access from the Rio Grande development to the Town Lift Plaza will be provided on the fourth floor of the Rio Grande development and through the Town Lift Condominiums.

9. 820 Park Avenue, LLC is currently working with the owners of 838 Main Street in order to purchase approximately 123 square feet of the Town Lift Subdivision, Lot B-3 and secure the necessary agreements to provide access to their development.

10. 820 Park Avenue, LLC and Park City Municipal Corporation are entering into a real estate purchase contract for the city-owned parcel, SA-398-X, located along 9th Street.

11. The applicant submitted a Conditional Use Permit (CUP) on June 19, 2013. The application was deemed complete on November 26, 2013. The Planning Commission approved the CUP for a multi-unit dwelling of ten (10) units; commercial retail and service, minor; outdoor dining; café or deli; office (intensive); and a parking structure of twenty-four (24) spaces on February 12, 2014.

12. The development of this site and increased commercial retail use in the neighborhood will result in additional traffic and parking demands. The City Engineer has required that the applicant limit vehicular access to the site from 9th Street so as to not increase traffic congestion along Park Avenue and at the 9th Street-Park Avenue intersection. Site triangles are better on 9th Street than Park Avenue and 9th Avenue is a lesser traveled street. Vehicular ingress and egress to the site's underground parking is proposed off 9th Street.

13. On March 3, 2014, the applicant applied for a plat amendment; the application was deemed complete on March 11, 2014.

14. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of developing the site at 820 Park Avenue, which includes

renovating the historic Rio Grande freight shed and constructing a multi-use structure on the site, as approved with the February 12, 2014 CUP.

15. The amended plat will create one new 12,660.06 square foot lot.

16. 838 Park Avenue was included as part of the 1985 Sweeney Master Planned Development (MPD). In December 1993, the Planning Commission approved the MPD and preliminary plat for the Sweeney Town Lift Properties. City Council approved the Sweeney Town Lift Phase B plat amendment through Ordinance 94-7 in December 1993. 838 Park Avenue is included as Lot B-3 of this plat amendment.

17. Staff finds that the loss of approximately 123 square feet of Lot B-3 of the Sweeney Town Lift Subdivision, Plat B1-3 will not affect the property's open space requirement as the amount of open space will continue to exceed 43% as dictated by the 1985 Sweeney MPD.

18. 820 Park Avenue, LLC and Park City Municipal Corporation are entering into a real estate purchase contract for the city-owned parcel, SA-398-X, located along 9th Street.

19. The development is not located within the sensitive lands overlay.

Conclusions of Law - 820 Park Avenue

1. There is good cause for this plat amendment.

2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.

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

4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

5. The plat amendment application is consistent with the General Plan and purposes of the zone.

Conditions of Approval – 820 Park Avenue

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will record the plat amendment at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. No building permit for any work that would first require the approval of an HDDR, shall be granted until the plat amendment is recorded with the Summit County Recorder's office.

4. Modified 13-D sprinklers will be required for new construction by the Chief Building

Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.

5. A 10 foot (10') wide public snow storage easement is required along the street frontages of the lot along Park Avenue and 9th Street. This easement shall be shown on the plat.

6. Vehicular access shall only be from 9th street. No vehicular access shall be from Park Avenue.

7. 820 Park Avenue, LLC shall have purchased the City-owned tax parcel SA-398-X and approximately 123 square feet of Lot B-3 of the Town Lift Subdivision, Plat B1-3 prior to recording the plat with Summit County.

The applicant for 2300 Deer Valley Drive had not arrived. The Commissioners re-arranged the agenda and moved 2300 Deer Valley Drive to the end of the meeting.

MOTION: Commissioner Gross made a motion to move into Work Session to discuss the PCMR and the Woodward Project and to reconvene the regular meeting after the work session to discuss 2300 Deer Valley Drive. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission moved into Work Session. The Work Session discussion can be found in the Work Session Minutes dated April 23, 2014.

The Planning Commission adjourned the Work Session and re-convened the Regular Meeting.

**2. <u>2300 Deer Valley Drive – Modification and extension of a Conditional Use Permit for the Snow Park phase of the Deer Crest Hotel CUP</u>
(Application PL-14-02267)**

Planner Whetstone reviewed the application for an amendment to a conditional use permit for the Deer Crest Hotel. The property includes the Snow Park parcel and Roosevelt Gap. The Snow Park parcel currently has the funicular building, a surface parking lot and a retaining wall on the north side. A temporary sales office on the south side had been removed.

City Council Staff Report

Subject: 2014 Water Revenue Bond Resolution
Author: Nate Rockwood
Department: Budget, Debt, & Grants
Date: May 15, 2014
Type of Item: Legislative

Summary Recommendations:
Staff recommends that Council approve the attached bond resolution related to the proposed 2014 Series Water Revenue bond issuance.

Topic/Description:
Water Revenue Bond Resolution

Background:
During the FY 2014 Budget process, City Council approved the Capital Improvement Plan (CIP) for FY 2014. The CIP included budgeted water revenue bond funding for the following FY2014 projects: Judge Water Treatment Plant, OTIS Water Pipeline Replacement Projects, Deer Valley Drive Water Infrastructure, and the Quinn's Water Treatment Plant. The Initial Water Revenue Bond amount planned in the Water Finical Model at the time the budget was passed for FY 2014 was $5.3 million. After evaluating the current position of the Water Fund projects, it is staff's recommendation that Council approves the attached bond resolution in the amount not to exceed $6,000,000 for the 2014 Series Water Revenue bond issuance. The net amount of revenue required in the Water Fund is anticipated to be approximately $5 million. Therefore, it is anticipated that the actual bond amount will be well under the $6 million maximum specified in the resolution, but having a cap of $6 million will allow flexibility in preparing the bond issuance for sale in June 2014.

