PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 8, 1997

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, May 8, 1997.

AGENDA

Work Session - To be held in Work Session Room - Main Level

3:15 p.m. Council questions and comments
3:45 p.m. Introduction of Animal Control Director
4:00 p.m. ULCT web site presentation
4:30 p.m. Review of budget
5:30 p.m. Review of regular meeting

Regular Meeting - To be held in Work Session Room - Main Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV MINUTES OF MEETING OF APRIL 24, 1997; WORK SESSION NOTES OF SPECIAL WORK SESSION MEETINGS OF APRIL 25, 1997, APRIL 28, 1997, AND APRIL 29, 1997

V PUBLIC HEARING

Ordinance approving a plat amendment for Lot 92 of the Oaks Subdivision located at 3155 Sun Ridge Court, Park City, Utah

VI CONSENT AGENDA

Ordinance approving a plat amendment for Lot 92 of the Oaks Subdivision located at 3155 Sun Ridge Court, Park City, Utah

VII OLD BUSINESS

1. Award of contract to Warren Construction for Phase I improvements for the Library and Education Center Reading Garden in the amount of $44,795

2. Deliberation and possible action on Flagstaff annexation petition and amended Annexation Policy Declaration, approximately 1,550 acres located at the southwestern corner of Summit County, within the Park City Annexation Declaration Boundary, and authorization for the staff to prepare an annexation agreement which will be acted upon by the City Council

VIII ADJOURNMENT

Posted: 5/5/97

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MAY 8, 1997

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

Toby Ross, City Manager; Jodi Hoffman, City Attorney; Eric DeHaan, City Engineer; Frank Bell, Chief of Police; Tom Bakaly, Finance Manager; Bob Stephens, Administrative Services Director; Bob Johnston, Leisure Services Director; Nora Seltenrich, Special Projects Manager

Sam Vander Heide, Summit County Animal Control Director; Ken Bullock and Scott Brian, Utah League of Cities and Towns (ULCT); Lani Furr and Mike Andrews, Parks, Recreation and Beautification Advisory Board; Dana Williams, skateboard advocate

1. **Council questions and comments.** There was discussion about scheduling the City Attorney's evaluation next week. Roger Harlan thanked Jerry Gibbs for removing the gravel off of Sidewinder. Eric DeHaan explained to Paul Sincock that Deer Valley owns the development lot on the corner of Marsac Avenue and Ontario. Mr. Sincock felt the property would be appropriate for a pocket park and the Mayor believed that the Peace House has expressed an interest in expanding on the property. Chuck Klingenstein believed that several Council members received a complaint from a resident about the temporary dump for Clean-Up Week at the sewer site and asked if it is zoned for this use. Jerry Gibbs noted that it should be cleared out by Tuesday. The City has used this site for many things since the early 1970s and he didn't believe it is a question of zoning. He explained that it will no longer be used as an interim dumping site as there needs to be a different approach for Clean-Up Week. The Public Works Director discussed the addition of funds in the budget program to clean up the area. Mr. Klingenstein distributed a newspaper article on Salt Lake City's traffic calming efforts. He thanked Frank Bell for his report on the Fire District. Mr. Klingenstein pointed out that he didn't believe that the School District members are aware of their authority or exercising their discretion with regard to new projects and concurrency requirements outlined in the Snyderville Basin land use code. Without a letter from them, a project can not be approved. In response to a comment made by Mr. Klingenstein, Fire District Commissioner Frank Bell explained that the Fire District letters are signed based on the representations of various water companies, who contend that exact information on flows and usage is privileged information.

Ms. Kerr recognized that the phones were down last week, but relayed a comment from a resident who was upset with the voice mail system. She suggested that people leave a

message including how to contact a receptionist. The Mayor believed there are funds in the budget to improve the telephone system. Ms. Kerr reported that the City and Burnis Watts have agreed on a appraiser and asked if Council could support an appraisal. She explained the denial of his CAD request, and that Mr. Watts can not list the property himself because of some tax consequences. If he sells it, there probably needs to be some type of a tax break. She explained that an appraisal was done at the time of his CAD application, but Mr. Watts didn't like it. Ms. Kerr explained the discussion of getting an appraisal that the City agreed it would use if it is interested in purchasing it or trying to facilitate a sale, and Mr. Watts could also use it. She added that he has now moved out of the house. Toby Ross advised that the appraisal is estimated at $3,500. Mr. Sincock asked how the City got to the point of buying the property. Ms. Kerr responded that there has been sentiment in the community that these are significant structures; it is also a location that may make a nice pocket park or some other quasi-public use. She discussed the City condemning the property to alleviate the tax consequences and saving the structures. Mr. Ross explained that this is very emotional issue for Mr. Watts who has been reluctant to invest in designs and plans that he doesn't intend to execute. Mr. Watts would like to feel fairly treated by the City and to identify the values and a process by which the properties could be transferred. Mr. Ross pointed out that the City may not be a facilitator in that, but the first step is to perform an appraisal. Mr. Sincock suggested leasing the property for a commercial use and maintaining a cash flow. Ms. Kerr agreed that it is an option that would be available, but Mr. Watts isn't interested in a joint venture at his age. She added that he holds the City responsible for the transition of Park Avenue and his situation. Discussion ensued regarding the price of the appraisal and the complexity of the property and uses. Roger Harlan didn't recall that the City ever agreed to assume the appraisal cost. Mr. Ross stated that that is Mr. Watts' expectation. Chuck Klingenstein was concerned about precedent-setting. The City Manager felt this is a unique situation and staff has struggled with this problem for several years; Ms. Kerr stated that a value would be helpful in further deliberations. The Mayor suggested that if the property is sold, that the City be reimbursed or has the first right of refusal. Hugh Daniels stated his problem with handing $3,500 over for an appraisal on a private parcel. He didn't feel it is the City's job to buy down or decrease taxes for a private owner in town; if he makes a lot of money on the property, he should pay the taxes. Ms. Kerr stated that $3,500 is a fair exchange for first right of refusal and reiterated comments from citizens who feel this would be a good purchase. The Mayor instructed staff to proceed and keep Council informed.

Hugh Daniels reported that the reception with the Salt Lake City Council was very successful, and hoped meetings would continue. There was a suggestion of organizing an Olympic Summit, and joint trips to Calgary and Atlanta. Mr. Daniels urged people who are interested in visiting Nagano to make plans now and the expense of the trip was discussed. Roger Harlan pointed out the difficulty of people not speaking English in Japan. With regard to the conversion of the little house next to the fire station, Mr. Daniels emphasized that he is not willing to make exceptions to the Land Management Code to make it work. Pat Putt discussed the review by the Planning Commission and it appears that an administrative office would be a conditional use. The Commission directed that the office would be for administrative staff only and limited the

parameters for office operations. Hugh Daniels suggested moving the sign code amendments from June 5 to another date as he will be out of town.

2. **Introduction of Animal Control Director.** Frank Bell introduced Sam Vander Heide, the new Summit County Animal Control Director. Mr. Vander Heide explained the large number of calls and the attention paid to Park City. There are three other officers in the shelter, and he acknowledged the assistance from the Friends of the Animals. Mr. Vander Heide noted that he receives complaints from people who believe they are in a private area and shouldn't be patrolled. He stated that his department intends to promote a better public relations program. There are also problems with calls on nuisances of wild animals, which they don't have the resources to handle. There was a discussion on trapping wild animals. Mr. Vander Heide explained that he was a chief deputy sheriff in the Ogden area. Chuck Klingenstein commented on the friendly atmosphere at the shelter when his family adopted a puppy. Mayor Olch thanked Mr. Vander Heide for coming to the meeting, and the Animal Control Director advised that he will keep Council informed on animal control services.

3. **ULCT web site presentation.** Ken Bullock, Executive Director of the Utah League of Cities of Towns, noted that larger communities sharing ordinances and other information is helpful to rural communities. He discussed the e-mail system. Mr. Bullock thanked Council for sharing staff for ULCT business, the legislature, and Growth Summit. He commented on the last legislative session and the newsletter prepared by ULCT.