Analysis:
The attached bond resolution sets the parameters of the 2014 Series Water Revenue bond issuance, delegates final approval of bond terms to the City Manager, and initiates the process of public notice. The resolution sets the maximum principal issuance amount at $6,000,000 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 2014

The resolution also establishes 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 will announce a public hearing to be held on May 29, 2014, and will initiate a 30 day period in which interested parties may contest the legality of the resolution or the bonds.

The resolution also establishes maximum terms of 5% interest, not more than 15 years, and 0% 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 3.25% than the maximum. The maturity of the bond is expected to be 15 years.

Staff anticipates Council holding a public hearing on May 29, 2014. 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 June 5, 2014. Staff would proceed with the bond closing on or after June 16, 2014. 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. This will be the City's second competitive sale of a water revenue bond.

Department Review:
Budget, Debt & Grants; City Manager; Legal

Alternatives:

A. Approve:
Staff recommends approving the attached bond resolution related to the proposed 2014 Series Water Revenue bond issuance.

B. Deny:
This Bond was anticipated in the 2014 budget, by not approving the bond resolution 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 in regards to public notice and public hearings 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:
The bond resolution is the first step in initiating a bond issuance. This bond issuance is anticipated in the FY 2014 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 2014 budget, by not approving the bond resolution the Water Department would have inadequate funds to continue projects and operations this Fiscal Year.

Recommendation:

Staff recommends that Council approve the attached bond resolution related the proposed 2014 Series Water Revenue bond issuance.

Attachments:

A – Bond Resolution

RESOLUTION NO. ______

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF WATER REVENUE BONDS; DIRECTING THE PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED; 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; PROVIDING FOR THE HOLDING OF A PUBLIC HEARING AND THE PUBLICATION OF A NOTICE OF PUBLIC HEARING; 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 (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*") (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 a Supplemental Indenture of Trust (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 (a) issue not more than $6,000,000 Water Revenue Bonds, Series 2014 (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 the Bonds and to execute each Certificate of Determination containing such terms and provisions and (b) the Mayor be authorized to execute each Official Statement with respect to the Bonds; and

Whereas, Sections 11-14-316 and 11-27-4 of the Utah Code 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;

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 after giving notice of such public hearing as provided by law, and the City desires to cause the publication of such a notice; 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 Indenture 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 Six Million Dollars ($6,000,000). Such series of bonds shall be designated "*Water Revenue Bonds, Series 2014 (Bank Qualified).*" If the Designated Officer determines that the principal amount to be issued shall be less than $6,000,000, 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, 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 $6,000,000;

(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 sixteen 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 five percent (5.00%) 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 zero percent (0.00%) (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;

(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. A Continuing Disclosure Undertaking relating to each series of 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 each Continuing Disclosure Undertaking on behalf of the City, and the City Recorder is hereby authorized, empowered and directed to affix the seal of the City and to attest such seal, with such changes to each 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) An 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 an 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 each series of 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 each 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. 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 F*, 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 8. 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 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 G*, 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 this Section.

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 $6,000,000.

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 15th day of May, 2014.

PARK CITY, UTAH

By_______________________________
Mayor

[SEAL]

ATTEST AND COUNTERSIGN:

By_______________________________
City Recorder

APPROVED AS TO FORM:

By _______________________________
City Attorney

EXHIBIT A

[ATTACH GENERAL INDENTURE OF TRUST]

EXHIBIT B

[ATTACH FORM OF SUPPLEMENTAL INDENTURE OF TRUST]

EXHIBIT C

[ATTACH FORM OF CERTIFICATE OF DETERMINATION]

EXHIBIT D

[ATTACH FORM OF CONTINUING DISCLOSURE UNDERTAKING]

EXHIBIT E

[ATTACH FORM OF OFFICIAL STATEMENT]

EXHIBIT F

NOTICE OF BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of Sections 11-14-316 and 11-27-4 of the Utah Code Annotated 1953, as amended, that on May 15, 2014, the City Council of Park City, Utah (the "*City*"), adopted a resolution (the "*Resolution*") in which it authorized and approved the issuance of the City's water revenue bonds in one or more series (the "*Bonds*") in an aggregate principal amount of not to exceed Six Million Dollars, to mature in not more than sixteen years from their date or dates, to bear interest at a rate or rates not to exceed five percent per annum, and to be sold at a discount from par of not to exceed zero percent. The purchaser or purchasers will be required to make a good faith deposit in connection with its agreement to purchase the Bonds.

The Bonds are to be issued and sold by the City pursuant to (1) the Resolution, (2) a General Indenture of Trust (the "*General Indenture*") between the City and Zions First National Bank (the "*Trustee*"), and (3) a Supplemental Indenture of Trust (the "*Supplemental Indenture*") between the City and the Trustee, supplementing the General Indenture. The Supplemental Indenture will be executed and delivered at a future date or dates prior to the issuance of the Bonds in substantially the form attached to the Resolution, with such changes thereto as shall be approved by the City, *provided* that the principal amount, interest rate or rates, maturity or maturities and discount will not exceed the maximums set forth above.

The Bonds are to be issued for the purpose of (a) financing the costs of the acquisition, construction and completion of improvements to the water system of the City, (b) funding reserves and (c) paying certain costs relating to the issuance of the Bonds, all as set forth in the Resolution, the General Indenture and the Supplemental Indenture.

The Bonds shall be payable from and secured by the revenues of the City's water system and certain other funds, as more particularly described in the Indenture.

A copy of the Resolution (including a copy of the General Indenture and a draft of a Supplemental Indenture) is on file in the office of the City Recorder, located at 445 Marsac Avenue, in Park City, Utah, where it may be examined during regular business hours of the City Recorder from 8:00 A.M. to 5:00 P.M. Said Resolution (including a copy of the General Indenture and draft of a Supplemental Indenture) shall be so available for inspection for a period of at least thirty (30) days from and after the date of the publication of this notice.

NOTICE IS FURTHER GIVEN that pursuant to law for a period of thirty days from and after the date of the publication of this notice, any person in interest shall have the right to contest the legality of the above-described Resolution (including the General Indenture and the Supplemental Indenture) of the City Council of Park City, Utah, or the Bonds or any provisions made for the security and payment of the Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause.

DATED this ___ day of May, 2014.

PARK CITY, UTAH

By ______________________________________
City Recorder

[SEAL]

EXHIBIT G

NOTICE OF PUBLIC HEARING — PARK CITY, UTAH

PUBLIC NOTICE IS HEREBY GIVEN that on May ______, 2014, the City Council (the *"City Council"*) of Park City, Utah (the *"City"*) will hold and conduct a public hearing to receive input from the public with respect to the issuance of water revenue bonds (the *"Bonds"*) and the potential economic impact that the improvement, facility, or property for which the bonds pay all or part of the cost will have on the private sector, pursuant to Section 11-14-318 of the Utah Code Annotated 1953, as amended.

PURPOSE FOR THE ISSUANCE OF THE BONDS

The City intends to issue the Bonds for the purpose of (1) financing the costs of the acquisition, construction and completion of improvements to the water system of the City, (the *"Project"*), (2) funding reserves and (3) paying the costs incurred in connection with the issuance and sale of the Bonds.

MAXIMUM PRINCIPAL AMOUNT OF THE BONDS

The City intends to issue the Bonds in an amount not to exceed $6,000,000.

THE TAXES, IF ANY, PROPOSED TO BE PLEDGED

The City will not pledge any taxes of the City for the payment of the Bonds. Instead, the City will pledge, pursuant to a General Trust Indenture, dated as of December 1, 2002, the revenues attributable to the City's water system for the payment of the Bonds.

TIME, PLACE AND LOCATION OF PUBLIC HEARING

The City will hold and conduct a public hearing during a public meeting that is to begin at ____ p.m. on May _____, 2014. The public hearing will be held at 445 Marsac Avenue, in Park City, Utah. All members of the public are invited to attend and participate in the public hearing. Prior to the public hearing, written comments may be submitted to the City, to the attention of the City Recorder, 445 Marsac Avenue, Park City, Utah 84060.

DATED this ___ day of May, 2014.

PARK CITY, UTAH

By ________________________________

City Recorder

City Council
Staff Report

Subject: **481 Woodside Avenue Plat Amendment**
Author: **Kirsten Whetstone, Senior Planner**
Date: **May 15, 2014**
Type of Item: **Administrative – Plat Amendment extension of approval**
Project Numbers: **PL-12-01653 and PL-14-02228**

PARK CITY 1884
PLANNING DEPARTMENT

Summary Recommendations

Staff recommends that the City Council hold a public hearing for the 481 Woodside Avenue plat amendment extension of approval and consider approving a one year extension to allow the applicant additional time to resolve encroachment issues with the adjacent properties pursuant to the findings of fact, conclusions of law, and conditions of approval as found in the attached ordinance.

Description

Applicant:	Christopher DiMeo
Location:	481 Woodside Avenue
Zoning:	Historic Residential (HR-1)
Adjacent Land Uses:	Residential, open space, ski runs
Reason for Review:	Extensions of plat amendment approvals require City Council approval

Proposal

The applicant is requesting a one year extension of the approved Plat Amendment (see Exhibit A) to allow additional time to resolve encroachment issues. The plat amendment was approved by the Council on January 10, 2013 to combine all of Lots 16 and 17, Block 29 of the Park City Survey. The approval included a condition of approval that the plat had to be recorded at Summit County within one year of approval, unless a request for an extension is received by the deadline and the Council approves an extension.

Background

The 481 Woodside Avenue house is a historic house as listed on the HSI as "Significant". The house was constructed as a single family dwelling in 1884, during the early mining era in Park City. The house contains approximately 2,677 square feet of living area and includes a 594 square foot two car garage that was added to the original house in 1984 and a building permit was approved for the garage. The existing footprint is 1,723 square feet. No changes to the building footprint are proposed with the current remodel work.

The house straddles the common lot line between Lots 16 and 17 (Exhibit B). The applicant wishes to combine the lots to resolve setback issues from the common lot line that the house was originally constructed over. The applicant ultimately desires to do additional interior remodeling and landscaping in the rear to resolve issues with storm water run-off into the basement.

The property is located within the Historic District, and a Historic District Design Review (HDDR) pre-application is required for any exterior changes to the property prior to the issuance of any building permits (Exhibit C). Any proposed new construction is required to comply with the lot and site development parameters of the zone.