Scott Brian, Information Technology Specialist, reported that they have their own ISP which provides a lot of flexibility on programs and maximum amount of service. There are four areas of information, including community links, and there will also be regional links. If a city has a home page, ULCT will list that information, but lacking any other information other links are used. It was pointed out that Salt Lake and Murray have home pages. Mr. Brian explained that it is their objective to get as many of the communities connected as possible because it truly becomes a communications tool if everyone is on line. As a result, the ULCT will be hosting pages on their servers at a substantial discount and also provide guidance to develop pages at reduced rates. He believed that they could host several hundred pages on their server and still have plenty of band width. Mr. Sincock pointed out that it is more important for a page to be helpful to the community. Mr. Brian encouraged people to find a page that they feel functions well and use it as a sample. There is another category on news including e-mail for ULCT staff, legislative updates, conference information, press releases, and municipal awards. He referred to a calendar on the web site for meetings and special events. Paul Sincock advised that the Park City Chamber\Bureau has a page which would be appropriate to link into. Mr. Brian added that there are newspaper, television, regional and national publication links. The affiliate section is a listing of organizations, including the municipal attorneys association and recorders group. He explained that the services category will provide for the use of credit cards for conferences, etc. and a mail and/or fax service. Publications are on line and Mr. Brian discussed the ULCT page on Park City, which is not a home page. Mr.

Brian discussed the process for making queries and searching the documents on line in the library. He discussed the legislative services feature. In response to a question from Paul Sincock, Toby Ross explained that there is an option in the Capital Improvements Budget for a web page, Internet, internal web page, and internal communications. Mr. Brian continued to explain the legislative services component and urged Council to get Park City on line and to contact him for assistance.

3. **Budget review.**

Youth grant funds. Tom Bakaly stated that last year, the Council changed its grant process to a percentage of 2.25% of the General Fund and that is the same this year. There are categories for grants including special services, arts, youth, event contributions, contingency fund, and housing. It is contemplated to apply the percentage to services as well as arts and youth. The arts received a grant of $33,000, which has increased to $38,000 and youth has increased about $4,000. He explained that there is unspent money this year and for arts, youth, and contingency, the amounts are carried forward and don't expire like other General Fund capital. The meeting packet includes a recommendation from the Parks, Recreation, and Beautification Board about the allocation of this year's funds. Lani Furr of the Board stated that they did have concerns about the Norwegian School's request as there seemed to be some operational expenses in its proposal, but the City has historically supported this organization. She recommended approving the $8,000 request this year and urged consideration that the Norwegian School to apply next year separately and not under the youth allocation. Hugh Daniels complimented the grants committee on its work and supported all of its recommendations. With regard to the Norwegian School, Mr. Daniels felt that the Council is not interested in funding basic day-to-day operations, but if the operational costs are associated with specific youth programs, he felt that is appropriate. He added that there should be contracts with the recipients and it would be helpful if the Board could report back to Council on the success of programs. Mr. Daniels added that the City should be recognized for its donations either through printed material or talking to people, so that the community receives credit for its support. Lani Furr stressed that they were told not to fund staffing, and Hugh Daniels reiterated that when the staff is funded to facilitate a program, there is a distinction. Shauna Kerr stated that she was impressed by the number of groups and the number of children they will reach, as in the past, requests were for larger amounts of money to select groups. Paul Sincock noted that he supports the skateboard park, but doesn't want the City to be the funding source for all of the recreation facilities for everyone in Summit County. He felt it appropriate to procure funding from the Snyderville Basin Recreation District as well, as half of the kids or more will be coming from the County. Board Member Mike Andrews responded that it is their intent not only with the skateboard park but other programs. Dana Williams, resident, reported that a $25,000 donation has been received from Richard and Christie Banberry for the skateboard park. There are three or four sites under consideration and design plans are underway. Roger Harlan complimented the Board on formulating criteria which ultimately resulted in recommending good projects. He asked if there was discussion about reoccurring requests. Mike Andrews believed they need some guidance on the philosophy of assisting in starting up programs or being a continuing funding source. Paul Sincock stated that he

could support seed money with the understanding that it is not necessarily going to be a funding source. He didn't believe funds should be for overhead costs unless they are directly tied to a program. Lani Furr acknowledged Kathy Hunter's assistance throughout the process.

Tom Bakaly added that there are new requests, and staff is recommending using contingency funds, if approved. One is from Habitat for Humanities for $5,000 and another is from the Counseling Center for $15,000. Hugh Daniels suggested that there be a subcommittee of the City Council to investigate the requests and make a recommendation to the City Council. This could be two Council members and a staff member. Hugh Daniels added that he doesn't have a problem with the carry-forward amounts, but there is a potential of it increasing to a point that it is questioned by the state. He suggested that carry-overs be reviewed by the Council every two years and perhaps moved to the CIP Budget.

Budget introduction. The Finance Manager explained FY1997-98 will begin July 1 and there will be a plan for FY 1998-99. The actual appropriation of money is only for FY1997-98 and the plan for the upcoming year is used as the basis for any change recommended. The budget document reflects the goals identified by the City Council in January in options. There will be changes to the existing year's budget and he explained that carry-forward money doesn't occur very often in the General Fund, but is typical in a Capital Improvements Budget. He discussed the carry-over in the CIP Budget and the bond issue as being components to the revisions to this year's budget. The largest item under requirements is personnel which represents about 35%. Mr. Bakaly pointed out that the City is at 11% for debt service which may be a raised as an issue when attempting to secure bonding. He pointed out that property tax and sales tax contribute to about 50% of the City's revenue. There are three major resources including charges which includes water, recreation and impact fees. The last property tax increase was FY1993-94; the tax rate will be available in June, but a property tax increase is not recommended as part of the FY1998-98 budget. Mr. Bakaly clarified that in the past revenues were estimated very conservatively and now they are more in line with what is collected. With regard to expenses, Mr. Bakaly illustrated that personnel has steadily grown over the years, materials and supplies remain basically consistent, while there is a slight increase in capital. There is a contingency in the General Fund which covers unanticipated changes through the year. Mr. Bakaly directed Council to the option section of the budget which relates to priorities established by Council.

Reorganizations. The City Manager explained that the special events facilities operation will be under the police umbrella. This new program will include the current special events tasks in the Police Department and current facilities scheduling. There will be a transfer of responsibility for building maintenance to Leisure Services from Public Works. He continued that the Circuit Court will be moving from the Legal Department to Administrative Services. Linda Cook, Project Manager, has been a contract employee and she will replace the Special Projects Manager position at a lower level. She will provide assistance to him and oversee the landscape

architect operation in Public Affairs. Elections have been moved from Legal to the City Manager's budget.

Pay Plan. Bob Stephens explained that the Personnel Advisory Committee (PAC) looks at the pay plan every other year, but this year a subcommittee was formed to bring back recommendations to PAC. There was data from the Wasatch Front, consisting of about 15 cities, and about 80 plus jobs were benchmarked and the methodology used is ranking from the highest paying to the lowest paying based on total compensation. Total compensation is defined as salary plus selective benefits, primarily insurance and retirement. Mr. Stephens added that the top five are averaged and serves as the target for "working level". In the past, Vail, Breckenridge and Aspen have been used. This year, the Colorado Municipal League provided survey information. He continued that Colorado towns have not finished in the top five, primarily because their benefit packages have not been as strong as Park City's, although the salaries have been higher.

Mr. Stephens clarified that the difference between exempt and non-exempt is spelled out in the Fair Standards Labor Act which identifies the positions requiring overtime pay. There is a proposed strategy for non-exempt to move more money to the base pay. Currently once employees are at the working level, they are eligible for a merit lump sum bonus, which is an average of 7%. The subcommittee recommended taking 2% of the 7% and putting it into the base, and lowering the merit pool by 5%. Toby Ross interjected that the equity adjustment is by far the biggest component, and Bob Stephens explained that if a benchmark is clearly higher there would be an equity adjustment where it would be bumped into the next grade. Paul Sincock asked if the approximate $1 million spread between staff and City Manager recommendations is salary or the pay plan budget. The City Manager explained that it is an option. Mr. Stephens continued that the other expense is the additional full time employees which will be covered in the operating budgets scheduled for review next week. He explained that the full amount is budgeted at the working level for each position, even though new employees are hired at less than working level. How quickly one moves to the working level is driven by performance which varies from employee to employee; working level amounts are budgeted so that the money is there in the event an employee moves. In a response to a request from Council, Mr. Stephens indicated that he would provide Council with copies of the pay plan and will identify the jobs that will be reclassified and will shade the new positions. Mr. Klingenstein asked about the feedback from the employee meetings. Mr. Stephens felt it has been relatively positive. Mr. Klingenstein added that the City has lost employees because of salaries and believed that this proposal is getting the City back in line and slightly ahead. The Administrative Services Director explained that the number of employment applications has dropped over the years and the housing situation adds to the problem of recruitment.

New budget policies. Tom Bakaly pointed out the section of the budget document containing the City policies regarding business practices and operations. The first policy relates to the recreation fund which dictates that there be 80% cost recovery from fees and 20% subsidy from the General Fund. Over the past five years, the transfer has averaged about 25% and before that it

was 50%. The actual amount hasn't changed much over the years. Rather than making it a percentage, this policy omits the formula and sets the amount at $410,000 per year or 25% of the budget. Shauna Kerr asked the Leisure Services Director if he felt comfortable capping the amount. Bob Johnston stated that he would like to have an overall philosophical discussion about revenue generation. He is comfortable with this approach if there is some flexibility to create programs and not be limited because of concerns of competing with the private sector. There was discussion of keeping golf revenues within its own enterprise fund. Chuck Klingenstein stated that he would like to discuss public and private recreation issues.

Mr. Bakaly pointed out that the reserves policy has changed slightly to allow the City, per Utah Code, to use some of the beginning balance to balance the year's budget. Any excess above that amount would be transferred to the CIP with 25% designated for open space. This is an effort to budget more tightly and reduce the amount of the balance over time. Roger Harlan stated that he would like to address the surplus issue with Council at some point. The Finance Manager added that the new financial system will enable the Finance Department to attach an Olympic code to track staff time and expenses. He referred to the investment policy section, modeled after the Municipal Treasurer's Association recommendation, which he believes meets or exceeds expectations of the state. Hugh Daniels noted that he had some minor changes which he discussed with the Finance Manager and will provide Council with a memo on this.

5. Review of regular meeting.

Flagstaff annexation. Toby Ross discussed the changes from yesterday's draft, mainly originating from Council comments. With regard to Section 8, Chuck Klingenstein asked if there is a provision that in the event the Bonanza open space easement doesn't occur, the protection strip still stays. The City Manager indicated that it is implied. Shauna Kerr corrected a bullet on the first page to ". . .significant need for additional. . .". With regard to environmental quality, she suggested that besides mentioning reclamation, adding soil stability and run-off. Chuck Klingenstein referred to the section regarding mining and soil hazards, and Toby Ross explained that the intent is not delegating unnecessarily to others. The Mayor pointed out that the design guidelines should refer to a schematic plan. The City Manager explained that enhancements that were relevant to the project are included in the document. Shauna Kerr referred to a recital regarding single family residences and indicated that the reason she is opposed to single family is that it decreases the likelihood of traffic and construction mitigation and would like the paragraph to reflect this point. Nora Seltenrich referred to Page 3 where 470 should be changed to 620 unit equivalents plus 30 single family homes. Ms. Kerr felt that an example of the distribution of the new unit equivalents should be outlined. Paul Sincock relayed that the performance standard is a good idea on the mass transit, but doesn't know if one-third is reasonable and a remedy should be identified if the performance standard is not met. He felt it needs to be more specific in an annexation agreement, as traffic generation is the biggest concern of the community. There was a discussion on covered parking and Ms. Kerr felt that shuttles should be included in Exhibit C. Chuck Klingenstein

suggested that the 20% single family formula be clarified and Ms. Kerr recommended including a sample. With regard to employee housing, Ms. Kerr suggested adding language about no in lieu fees being acceptable. She referred to 750 units described as a total, and recommended that it be clear that this number is based on bonus units. Mr. Ross indicated that he would include an example to clarify this issue.

Prepared by Janet M. Scott

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 8, 1997

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, May 8, 1997. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

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

III COMMUNICATIONS FROM COUNCIL AND STAFF

None.

IV MINUTES OF MEETING OF APRIL 24, 1997; WORK SESSION NOTES OF SPECIAL WORK SESSION MEETINGS OF APRIL 25, 1997, APRIL 28, 1997, AND APRIL 29, 1997

Hugh Daniels corrected the spelling of Carol Murnin's name in the Minutes of April 24 and Paul Sincock corrected "transfer tax" to read "transfer fee" in the Special Work Session Notes of April 25, 1997. Chuck Klingenstein, "I move approval, as corrected". Hugh Daniels seconded. Motion carried unanimously.

V PUBLIC HEARING

Ordinance approving a plat amendment for Lot 92 of the Oaks Subdivision located at 3155 Sun Ridge Court, Park City, Utah - See staff report. The Mayor invited the public and Council to comment. Hearing no input, the public hearing was closed.

VI CONSENT AGENDA

The Mayor requested a motion to approve the Consent Agenda. Hugh Daniels, "I so move". Paul Sincock seconded. Motion unanimously carried.

Ordinance approving a plat amendment for Lot 92 of the Oaks Subdivision located at 3155 Sun Ridge Court, Park City, Utah - See staff report and public hearing.

VII OLD BUSINESS

1. Award of contract to Warren Construction for Phase I improvements for the Library and Education Center Reading Garden in the amount of $44,795 - Bob Johnston explained that this project was bid last fall and only one bid was received. Staff and a subcommittee reduced the scope of the project and rebid it with alternatives, but again there was only one bidder. He added that in fairness to the committee and Warren Construction, there needs to be another meeting with the subcommittee to reexamine at the scope of work. He recommending not awarding the bid to Warren Construction and to start over again. Mr. Johnston hoped he could get back to Council by June 1. In the interest of time, Wintzer Construction is set up to do the concrete paving stones as a part of the fund-raising. There doesn't need to be a formal bid process because of the type of job, but there will be a solicitation of bids. Ms. Kerr asked if it would make a difference if the City crews could be used for the grading. Bob Johnston clarified that the scope of work needs to be defined first, and the bottom line is the amount of work so there is a reasonable margin of profit for the contractor. The scope of work was negotiated down with Warren Construction, and the basic infrastructure of the project was left. He stressed that staff was surprised and not pleased with the amount of the bid. Jenny Vallor explained that the committee was made up of all of the tenants, and representatives from major organizations in town and members worked on this since July. She felt that two-thirds City and one-third private donations is a good partnership, and it is intended to be a quality project within a frame work. She stated that it needs to be resolved. Paul Sincock asked if she concurred with Mr. Johnston's recommendation to reject the bid. Ms. Vallor understood that if Council didn't wish to accept what has been presented, it would explore other options. Mr. Harlan asked if Council has changed its mind since last week. Mr. Klingenstein stated that he spoke with Bob Johnston and Pace Erickson and found there are extenuating circumstances. The numbers didn't appear to be realistic in the first place and he needs to see some better information. Roger Harlan noted that this project is a little more complicated because it is a public-private venture. Ms. Kerr believed that those who have donated would probably like to see their contribution to be part of a complete project. Mr. Sincock agreed that Council would like to see this project completed, but needed to be clear on the product and the dollars being spent. Bob Johnston felt he could back to Council before June 1. Shauna Kerr, "I move that we reject the bid and direct staff to come back to us by June 5 with some options so that we can proceed as quickly as possible to complete the garden at the Library". Chuck Klingenstein seconded. The Mayor felt that it is important to the community to get this project completed as soon as possible. Bob Johnston expressed concern about coming back with reasonable options in this short of a time frame. Motion carried unanimously.

2. Deliberation and possible action on Flagstaff annexation petition and amended Annexation Policy Declaration, approximately 1,550 acres located at the southwestern corner of Summit County, within the Park City Annexation Declaration Boundary, and authorization for the

staff to prepare an annexation agreement which will be acted upon by the City Council (Resolution of Intent) - The Mayor pointed out that Council reviewed this in work session. Hugh Daniels, "I move that we approve Resolution 10-97, Resolution of Council Intent to Annex Flagstaff Annexation Area under Certain Development Parameters, as outlined in the draft of 11:10 a.m., as amended during the work session". Chuck Klingenstein seconded. Council member Kerr disclosed that she is a former part-time seasonal Deer Valley Resort employee.

Hugh Daniels hoped that this will lead to a successful conclusion of a very long process for the applicant, staff and community. Annexations are negotiations and he believed the resolution is a fair compromise and reflects the consensus of the Council. It does not contain everything that individual Council members want, members of the community, nor the applicant. He continued that without knowing the values of the properties, this appears to be a reasonable return, not the highest, but it meets the needs of the community. There is no way to make everyone happy but there has been some reasonable compromise. Mr. Daniels added that it is Council's job to take the information, weigh it, and make an educated decision for the entire community including the property owners' interests. He believes it is appropriate for this project to develop within the City limits which is consistent with the 1985 Comprehensive Plan and 1997 General Plan. Higher density projects belong in cities that have the ability and expertise to service them. He truly hopes that Council has learned from previous mistakes and that the plan will be an asset to the applicant and to the community. Once a decision is made and accepted, he hoped this part of the canyon will be part of the City and be a successful part of the City. Should the applicant decide not to pursue this annexation, it is only fair to note that he can not support the proposed density or configuration as a County project. It is inappropriate for anything above rural densities to exist in a County island with difficult access for County services, and have significant impacts on adjoining cities with no financial support. Hugh Daniels stated he will support our citizens by making those same comments to County appointed and elected officials, if need be. He thanked the applicant and his staff who continued to work with the City in a truly professional and friendly manner, despite some obvious differences in opinion. He also thanked members of the Planning Commission and staff for lengthy meetings and preparations. He continued that he appreciated the commitment of fellow Council members to meet as much as necessary to provide for a quality decision and thanked the community who supported and disagreed with the proposal in a civilized manner. Mr. Daniels continued that citizens make a difference on both sides of the issue, encouraged the applicant to move forward with the annexation under the parameters included in the resolution, and urged support of the motion.