On December 12, 2012, the Planning Commission conducted a public hearing and voted unanimously to forward a positive recommendation to the City Council with amendments to conditions of approval reflected in the attached ordinance. On January 10, 2013, the City Council conducted a public hearing and voted to approve the plat amendment. No public input was provided at the hearings. Staff prepared an action letter memorializing the City Council action (Exhibit D). The applicant has worked diligently to resolve various encroachments on the property, primarily retaining walls on both north and south lot lines, and had not reached final agreement with the neighbors in time to record the plat by January 10, 2014.

On January 10, 2014, the applicant submitted a written request and application for a one year extension of approval (Exhibit E).

Analysis

The historic home currently straddles the lot line creating a non-conforming situation with regards to side setbacks from the common property line. The plat amendment is required in order for the applicants to proceed with desired improvements to the home and to correct the rear lot grading to protect the historic house and prevent storm water from flooding the basement. Staff finds that the plat will not cause undo harm to adjacent property owners and all requirements of the Land Management Code for any future development shall be met.

Lot combinations are typical on Woodside Avenue and in this part of Old Town (Exhibit C). Houses on either side of this property are located on lot combinations of one and one half to two or more lots. Located across the street on the east side of Woodside are houses and condominiums located on two or more lots. Only five of the 45 lots along Woodside Avenue from Fourth Street to Fifth Street are single lots developed with single family homes (Exhibits D and E). There have been no change of circumstance related to this property or application that would make this plat amendment contrary to the Land Management Code or General Plan as there continues to be good cause for the amendment.

The purpose of the Historic Residential (HR-l) District is to:

A. preserve present land Uses and character of the Historic residential Areas of Park City,
B. encourage the preservation of Historic Structures,
C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
D. encourage single family Development on combinations of 25' x 75' Historic Lots,
E. define Development parameters that are consistent with the General Plan policies for the Historic core, and

F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Existing Conditions – 481 Woodside Ave Home

- Lot Size: 3,750 square feet (two Old Town lots)
- House Size: 2,677 square feet living area and 594 sf garage area
- Footprint: 1,723 square feet
- Stories: 3 (counting the garage and attic space within the roof framing of house)
- Setbacks: Front: garage is 0.1‘, house is 25’ (approx.)
  Rear: house is 9.1’, deck is 8.1’, and ski ramp is 0’
  Side (n): garage is 5.6’, house is 8.2’, deck is .07-1’,
  Side (s) garage is 22’, house is 1.1’, and deck is 1.4’
- Height: 26’-27’ approximately (garage is approx. 14.9’)

HR-1 Zone Designation Lot Requirements
(Based on 3,750 square foot lot)

- Maximum Building Footprint: 1,519 square feet
- Side-yard Setback Requirement: 5 feet minimum (10 feet combined)
- Front and Rear-Yard Setbacks: 10 feet minimum, 20 feet combined.
- Max Height: 27 feet

Good Cause

There is good cause for this plat amendment in that the plat amendment is required in order for the applicant to proceed with desired improvements to the home and to correct the rear lot grading to protect the historic house and to prevent storm water from flooding the basement. Staff also finds that the plat amendment will resolve the issue of the home straddling the common property line under the house and any encroachments in the ROW or across perimeter property lines.

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review

This project has gone through an interdepartmental review. No additional issues were raised by any of the departments regarding this proposal.

Notice

The property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. Legal notice was also put in the Park Record in accordance with the requirements of the LMC.

Public Input
No public input was received at the time of writing this report. No public input was provided at either the Planning Commission or City Council public hearings when the plat amendment was initially approved.

Alternatives
- **Approve:** The City Council may approve the 481 Woodside Avenue plat amendment extension request; or
- **Deny:** The City Council may deny the 481 Woodside Avenue plat amendment extension request and direct staff to make Findings for this decision and return at a date certain; or
- **Modify:** The City Council may amend the 481 Woodside Avenue plat amendment extension request; or
- **Continue:** The City Council may continue the discussion to a date uncertain and provide staff and the applicant with direction as to any additional information requested in order to make a decision on this matter.
- **Do nothing:** This is not an option on an administrative application when the applicant has petitioned the City Council to take an action.

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

Consequences of not taking the Suggested Recommendation
The proposed plat amendment would not be recorded and two existing parcels would not be adjoined. The non-complying setback under the existing house would not be resolved and a building permit for the addition and work on the foundation could not be issued. The applicant could re-apply for the plat amendment.

Recommendation
Staff recommends the City Council conduct a public hearing for the 481 Woodside Avenue Plat Amendment and consider approving the plat amendment based on the findings of fact, conclusions of law, and conditions of approval as found in the attached ordinance.

Exhibits
Ordinance
Exhibit A- Plat amendment
Exhibit B- Existing conditions site plan
Exhibit C- Aerial photo/vicinity Map
Exhibit D- Action letter of Council approval
Exhibit E- Applicant’s request for Extension

Ordinance No. 14-

AN ORDINANCE APPROVING AN EXTENSION OF THE APPROVAL OF THE 481 WOODSIDE AVENUE PLAT AMENDMENT, LOCATED AT 481 WOODSIDE AVENUE, PARK CITY, UTAH

WHEREAS, the owners of property located at 481 Woodside Avenue have petitioned the City Council for approval of an extension of the 481 Woodside Avenue Plat Amendment approval; and

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

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

WHEREAS, the Planning Commission originally held a public hearing on December 12th, 2012, to receive input on the 481 Woodside Avenue Plat Amendment;

WHEREAS, the Planning Commission, on December 12th, 2012, forwarded a recommendation to the City Council;

WHEREAS, the City Council originally held a public hearing on January 10th, 2013 to receive input on the 481 Woodside Avenue Plat Amendment;

WHEREAS, the applicant applied for an extension on January 10, 2014, the applicant submitted a formal written request and application for extension of the previously approved plat amendment due to issues with getting encroachment agreements from the neighbors to the north and south for retaining wall encroachments;

WHEREAS, the City Council held a public hearing on May 15, 2014 to receive input on the 481 Woodside Avenue Plat Amendment extension of approval;

WHEREAS, it is in the best interest of Park City, Utah to approve the 481 Woodside Avenue Plat Amendment extension of approval to allow additional time to record the plat as the plat amendment will resolve the issue of the historic home straddling the common property line under the house and any encroachments in the ROW or across perimeter property lines.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 481 Woodside Avenue Plat Amendment as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 481 Woodside Avenue within the Historic Residential (HR-1) Zoning District.
2. The property includes an existing 2,677 square foot house and 594 square foot garage.
3. The house was originally constructed circa 1884 and remodeled with additions over time with the latest remodel and garage constructed in 1984.
4. According to the Historic Sites Inventory (HSI) the existing historic home on the property is listed as "Significant".
5. The applicant is requesting to combine two Old Town lots into one lot of record.
6. The plat amendment is necessary in order for the applicant to move forward with additional interior remodeling and landscaping in the rear to resolve existing issues with storm water run-off into the basement. Additional basement area under the historic house is being considered.
7. The amended plat will create a 3,750 square foot lot of record from the combination of all of Lots 16 and 17, Block 29 of the Park City Survey into one lot.
8. The existing historic home straddles Lots 16 and 17 and cannot be moved onto one lot, per the LMC and Historic District Guidelines. The house is also wider than one 25' wide lot.
9. Any exterior changes to the existing historic home or exterior landscaping requires submittal of an Historic District Design Review application with review for compliance with the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.
10. The maximum building footprint allowed is 1,519 square feet per the HR-1 LMC requirements. The current building footprint is 1,723 square feet and is considered non-complying. No additional building footprint is permitted.
11. There are nonconforming setbacks associated with this property, including the south side and rear yards for the house and the front yard setbacks for the garage.
12. New construction is not proposed that will create further non-compliance of building footprint, height or setbacks.
13. On January 10, 2013, the City Council held a public hearing and approved the 481 Woodside Avenue plat amendment.
14. On January 10, 2014, the applicant submitted a written request for a one year extension of the approval.
15. There have been no change of circumstance that would make this plat amendment contrary to the Land Management Code or General Plan as there continues to be good cause for the amendment.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County by January 10, 2015. If recordation has not occurred within one year's time, the approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permits for work on the existing structure or that would first require the approval of an HDDR, shall be granted until the plat is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers may be required for renovation of the existing structure and/or for future additions, to be determined by the Chief Building Official at the time of review of the building plan permit submittal. This note shall be included on the plat prior to recordation.
5. A 10 foot wide public snow storage easement will be provided along the frontage of the property and shall be indicated on the plat prior to recordation.
6. Encroachments in the ROW and across property lines must be addressed prior to plat recordation.

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

PASSED AND ADOPTED this ___day of May, 2014.

PARK CITY MUNICIPAL CORPORATION

____

Jack Thomas, MAYOR

ATTEST:

____

Marci Heil, City Recorder

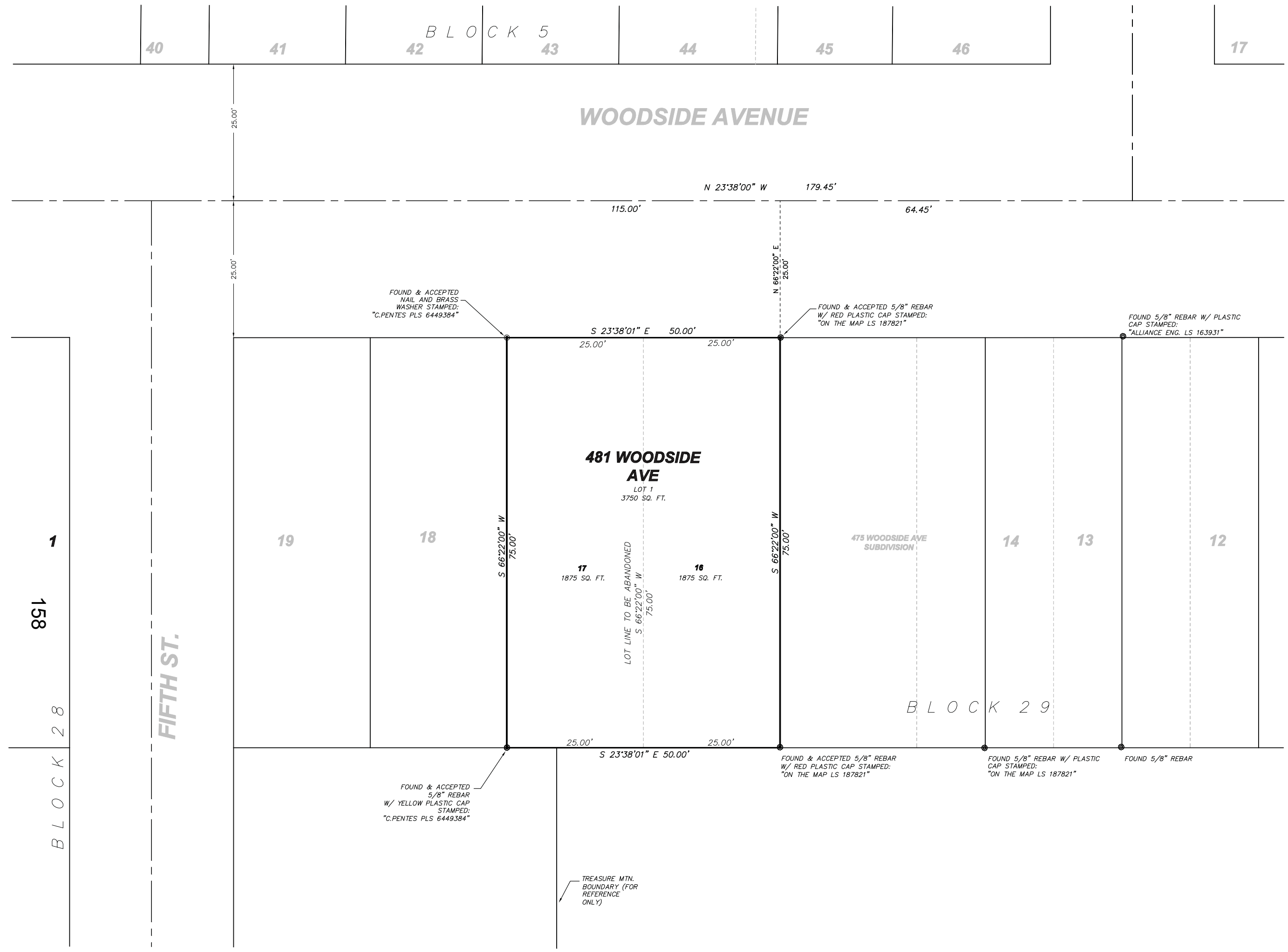
APPROVED AS TO FORM:

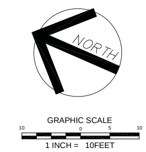
____

Mark Harrington, City Attorney

481 WOODSIDE AVENUE PLAT AMENDMENT

AMENDING LOTS 16 & 17, BLOCK 29 OF THE AMENDED
PARK CITY SURVEY PLAT
LYING WITHIN THE SOUTHWEST QUARTER OF
SECTION 15, TOWNSHIP 2S SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH





OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT THAT, the undersigned owner of the hereon described tract of land to be known hereafter as the 481 WOODSIDE AVENUE PLAT AMENDMENT, do hereby certify that I have caused this Plat to be prepared, and I, ____________________, hereby consent to the recordation of this Plat. ALSO, the owner, or their representatives, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable of dedication.

In witness whereof, We have hereunto set our hand this ______ day of ______________, 2012.

BY:

____
OWNER

ACKNOWLEDGMENT

State of Utah
County of Summit

On this ______ day of ______________, 2012, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah, ________________, the persons that executed the within instrument and known to me to be (or proved to me on the basis of satisfactory evidence) the persons who executed the within instrument on behalf of said person, being duly sworn acknowledged to me that they are the owners of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public: __________________________

My Commission Expires: ___________________

LIEN HOLDER'S CONSENT TO RECORD

State of Utah
County of Summit

The undersigned lien holder hereby consents to the recordation of this plat.

___________________________ BY: ___________________

The foregoing consent to record was acknowledged before me this ______ day of __________, 2012.

By: __________________

_________________________________ My Commission Expires: ___________________
Notary Public

EXHIBIT A

SURVEYOR'S CERTIFICATE

I, Christopher R. Braun, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5152604, as prescribed by the laws of the State of Utah, and this Plat was prepared under my direction in accordance with the requirements of Park City Municipal Corporation. I further certify that the property boundaries as shown are correct.

_______________________________ ___________
Christopher R. Braun Date
PLS 5152604

PLAT NOTES:

1. THE PURPOSE OF THIS PLAT AMENDMENT IS TO COMBINE ALL OF THE SUBJECT LOTS AND PARCELS SHOWN HERE INTO ONE LOT
2. ALL NOTES AND COVENANTS OF ORIGINAL SUBDIVISION PLAT REMAIN IN EFFECT ON THIS PLAT AMENDMENT.

LEGAL DESCRIPTION:

ALL OF LOTS 16 AND 17, BLOCK 29 OF THE AMENDED PARK CITY SURVEY, ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

SHEET 1 OF 1

Park City Surveying
P.O. Box 682993
Park City, UT 84068
(435)649-2918
(435)649-4637 fax

COUNCIL APPROVAL & ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ______ DAY OF _____, 2012 A.D.

____
MAYOR

PARK CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 2012, A.D.

____
CHAIRMAN

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ______ DAY OF __________, 2012 A.D.

____
PARK CITY RECORDER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _______ DAY OF ____________, 2012 A.D.

____
S.B.W.R.D.

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF ____________, 2012 A.D.