Shauna Kerr personally thanked Nora Seltenrich for her work throughout the process. She also thanked Liz Josephson who has performed in a professional manner and provided a level of detail and preparedness on the project which is worthy of praise. Ms. Kerr thanked the Planning Commission, the City Manager, City Attorney, Hank Rothwell, and Bob Wells. She acknowledged Summit and Wasatch Counties' willingness to work with the Council in a public process. She believed that the Council and applicant have reached a compromise consensus which is fair, honest and workable for all. Ms. Kerr believed Gary Weiss summed it best at the hearing, as this being one

of the first opportunities of the Council to deal with a clean "slate of paper". She is proud of Council's product and CARG's participation as the voice of the community. Ms. Kerr added that this project is a community outcome that everyone will have ownership in. She hoped the stockholders and directors of UPCM will take a position on the approval which allows it to go forward as it could be a model for future developments within the community. It would be a shame if corporate expectations and profits override an approval that is a reasonable return on their investment.

Chuck Klingenstein stated that in all of his years of community involvement, he has never seen a project that has galvanized the community like Flagstaff. Because of significant community, staff and Planning Commission involvement he has arrived at a decision that he is comfortable with and is fair to the applicant, property owners, and community, and is consistent with standard public policy for the past 20 years. Mr. Klingenstein has consistently referred to stated Park City policy throughout his tenure as a Planning Commissioner and is not about to change as a City Councilman. He believes that the City and Summit County value their stated public policies, arrived at through community involvement and public hearing processes. Today, the City Council is accepting a resolution of intent to annex the Flagstaff development, but it is clear that the applicants are not getting everything they hoped for, but he felt that the density is fair and reasonable and fits within Park City's ideals which have clearly shaped the project through public policy and community involvement processes. He sincerely hoped that the applicants join the City by accepting this annexation. Throughout the process, there has been mention of tangible net benefits associated with this project to the City and the applicant. Through annexation, there will be high quality services, increased property values, improving governmental organizations to operate, maintain and serve this development and its citizens and visitors forever. Mr. Klingenstein thanked the applicants, the Park City staff, and the citizens for a thorough process as he felt the Council has arrived at a successful development that will benefit the town.

Paul Sincock expressed that the process was good and he is proud of the staff, the community, the Planning Commission, and the City Council. This was difficult but the quality of input from various sources was excellent. He thanked all of the public and appointed officials both in Wasatch and Summit Counties and the process has helped renew relationships. He thanked Hank Rothwell, Liz Josephson, Bob Wells, Bob Wheaton, and the other property owners for their participation. A successful negotiation is a process to a goal, but both parties are disappointed because each party has had to compromise with what they thought was important and both are disillusioned. Mr. Sincock believed that the process has been fair, open, and thorough and is proud of the result as it is workable for both parties. The annexation process is granting a land owner very valuable development property rights in return for community benefits which may include tax revenue, employment, recreation, open space, and other public amenities. The developer accepts the risks of the development while the City accepts the risks of the impacts of the development and it is a fair balance. He continued that the community is giving value by the density units which can be translated to a return on an investment. Mr. Sincock explained that the City has agreed to a

density which is about 38% less construction density than the applicant wanted and it has been confined into two development areas in the lower elevations. It has about 30% less density than the Silver Lake area and when built-out, it provides almost 2,900 acres of open space. More importantly, it provides for an expanded Deer Valley ski area and the ability to link together one of the largest contiguous ski and recreation regions in North America. There are significant mitigation requirements to reduce the impacts of development which will be in the best interests of the developer and the community. He hoped that the stockholders and other property owners will seriously consider what they have in hand and at current market prices and development costs, this project will probably return between $70 and $80 million of gross profit to UPCM. That is currently five times its present net value or shareholder equity. He would find it hard to believe that officers of a publicly held company would not recommend such an opportunity to stockholders, because withdrawing from an annexation because the financial return is not enough would send the wrong message to the stockholders as well as the community. He urged UPCM, Deer Valley and the other property owners to work out an equitable business plan. Mr. Sincock discussed the dense mountain villages in Europe that work well there and felt that Flagstaff could be a premier world-class resort.

Roger Harlan believed the process and the results have been fair and consistent with the 1985 Comprehensive Plan and that the Council will be scrutinized on the basis of fairness. He felt that the resolution of intent reflects a fair analysis of the project. He is pleased that the density has been relegated to Pods A and B which was a public concern. There is a great deal of open space. The community input was monumental and well articulated and no one crossed the line which says something about the maturity of the community. He found himself compromising with other Council members as he arrived at a lower number for density but subsequently supported a higher number. Mr. Harlan believed that the density is a fair figure. He stated his appreciation of Hank Rothwell's demeanor throughout the process.

Mayor Olch thanked Hank Rothwell, Liz Jospehson, and Deer Valley representatives for all of their hard work. He especially thanked CARG for mobilizing the community and setting the stage for other community groups to tackle other challenges in the community. He thanked staff, especially Nora Seltenrich who were young people when the project began. He acknowledged the hard work of the City Manager, City Attorney and his fellow Council members. He congratulated all for a job well done. With no further comments, Mayor Olch called for a vote. Motion carried unanimously,

VIII ADJOURNMENT

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

* * * * * * * * * * *

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

Prepared by Janet M. Scott

Janet M. Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1,
1884

MEMORANDUM

To: Honorable Mayor/Members of City Council
From: Janet M. Scott
Subject: BUDGET PRESENTATION
Date: May 5, 1997

Please bring your budgets with you for Thursday's work session. There is no additional information this week, but a recommendation follows from the Parks, Recreation and Beautification Advisory Board regarding youth funding for the current year, not the upcoming budget. There will be some discussion on budget policies, including grants this Thursday.

COUNCIL AGENDA REPORT

DATE: April 22, 1997
DEPARTMENT: Leisure Services
AUTHOR: Bob Johnston
TITLE: Youth Program Money Allocation
TYPE OF ITEM: Grant Disbursement

SUMMARY RECOMMENDATION: Recommend $26,000 to be allocated for various youth programs as recommended by the Park City Youth Advisory Council and Parks, Recreation and Beautification Advisory Board.

DESCRIPTION:

A. Topic: Grant Disbursement

B. Background: The Park City Youth Advisory Council (YAC), sub-committee for the Parks, Recreation and Beautification Advisory Board (PRBB), accepted the task of setting up criteria for grant funding for youth activities in Park City. Members of the YAC include Nancy Winn, Russell Wong, Kathy Hunter, Kathy Brandon, Darcy Douglas Kathy Hunter, Lani Furr, Mike Andrews. In addition, this Council drew up an application form for funding requests, examined those requests and is making recommendations to the Parks, Recreation and Beautification Advisory Board. The criteria used for examining the funding applications:

1. Start-up funding for new programs
2. Sound financial planning
3. Number of youth served
4. Demonstrated need
5. Service to or enhancement of youth programs in the Park City community
6. Staff impact

At the PRBB April 16, meeting, Kathy Hunter reviewed the process the committee went through in ranking the applications. She briefly reviewed each request with the Board. General discussion followed. Mike Andrews made a motion that the YAC recommendations are forwarded to City Council with a positive recommendation from the PRBB, Holly Carlin seconded, all in favor, motion passed.

STAFF: Leisure Services staff has also examined those requests regarding staff and budget impacts. This information was forwarded to the YAC.

RECOMMENDATION: Grant money request per list provided. A summary from YAC as follows:

Organization	Project	Amount Funded
Jump In	Promote high school youth leadership	$ 1,500
Nat'l Ability Center	Local youth in "Peer Partners"	$ 3,000
Nat'l Sports Foundation	Equipment or recruitment	$ 800
Norwegian School	Field equip., etc.	$ 8,000
(contingent upon receipt of budget and a financial statement)		
PCHS Comm. of Caring	Senior graduation party (non-alcoholic)	$ 1 ,000
PCYC	Skateboard Park	$10,000
PCY Football	Start-up costs	$ 2,000

PARK CITY YOUTH ADVISORY COUNCIL
RECOMMENDATIONS FOR YOUTH GRANT FUNDING
MARCH 31, 1997

The Park City Youth Advisory Council (YAC), sub-committee for the Parks, Recreation and Beautification Advisory Board, accepted the task of setting up criteria for grant funding for youth activities in Park City. In addition this Council drew up an application form for funding requests, examined those requests, and is making recommendations to the Parks, Recreation, and Beautification Advisory Board.

The criteria used for examining the funding applications are:
1. start-up funding for new programs
2. sound financial planning
3. number of youth served
4. demonstrated need
5. service to or enhancement of youth programs in the Park City community

After careful consideration of the applications received, the Park City Youth Advisory Council makes the following recommendations:

BOWLING ALLEY REQUEST

- Request for an undefined $ amount for a bowling alley with pool tables, arcades, coffee bar and sound system.
- YAC recommendations: Deny funding. Recommend that the City Council send a letter to Carli Nicholson commending her for her incentive in expressing the desires and needs of the middle and high school students for a bowling alley. It is very important to this committee that a student submitted this request and we want to encourage more students to be involved in future funding requests.
  We recommend that Carli continue her endeavors through letters to the editor and any other means that might attract private enterprise to this project. We further suggest that this request be forwarded to the Denver consultants who are looking into the City's overall recreational needs.

CONEXION AMIGO

- Request for $6000 to be used to pay salaries of $250 per week for 3 months for two people to develop and implement outreach programs for the Anglo-Hispanic community.
- YAC Recommendation: Deny funding. We feel that this request is for staff salaries rather than specific youth programs. There are Spanish speaking staff people at the Racquet Club. This request appears to further diversify rather than unify the Park City community.
  Conexion Amigo is welcome to submit a future application that might be generated by Hispanic youth for new programs to foster community unity.

DOMESTIC PEACE TASK FORCE

- Request for $2025 to purchase punch cards at the Park City Racquet Club for various activities and classes for children (and parent) while residing at the Park City Peace House.
- YAC Recommendation: Fund in form of in-kind donation through Leisure Services.

JUMP IN!

- Request is for $1500 to help underwrite the costs of this new program designed to promote high school youth leadership, involvement, and community service.
- YAC Recommendation: Fund this project for full amount requested.

NATIONAL ABILITY CENTER

- Request is for $3000 for operational costs proportionate to local youth who participate in NAC's "Peer Partners" youth development program which provides opportunities for children with disabilities to recreate with their non-disabled peers.
- YAC Recommendation: Fund this project for full amount requested.

NATIONAL SPORTS FOUNDATION--FREESTYLE SKIING PROGRAM

- Request is for $8000 to be used for fees, passes, and equipment needed for the Freestyle Skiing Program.
- YAC Recommendation: Grant $500 to be used for equipment or recruitment of new team members from Park City. Also recommend letter of support for the Freestyle Ski Program to be used to obtain private funding.

NORWEGIAN SCHOOL OF NATURE LIFE

- Request for $7000-$12,000 to augment direct and indirect costs from needed field equipment and transportation.
- YAC Recommendation: Grant $8000 contingent upon receipt of a budget and financial statement.

PARK CITY HIGH SCHOOL COMMUNITY OF CARING

- Request for $500-$1000 for use of the Park City Racquet Club and other costs for a non-alcoholic senior graduation party.
- YAC Recommendation: Grant $1000. In addition, this council recommends that the City Council by motion endorse this party as a safe and appropriate senior graduation celebration.

PARK CITY SKI EDUCATIONAL FOUNDATION

- Request for an undefined amount to offset costs of a new summer conditioning program (including coaching salaries and equipment) for ski team members.
- YAC Recommendation: Deny application. Most of the amount requested is for salaries for coaches for a small number of Park City resident youth. Leisure Services staff can be consulted to determine city in-kind contributions to this organization.

PARK CITY TRACK CLUB

- Request for $1000 for equipment and USA Track & Field registration fees for Park City Track Club programs and members.
- YAC Recommendation: Deny this application. It appears that the budget was already covered through fees. There is no demonstrated need.

PARK CITY YOUTH COALITION--SKATEBOARD PARK

- Request for $20,000 for the planning and building of a skateboard park.
- YAC Recommendation: Grant $10,000. YAC recognizes that much groundwork is yet to be done. Seed money is necessary for that groundwork. We recommend that $10,000 be earmarked for the skateboard park and be held in city coffers until such time as the City Council feels funds are ready to be used. This request is from over 200 students along with adult sponsors.

PARK CITY YOUTH FOOTBALL DISTRICT #27

- Request for an undefined amount to help pay off debt incurred by start-up costs (equipment, purchases, etc.) when program began last year.
- YAC Recommendation: Grant $2000. This is seed money for a year-old program that serves a large number of young Park City residents.

For further information contact Lani Furr @ 647-9436 (phone)
647-3903 (fax)

or Dr. Mike Andrews @ 645-5664

PARK CITY YOUTH ADVISORY COUNCIL MEMBERS:

Dr. Mike Andrews--Parks, Recreation, and Beautification Board
Kathy Brandon--TMMS Faculty/Community of Caring
Darcy Douglas--Parley's Park PTO President
Ron Douglas--Park City Youth Coalition
Lani Furr--Parks, Recreation, and Beautification Board
Kathy Hunter--Elementary school parent
Carli Nicholson--Park City Ecumenical Council
Dana Williams--Member-at-large, business community
Megan Williams--elementary school student
Nancy Winn--Community of Caring
Russell Wong--Park City High School parent

PARK CITY
1884

CITY COUNCIL REPORT

DATE: May 1, 1997 (May 8, 1997 meeting)
DEPARTMENT: Planning Department
AUTHOR: Brooks T. Robinson
TITLE: 3155 Sun Ridge Court, Lot 92: The Oaks at Deer Valley Plat Amendment: Change in Limits of Disturbance
TYPE OF ITEM: Legislative

STAFF RECOMMENDATION: Approve change in platted Limits of Disturbance

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DESCRIPTION:

A. Topic

PROJECT STATISTICS:

Applicant:	Otto/Walker Associates
Location:	3155 Sun Ridge Court
Zoning:	Residential (RD-MPD)
Adjacent Land Uses:	The Oaks subdivision, Gambel Oak Park
Date of Application:	December 16, 1996

B. Background

The property is legally described as Lot 92 of The Oaks at Deer Valley subdivision plat recorded in August of 1989. The property is at 3155 Sun Ridge Court (Exhibit B). This request is for a change in the platted Limits of Disturbance (LOD).

C. Analysis

Lot 92 is on the bulb of Sun Ridge Court. It is an uphill lot with views to Solamere and Deer Valley to the east and Lewis Peak to the north. The lot backs onto Subdivision common area. The

Gambel Oak Park trail currently runs through the lot but is platted in an easement along the north property line. The lot is 33,618 square feet in area. The current buildable area is roughly 8,120 square feet. The proposal is to replat the LOD by adding approximately 1,200 square feet of buildable area to the rear while, at the same time, reducing by approximately the same amount (saving a clump of gambel oak) for no net increase of disturbable area (Exhibit A to ordinance). The house itself is situated almost entirely within the platted LOD. The main additional disturbance is for a patio, a lap pool and a retaining wall.

D. Department Review

The City Engineer and City Attorney's office will review and approve the plat for final form and compliance with the Land Management Code and State Law prior to recordation.

E. Notice

The public was properly noticed and one inquiry as to the nature of this plat amendment was received. In addition, the applicant has provided letters from all but one of the property owners on the cul-de-sac expressing their consent to the amendment.

F. Planning Commission Action

On April 9, 1997 the Planning Commission held a public hearing on this item. There was no public comment at this hearing. The Planning Commission voted to forward a positive recommendation to the City Council with findings of fact, conclusions of law, and conditions of approval as outlined in this staff report.

ALTERNATIVES

A. Approve the proposed amendment thereby creating a new Limits of Disturbance line.

B. Deny the request and retain the original Limits of Disturbance.

C. Continue the item and request additional evaluation from staff.

SIGNIFICANT IMPACTS

The proposal results in a no-net-increase in area to be disturbed by the construction. Approval of this application will not result in any significant impacts to the neighborhood.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION

If the Council denies the plat amendment, the original platted Limits of Disturbance will remain in effect.