____
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF ____________, 2012 A.D.

______________________ __________
PARK CITY ATTORNEY DATE

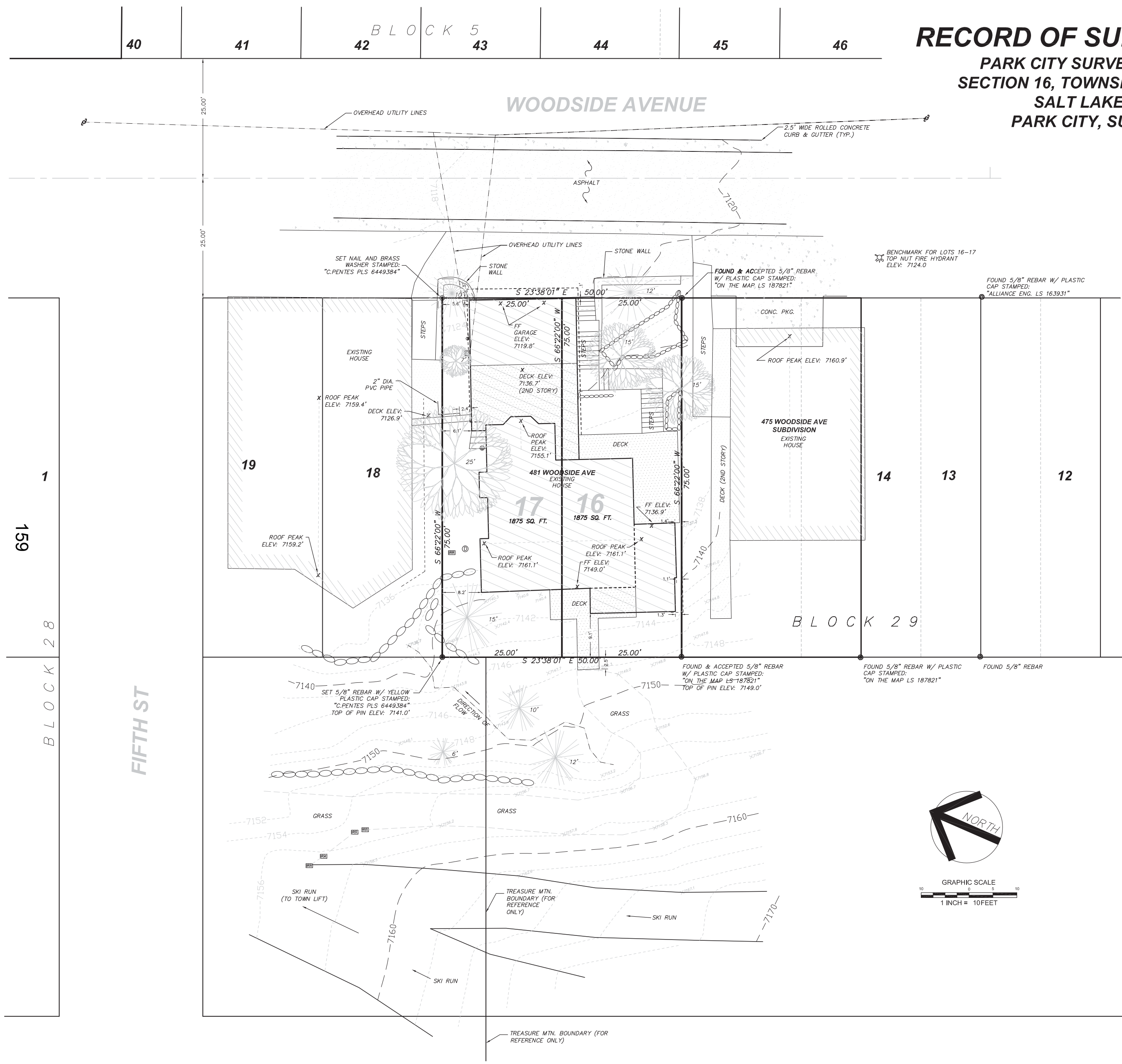
RECORDED

ENTRY NUMBER: ______________________
BOOK __________ PAGE: ______________
STATE OF UTAH, COUNTY OF ____________
DATE: ______________ TIME: ___________
FEE PAID: ___________
RECORDED AND FILED AT THE REQUEST OF:

____
COUNTY RECORDER

RECORD OF SURVEY & AS-BUILT MAP

PARK CITY SURVEY, BLOCK 29, LOT 16 & 17
SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARY LINES OF THE SUBJECT PROPERTY & TO OBTAIN GROUND ELEVATIONS FOR A CONTOUR MAP PRIOR TO RENOVATIONS TO REAR OF PROPERTY BY THE OWNER.

EXISTING SURVEY MONUMENTS IN ADJACENT ROADWAYS AND LOTS WERE USED TO REESTABLISH THE PROPERTY CORNERS.

THE BASIS OF BEARING IS SHOWN HEREON. ALL BEARING AND DISTANCES SHOWN HEREON ARE THE EQUIVALENT OF RECORD, UNLESS NOTED.

SURVEY COMPLETED: 09/23/2011

SEE SAID OFFICIAL PARK CITY SURVEY FOR ANY EASEMENTS, SETBACK REQUIREMENTS, BUILDING ENVELOPES AND BUILDING LOT RESTRICTIONS. NOTE: OTHERS MAY APPLY.

THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT; THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBRANCES ON THE PROPERTY SURVEYED, EXCEPT AS SHOWN HEREON.

EVIDENCE FOR THIS SURVEY WAS TAKEN FROM RECORDED DEEDS, RECORDS OF SURVEYS, PLATS AND PHYSICAL EVIDENCE OBTAINED IN THE FIELD. ALL EVIDENCE HAS BEEN CONSIDERED IN THE ESTABLISHMENT OF THE BOUNDARY AS SHOWN HEREON.

LEGAL DESCRIPTION:

ALL OF LOTS 16 AND 17, BLOCK 29 OF PARK CITY SURVEY, OF RECORD AND ON FILE AT THE SUMMIT COUNTY RECORDER'S OFFICE.