RECOMMENDATION

Staff recommends approval of the plat amendment for 3155 Sun Ridge Court, lot 92 of the Oaks subdivision, based on the following:

Findings of Fact

1. There is a no-net-increase of disturbed area.
2. The preservation of the cluster of oaks is ensured.
3. There have been no objections from the neighboring owners

Conclusions of Law

1. There is good cause for this amended plat.
2. The plat is consistent with the Park City Land Management Code and applicable State law.
3. The plat is consistent with the Planning Commission approval of The Oaks subdivision.
4. Neither the public nor any person will be materially injured by the proposed amended plat.
5. Approval of the plat, subject to the conditions of approval, 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 for compliance with State law, the Land Management Code, and the conditions of approval, prior to recording the plat.
2. All conditions of approval for The Oaks subdivision will apply.
3. All standard project conditions will apply.
4. The landscape plan shall be specifically reviewed for approval by the Planning Commission and staff to mitigate views of the retaining walls from the street.
5. The applicant will record the final amended plat at the County within one year from the date of City Council approval. If recordation has not occurred within the one year's time, this approval and the plat will be void.

EXHIBITS:

Exhibit A- Ordinance and Plat Map
Exhibit B- Vicinity Map

M:\CDD\BTR\CC97\3155SUN.REP

Ordinance No. 97-

AN ORDINANCE APPROVING A PLAT AMENDMENT FOR LOT 92 OF THE OAKS SUBDIVISION LOCATED AT 3155 SUN RIDGE COURT, PARK CITY, UTAH

WHEREAS, the owners of the property located 3155 Sun Ridge Court have petitioned the City Council for approval of a subdivision plat amendment; and

WHEREAS, the proposal is consistent with both the Park City Land Management Code requirements for the RD-MPD District and Comprehensive Plan;

WHEREAS, the property was posted and legal notice published according to the requirements of the Land Management Code and proper notice was sent to all property owners within 300 feet of the property in question;

WHEREAS, there has been no objections from the neighboring property owners;

WHEREAS, the amendment revises the Limits of Disturbance without a net increase in disturbed area and a cluster of oaks is preserved;

WHEREAS, it is in the best interest of Park City, Utah to approve the subdivision plat amendment, known as lot 92 of the Oaks subdivision;

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

SECTION 1. FINDINGS OF FACT. The above recitals are incorporated herein as Findings of Facts.

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

SECTION 3. PLAT APPROVAL. The plat, known as The Oaks, Park City, Utah, is approved as shown on the attached Exhibit A with the following conditions:

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

2. All conditions of approval for the Oaks subdivision apply.

3. All Standard Project Conditions shall apply.

4. The landscape plan shall be specifically reviewed by the Planning Commission and staff to mitigate views of the retaining walls from the street.

5. The owners will record the final plat at the County within one year from the date of City Council approval. If recordation has not occurred within the one year's time , this approval and the plat will be void.

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

PASSED AND ADOPTED this 8th day of May, 1997

PARK CITY MUNICIPAL CORPORATION

_____

Mayor Bradley A. Olch

Attest:

_____

Janet M. Scott, City Recorder

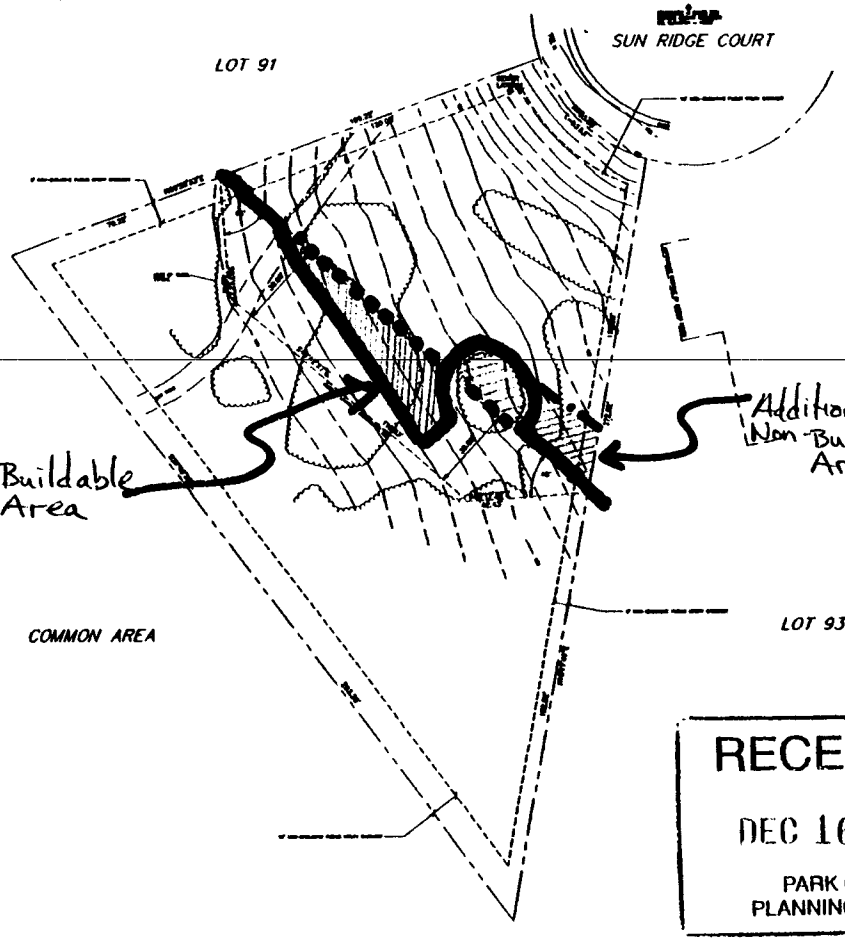
Approved as to form:

_____

Mark D. Harrington, Assistant City Attorney

M:\CDD\BTR\CC97\3155SUN.ORD

AMENDED PLAT
LOT 92 of THE OAKS AT DEER VALLEY
A PARCEL OF LAND LOCATED IN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASELINE AND MERIDIAN, UTAH.



.....Platted L.O.D.
——— As shown at P.C. Worksession
—·— New L.O.D.

SURVEYORS CERTIFICATE

THIS SURVEY IS INTENDED FOR THE THE RELOCATION OF THE LIMITS OF DISTURBANCE ONLY, AND NOT A BOUDARY SURVEY.

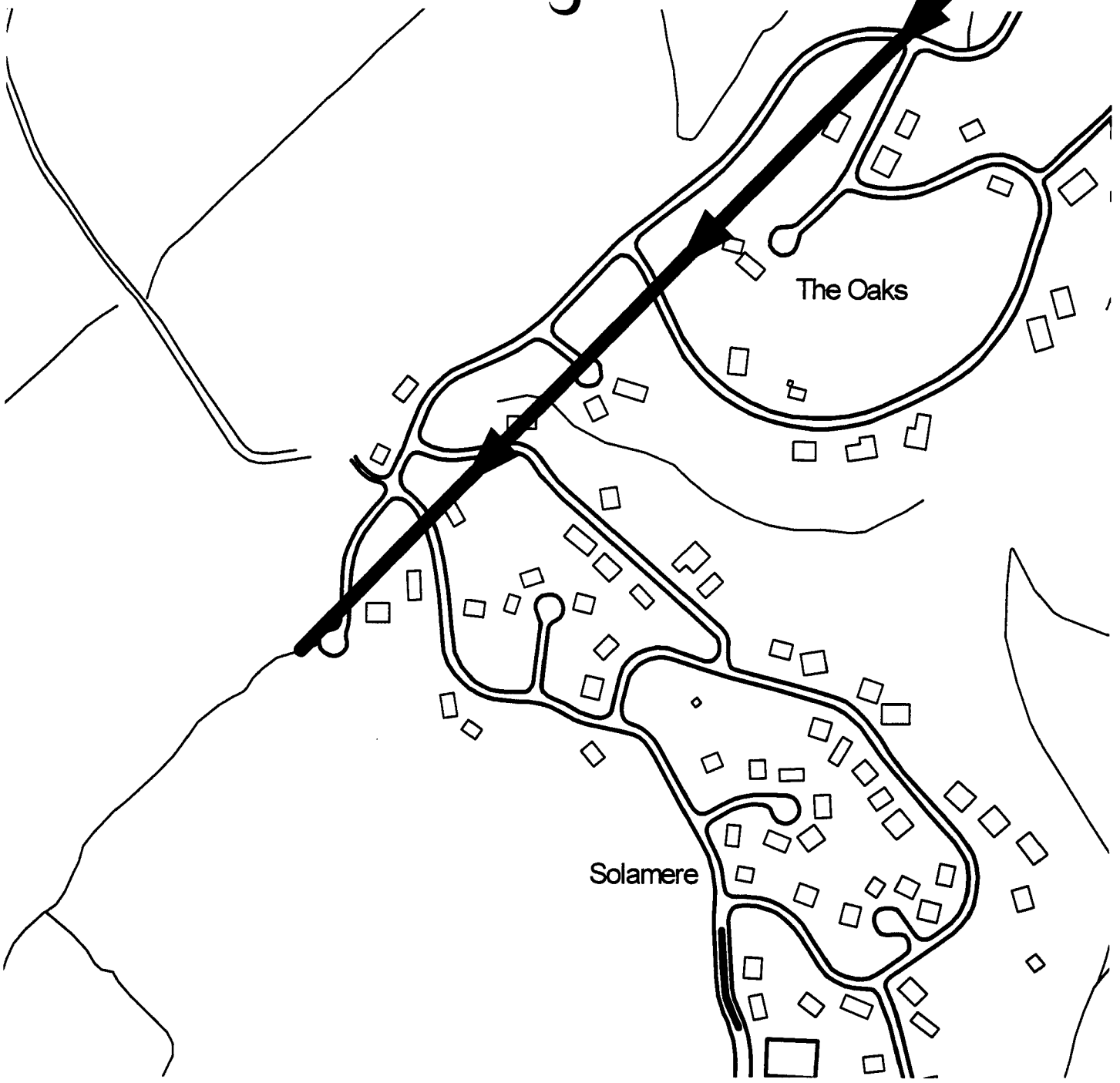
JOE DHAENENS LS NO. 187821 DATE

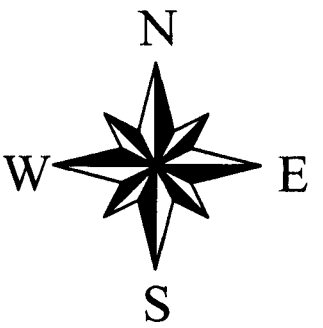
RECEIVED
DEC 16 1996
PARK CITY
PLANNING DEPT.

GRAPHIC SCALE

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	RECORDED	
PRESENTED TO THE BOARD OF _____ CITY COUNCIL THIS _____ DAY OF _____ A.D. 19 . AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.	APPROVED AND ACCEPTED BY THE _____ CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 19__	APPROVED AND ACCEPTED BY THE _____ CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 19__	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 19__	N°. _____. STATE OF _____. COUNTY OF _____. RECORDED AND FILED AT THE REQUEST OF:	Evergreen Engineering, Inc.
MAYOR	CITY ENGINEER	CHAIRMAN	CITY ATTORNEY	COUNTY RECORDER	
CITY RECORDER					

3155 Sun Ridge Ct.





PARK CITY
1884

EXHIBIT B: VICINITY MAP

PARK CITY SPECIAL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MAY 6, 1997

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

Toby Ross, City Manager; Jodi Hoffman, City Attorney; Eric DeHaan, City Engineer; Rick Lewis, Community Development Director; Nora Seltenrich, Special Projects Manager

Hank Rothwell, United Park City Mines (UPCM); Tom Clyde, legal counsel for UPCM; Liz Josephson, planner for UPCM; Dana Williams, Citizens Allied for Responsible Growth (CARG)

Flagstaff annexation. The City Manager distributed an agenda for the afternoon meeting, including worksheets on densities included in these notes. He explained that he met with a number of people from last Thursday through Monday. While there seemed to be some possibilities in resolving outstanding issues, he didn't believe there is any profound resolution. The strategy of today's meeting is forming consensus on density and bonuses and if that direction is provided today, staff would come back on Thursday with a resolution of intent which would outline not only the issues from the past couple of meetings, but other issues. If adopted, the proposal would be in the applicant's hands to decide if an annexation agreement would proceed. Toby Ross referred to the density table, inserted below, and asked if the notes characterized Council's individual direction. Roger Harlan indicated that he would like 550 indicated as his low number; Chuck Klingenstein added that he was at 310.

Flagstaff Density Discussions

Source	Low	High	Average	Notes
Planning Commission	600	750	675	LMC units; includes Pod D and Bonanza open space
1985 Comp Plan	450	750	600	LMC units; no Pod D or Bonanza open space

Staff Report 2-21	310	460	385	LMC units; no Pod D; Bonanza open space at the high end...unacceptable to applicant
Shauna 4-29	310	400	355	revised units; no Pod D; Bonanza uncertain
Hugh 4-29	600	650	625	revised units; no Pod D; Bonanza uncertain
Roger 4-29	550	550	550	revised units; no Pod D; access to Bonanza and 250 unit limit
Chuck 4-29	310	750	530	revised units; no Pod D; Bonanza uncertain; no SFD on Prospect Ridge
Brad 4-29	500	500	500	revised units; no Pod D; Bonanza uncertain; no SFD on Prospect Ridge
Paul 4-29	515	825	670	revised units; no Pod D; Bonanza open space; enhanced mass transportation; transfer fee
Hugh 5-1	650	650	650	revised units; limited Pod D; Bonanza open space; 7800'
Shauna 5-1	600	700	650	revised units; no Pod D; Bonanza open space; 7800'
Brad 5-1	600	650	625	revised units; limited Pod D; Bonanza open space; 7800'
Chuck 5-1		750		revised units; no Pod D; Bonanza open space; 7800'; use ski terrain
Paul 5-1	650	750	700	revised units; ? Pod D; Bonanza open space; 7900-7800'; 15-20% sfd; purchase
Roger 5-1		650		revised units; limited Pod D; Bonanza open space; 7800'; reduce heights

Flagstaff Density Discussions

Development Configuration and Amenities (1)	Min	Max
"Rural" density	40	75
Confining all development to lower mountain and providing all baseline components of the project **(2)**	150	200
Bonanza open space conservation easement (3)	200	250
Restricting access and services to unannexed property and Bonanza	200	250
Enhancements...		
Transfer fee for public recreation, open space and public mass transportation		
Enhanced mass transportation and traffic mitigation (4)		
Enhanced open space and trails		
Enhanced construction mitigation		
Limitations on single family dwellings		
On-site employee housing		
Total		
Total (5)		

Additionally, Mr. Ross explained that staff has attempted to identify components of the project that merited some attention in the work sheet. The base density discussed before is in the range of 1:20 to 1:40 and in some instances there is no range. It begins with rural density and goes to the issue of confining new development to the lower mountain, which incorporates Pods A and B, the discussions if there were other places that could slightly expand, and it includes the base line of all of the things talked about. The next category is Bonanza open space and conservation easement. The next is item is a separate category for restricting access and services to unannexed property and Bonanza which would have the additional benefit of controlling these properties. He

added that it would also give the County an idea of Council's direction. Mr. Ross explained that the last category is enhancements and are listed below in the notes (not shown above). He believed the Council relayed there may be a major concession with respect to bonuses for transportation. He explained that the developer offered a performance standard for additional services and traffic mitigation. He felt it useful to break down the components and there may be others, but these are the ones identified as having a consensus interest in over several meetings.

The Mayor invited Hank Rothwell to speak. Mr. Rothwell felt that Toby relayed the features of the last meeting. He added that this is the first time he has seen the bonus density discussion table, and felt that the enhancement section is somewhat undervalued, compared to some of the other items Council is awarding bonuses for. He believed that the Council is not putting significant value on enhancements. He pointed out they have agreeed to things which are not being done anywhere in town on significant projects here or in the state. It's a cutting edge type of a situation for the City and the applicant, and it is one more instance of "raising the bar" and making it just that much tougher to do business in this town from a real estate standpoint. Mr. Rothwell noted that providing these enhancement would set a precedent and emphasized that they agreed to them, but did not do that lightly.

With regard to the van shuttle service within Pods A and B, Mr. Sincock noted that this was done when Deer Valley opened and it really didn't serve the general public. He asked how the level of service of a private system is defined and what happens if it doesn't work. The City Manager explained that they will provide this service and additionally achieve a level of service and a reduction in traffic. To the extent the reduction of traffic doesn't materialize, the program will be modified to the satisfaction of the Planning Commission through the MPD process. It is possible that the private system may be converted into the City's system some time in the future, but the intent is to start with a private system and maintain a traffic reduction standard. This is an open-ended obligation and Mr. Ross agreed that Council has not assigned much density for something that could be very costly to the applicant. Mr. Sincock added that he is bringing things up because this project will be on-going for the next ten years. The City Manager stated that if Council provides direction on the density, the staff will prepare a resolution of intent which will be more detailed than what is before Council. If the applicant wishes to pursue an annexation agreement, there will be an additional level of detail. Beyond that, before any building permit can be issued, there will be a MPD and small MPDs and at that stage, the success of the objectives would be calibrated and monitored throughout the project processes. Toby Ross explained that the standards set, however, would be part of the annexation.