LEGEND

- SET 5/8" REBAR W/ YELLOW PLASTIC CAP STAMPED: "C.PENTES PLS 6449384"
- FOUND REBAR W/ CAP (AS DESCRIBED)
- FIRE HYDRANT
- SEWER CLEAN OUT
- STORM DRAIN MANHOLE
- ELECTRIC BOX OR OUTLET
- IRRIGATION BOX
- GAS METER
- UTILITY POLE
- x6500.0 SPOT ELEVATION
- ROCK WALL
- OVERHEAD UTILITY LINE
- EXISTING BUILDING
- DECK

TREE DIAMETER ANNOTATED TO EDGE OF DRIPLINE

- 12' CONIFEROUS TREE
- 12' DECIDUOUS TREE

EXHIBIT B

I, CHRISTOPHER PENTES, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, HOLDING LICENSE NO. 6449384. I FURTHER CERTIFY I HAVE PERFORMED A SURVEY ON THE HEREON DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.

CHRISTOPHER PENTES

DATE:

Park City Surveying

DATE	BY	COMMENTS
xx/xx/xxxx		

REVISIONS

SURVEYED BY: CP/CB
DRAWN BY: MN
DATE: OCTOBER 2011

FOR: DiMeo

RECORD OF SURVEY & AS-BUILT MAP PARK CITY SURVEY, BLOCK 29, LOT 16 & 17

DWG: 481 WOODSIDE ROS-ASB.dwg

SHEET 1 OF 1


EXHIBIT C
MAIN ST
PARK
AVE
WOODSIDE
AVENUE
481 Woodside
© 2012 Google
Google earth
147 ft
1993


481
524
WOODSIDE

EXHIBIT D

January 15, 2013

Christopher DiMeo
51 Soundview Avenue
Rye, NY 10580

NOTICE OF CITY COUNCIL ACTION

Project Description: 481 Woodside Avenue plat amendment
Project Number: PL-12-01653
Project Address: 481 Woodside Avenue
Date of Final Action: January 10, 2013

Action Taken
On January 10, 2013, the City Council conducted a public hearing and adopted an ordinance approving the 481 Woodside Avenue plat amendment. On December 12, 2012, the Planning Commission conducted a public hearing and forwarded a positive recommendation on the plat amendment. Approval was granted in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval as follows:

Findings of Fact:
1. The property is located at 481 Woodside Avenue within the Historic Residential (HR-1) Zoning District.
2. The property includes an existing 2,677 square foot house and 594 square foot garage.
3. The house was originally constructed circa 1884 and remodeled with additions over time with the latest remodel and garage constructed in 1984.
4. According to the Historic Sites Inventory (HSI) the existing historic home on the property is listed as “Significant”.
5. The applicant is requesting to combine two Old Town lots into one lot of record.
6. The plat amendment is necessary in order for the applicant to move forward with additional interior remodeling and landscaping in the rear to resolve existing issues with storm water run-off into the basement. Additional basement area under the historic house is being considered.
7. The amended plat will create a 3,750 square foot lot of record from the combination of all of Lots 16 and 17, Block 29 of the Park City Survey into one lot.
8. The existing historic home straddles Lots 16 and 17 and cannot be moved onto one lot, per the LMC and Historic District Guidelines. The house is also wider than one 25’ wide lot.
9. Any exterior changes to the existing historic home or exterior landscaping requires submittal of an Historic District Design Review application with review for compliance with the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.
10. The maximum building footprint allowed is 1,519 square feet per the HR-1 LMC requirements. The current building footprint is 1,723 square feet and is considered non-complying. No additional building footprint is permitted.

11. There are nonconforming setbacks associated with this property, including the south side and rear yards for the house and the front yard setbacks for the garage.
12. New construction is not proposed that will create further non-compliance of building footprint, height or setbacks.

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

Conditions of Approval:
1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permits for work on the existing structure or that would first require the approval of an HDDR, shall be granted until the plat amendment is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers may be required for renovation of the existing structure and/or for future additions, to be determined by the Chief Building Official at the time of review of the building plan permit submittal.
5. A 10 foot wide public snow storage easement will be provided along the frontage of the property.
6. Encroachments in the ROW and across property lines must be addressed prior to plat recordation and either removed or enter into an agreement to preserve each encroachment.

If you have any questions or concerns regarding this letter, please do not hesitate to call me at 435-615-5066 or contact me by email at Kirsten@parkcity.org.

Sincerely,

Kirsten A. Whetstone

Kirsten A. Whetstone, MS, AICP
Senior Planner

Park City Planning Department
PO Box 1480
Park City, UT 84060

Cc. Jonathan DeGray, Architect
File

[redacted]athan DeGray - Architect

January 10, 2014

EXHIBIT E

Park City Municipal Corporation
443 Marsac Avenue
Park City, Utah

Attn: Kirsten Whetstone, Planning Department

Re: 481 Woodside Avenue Plat approval extension request

Dear Kirsten,

I am writing on behalf of Chris and Jennifer DiMeo, owners of 481 Woodside, to formally request extension of their plat approval. They have been working through some encroachment issues with a neighbor which has prevented the completion of the final mylar.

I have attached a Request for Extension application. Please let me know if you have any questions regarding this request for extension.

Sincerely,

Jonathan DeGray - Architect

614 Main Street, Suite 302
P.O. Box 1674, Park City, Utah 84060 Tel./Fax 435-649-7263
Email: degrayarch@qwestoffice.net Web: www.degrayarchitect.com