Mr. Sincock believed that Council discussed no in-lieu fees for affordable housing and Mr. Ross felt that could be included in the resolution. Roger Harlan stated he is convinced that restricting heights of homes below 7,900 feet on Prospect Ridge is important. He would prefer one and a half stories as opposed to two; Mr. Ross stated that this issue would come back at a later time. With regard to a question raised by Roger Harlan about the bonus points awarded for restricting

access and services to unannexed property and Bonanza, the City Manager explained that if the applicant is prepared to meet that enhancement that it can be reflected in the density. He clarified that the open space permanently protected in Bonanza is one component, and separating Park City from services and access is an additional component. The bonus merits need to be constrained by the totals set by Council and relative values need to be determined.

In response to a question from the Mayor, Jodi Hoffman explained that Flagstaff is "parcelized" into hundreds of one and a half to six acre mining claims. She looked at selected patents and the mining claims, but has not reviewed all of them and they appear to be historic patented mining claims. While these may be lots of record, they may not be developable lots of record because of health, safety and welfare concerns because of access issues and infrastructure. This is not a typical subdivision. Ms. Hoffman explained that the County has taken a position on the east side of the County that these historic subdivisions which have not been developed really have no effect. The County has not taken that position in Snyderville. She advised that the City would require consolidation of the ownerships of the mining claims and zone the area. She has spoken with counsel for the County who indicated that they would strongly discourage development in these parcels.

Chuck Klingenstein expressed that he has tried to be fair and consistent throughout the review of this project and although he is sympathetic with the property owners in Pod D, he feels there are some unrealistic expectations. He is relying on a public policy and a public process. For rural density, he suggests 50. Under the current policy of the County, the density is 1:40, under the new General Plan which has not been adopted with a slope analysis, the numbers are roughly around 48 or 49, and the policy of Park City is also 1:40. For confining all of the development to the lower mountain and providing for all the base line components of the projects, he arrived at 260 which brings him up to a cumulative total of 310, which is basically the recommendation of the February staff report. The Bonanza open space conservation easement is very important to Mr. Klingenstein and he attached 250 units, bringing the total up to 560. He appointed 100 units to restricting access of services on unannexed property, totaling 660. He assigned 90 units to enhancements, bringing the total up to 750 and stressed that he didn't want to diminish the value of the enhancements. He pointed out that on top of the 750 number, there are commercial and affordable housing components. Mr. Klingenstein discussed 13.5 or 14.5 credit units in the upper area and encouraged all property owners to join in this project in the Pods A and B area. He stated that Deer Valley should cut some of the ski terrain out of the project so that the pods can be expanded, enabling property owners to receive the economic benefits they are entitled to under current public policy. With regard to the percentage of single family, Mr. Klingenstein explained that he is using the new unit formula and taking 750 and multiplying that by 25%, results in 188 unit equivalents. Using the 2,000 square foot formula and assuming 8,000 square feet for an average home, arrived at 47 single family, leaving 560 multi-family units.

Paul Sincock indicated that he would assign 50 units for rural density, 250 units for confining all development to the lower mountain, 200 units for Bonanza Flats open space, 150 for the restricted access, 100 for enhancements, for a total of 750 units. He would support 15% to 20% single family, because of the unit density. If the Pod D owners decide to withdraw, he would deduct 100 units from everything, or a percentage if not all withdrew. The Planning Commission suggested 38 density units rather than 75 for commercial and added the day lodge. He suggested that the commercial either include the day lodge or be 5% allowance plus the day lodge, but 10% commercial plus the day lodge is too much commercial.

Roger Harlan stated that he doesn't have a percentage of single family in mind. He assigned 75 units to the rural density, 210 for confining all development to the lower mountain, 200 for the Bonanza open space conservation easement, 25 units for restricting access and services to unannexed property and Bonanza, and 75 for enhancements, for a total of 585 units.

Shauna Kerr allocated 30 to rural density, 210 for confining all development to lower mountain, except for the chapel. This structure would not have utilities or occupancy pursuant to the Uniform Building Code; it would be more like a monument. By having nothing in Pod D, she added 50 bonus points to the 210, totaling 260. This places her at 310 which is the base zoning for the lower mountain. She allotted 250 units for the Bonanza open space conservation easement, 50 units for restricting access and services to the unannexed property and Bonanza, and 100 units for enhancements. In the "other" category, Ms. Kerr stated that for no development on Prospect Ridge, there is a possibility for an additional 50 units. With her base, without any of the other categories, would be 610 to 650. If there is no development in Pod D and no development on Prospect Ridge, would bring the total up to 710 to 750 units. She stated that disbursed single family is not what the City needs in this area and has limited it to 10% of total density, using the new equivalent system. Single family should be discouraged. Ms. Kerr agreed with Paul Sincock that if the other property owners withdraw, then the bonus points of 50 units in the "other" category would be deducted. She didn't have a strong feeling about commercial and didn't feel the day lodge would create impacts, especially if parking is limited there.

Hugh Daniels averaged the 1:20 and 1:40 formulas and assigned rural density at 50, confining all development to the lower mountain at 210, Bonanza open space conservation easement at 250, restricting access at 100, enhancements at 140, which totals 750 units. He stated that early on he supported about 20 units in Pod D, so his total could drop. Mr. Daniels recommended 20% single family and 10% commercial, not including the day lodge.

Mayor Brad Olch suggested 50 units for the rural density, 210 units for the lower mountain, 250 for the Bonanza open space, 150 for restricting access, 100 for the enhancements, totaling 760 units. He recommended 20% for single family and supported Mr. Daniels' comments regarding the Pod D situation to try and make this proposal work. The Mayor requested that the City Manager summarize the poll and get the information back to Council so that it can be reviewed. The

City Manager expressed that with the exception of Mr. Harlan, the total was basically 750 units. He asked Council's interest in the no development proposal on Prospect Ridge. Mr. Rothwell indicated that the original proposal was 24 lots and 13 lots above the 7,800 foot elevation in the most recent discussions. He pointed out the dedication of the open space from the 7,800 foot contour to the Colman property. Ms. Kerr stated that is attractive to her and worth assigning bonsus merits to the "other" category. She would rather grant additional density to the pods and not have to deal with the ridge and the hillside. Paul Sincock stated that he didn't have a problem with the 750 units and adjusting the categories for this consideration. Hugh Daniels noted he is willing to support 7,800 feet with the dedication of the property. Roger Harlan reiterated that the height of the structures in this area is important to him. Hugh Daniels felt this could be an option for the applicant.

Roger Harlan stated that 750 units is too high for him. The City Manager pointed out the near universal consistency with regard to rural density. Mr. Harlan added that he would bump his 585 units to 650, if other members would reduce their totals. There was discussion on the average of confining all development to the lower mountain and it appeared that Council's responses ranged from 210 to 260 units. There was majority support of 250 units for the Bonanza open space conservation easement. Restricting access ranged from 25 units to 150 units; there was consensus among Council to assign 100 units. Enhancements ranged from 75 units to 140 units; there was agreement for 100 units. Chuck Klingenstein interjected that he did not believe the transfer fee will survive the legislature in the long term and as a result didn't feel strongly about it. The City Manager reported that the total is now at 710 units. He discussed an alternative for properties not annexing mentioned at 150 units and asked if other members of the Council are interested. There was discussion about incentives for all of the property owners to remain in the annexation application. The City Manager suggested that if all of the property owners came in, the total would be 750 units and if the five property owners withdraw, the total would be 700 units. There didn't seem to be support for Ms. Kerr's proposal for no development on Prospect Ridge. In return for the open space, Hugh Daniels explained he is willing to move the development to the 7,800 foot level. Chuck Klingenstein stated that he can support 7,800 feet with height restrictions.

There was discussion with regard to the philosophy of single family homes, and although Mr. Harlan commented earlier that he didn't have a percentage in mind, commented he could support 20%. Ms. Kerr stated that she would compromise and come up to 20%. With regard to the commercial, Paul Sincock added that the Planning Commission approved 38,500 square feet but didn't include the day lodge in the calculation. There was consensus for 10% commercial plus the day lodge, with the limitation on parking.

The City Manager felt confident that he could create a resolution and have it available for Council's review before Thursday's meeting.

Prepared by Janet M. Scott