



**PARK CITY COUNCIL MEETING MINUTES
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060**

December 19, 2019

The Council of Park City, Summit County, Utah, met in open meeting on December 19, 2019, at 3:00 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss property at 3:00 p.m. Council Member Ware Peek seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

CLOSED SESSION

Council Member Joyce moved to adjourn from Closed Meeting at 3:40 p.m. Council Member Ware Peek seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

STUDY SESSION

Update on Park City and Summit County Joint Transit Advisory Board (JTAB) and Second Amendment to the Interlocal Agreement:

Alfred Knotts stated many strides had been made with JTAB over the past year with transparency and accessibility. Currently, the board members were working on an updated interlocal agreement. An original interlocal agreement between the City and County was signed in 2006 and amended in 2009. Knotts indicated the current agreement did not reflect the collaboration that was happening between the entities today. There would be an amended agreement by March, 2020. Then the board would work on updating the Short Range Transit Plan, specifically identifying a scope that would match the funding available. He indicated the onboard surveys were completed and a full presentation would be made at a future Council meeting. Part of the discussion would include Summit and Wasatch Counties, Heber, Midway, Utah Department of Transportation (UDOT), Utah Transit Authority (UTA) and Mountainland Association of Governments (MAG), who were participating stakeholders.

Council Member Henney noted the easy and difficult parts of the discussion. He talked about having a regional transit system, and stated Transit was great in Park City, but poor in the County. He gave reasons such as a spread out subdivision layout as part of the reason for the discrepancy. Council Member Ware Peek asked what triggered a transit authority. Knott indicated systems were created to increase efficiency in the collection and use of Transit funds. Council Member Ware Peek didn't feel good about the role of the County from the way the system was set up now. Mayor Beerman stated he, Council Member Henney, and members of JTAB met with two Summit County staff and they came to an initial consensus on what would work. One difference was the City was focused on accommodating tourists first, then the workforce, and then residents in an effort to get cars off the road. The County was focused on accommodating the residents. Knotts stated Transit was for urban areas. Mayor Beerman thought the goals would determine what Transit would look like in the next five to 20 years. Council Member Henney stated the governance of Transit was the issue. Mayor Beerman praised JTAB for their hard work and efforts.

WORK SESSION

Senior Update - Interim Facility Options:

Jonathan Weidenhamer, Economic Development Manager, indicated the seniors were going to be in the Christian Center building for the short term, but he had some alternatives for Council to consider regarding permanent facilities. One alternative was renovating a building on the School District property on the Kearns Campus that could be used as a community building, renovating or building a new building at City Park, assembling a modular building at City Park, and looking at the market for a space that could be leased. He asked if leasing retail space outside City limits could be considered.

Council Member Gerber asked to hear the seniors' preference for location since a majority lived outside the City limits. Council Member Ware Peek felt this was a good discussion and asked for seniors to comment. Council Member Gerber asked if there were different committees focusing on the different issues regarding seniors or was there just the facilities committee. Council Member Worel explained there were many threads facing seniors. She indicated there were representatives from the School District, City and County that were helping develop a strategic plan which would address all of those threads. It was noted tonight's discussion was only on the temporary senior center. Mayor Beerman asked who developed the 2011 senior strategic plan. Weidenhamer stated the City and County helped develop that plan.

Council Member Henney asked if the committee had a recommendation for a temporary senior facility. Council Member Joyce stated the process was done and the seniors decided on the Christian Center as the temporary site for the senior center. He was hopeful that retail space could be found, and noted there were more options outside

City limits. He favored the Christian center as the first option with the option to switch to a market rate space if a good one became available.

Mayor Beerman clarified that the City did not shelve the senior center because of the Treasure Hill purchase. It wanted to collaborate with the County and School District in order to build a bigger facility. Council Member Henney was in favor of having a long-term approach through a collaborative effort. Council Member Worel stated this was not a City issue, but a regional issue because many seniors lived in the County, and it was wise to collaborate with the other entities. Council Member Ware Peek and Gerber indicated they heard from some seniors that the Christian Center was not the favored location as a temporary facility.

Mayor Beerman opened the meeting for public input.

Cheryl Soshnik stated the Christian Center was the best option that the City had given the seniors, but it wasn't optimal. She reviewed the discussion over the past couple years between the seniors and the City. She did not want to be in a temporary location without knowing a timeline. She stated at present, the City couldn't separate the temporary from the long-term.

Jim Tedford, director of Park City Senior Citizens, stated the seniors believed they had a 99 year lease and it was in full force. Mayor Beerman asked who the other board members were. It was indicated Cheryl Soshnik, Peggy Fletcher, and Judy Maedel were in attendance. It was noted the lease was created in 1976.

Peggy Bodell stated she lived in Park City for 40 years. She thought there needed to be a conversation on what the seniors needed. The seniors had a wealth of knowledge and they could be contributing to the community. Having the senior center at the Christian Center was a poor choice because it was not on the bus route and did not have sufficient parking. She felt the seniors could teach sewing, woodworking, and more. She felt the City couldn't take the building from the seniors if they had a 99 year lease.

Mary Demkowicz stated the meal program was lousy. It should be open every day of the week, not just two days a week. She also indicated she preferred the center being close to the library.

Amber Raleigh, Grow Community Center owner, offered some options for the community center. She stated people liked congregating around food. She was pursuing the Trio space in Kimball Junction. Grow was a nonprofit entity. She indicated there had been discussions with Summit County in making Grow a senior center. She said there was a private room in the back with a separate entrance. She was hoping to open the doors in four to six months.

Jolanda Goedhart attended the senior center for 15 years and taught Tai Chi. She felt the Christian Center space didn't work because there was no space for fitness classes. Mayor Beerman stated the plan was to move the fitness classes to the MARC, but the seniors chose not to activate that part of the plan. Council Member Joyce felt there needed to be more programming available. The MARC and Kimball Art Center were able to accommodate the seniors.

Sydney Reed stated seniors needed connectivity and engagement, exercise and nutrition. Part of engagement was to be together, so she was not in favor of segregating activities at different locations. She wanted all activities in one place.

Eleanor Griffin occasionally used the senior center and she saw the value in having one. She couldn't believe the City would move the seniors. She didn't want the City to move the permanent residents for potential residents. She reviewed the history of the creation of the current senior center. She felt there was no reason to leave the center until there was a fully functional replacement facility.

Angela Moschetta stated the majority of the 148 members of the senior center lived in the 84098 zip code. There were only five or six seniors that used transit and most drove or used the accessibility bus. She didn't think the City could expect the seniors to agree to a temporary site when they didn't know what the long-term facility would be. She asked why the City decided to remove the facility when the seniors had a 99 year lease. Mayor Beerman stated thus far there was an ongoing conversation in order to achieve the best long-term solution for the seniors. He noted the main points from the public input were that the center needed to be comprehensive and the connection needed to be kept.

Mayor Beerman closed the public input portion of the meeting.

Council Member Henney agreed with Council Member Joyce that rental space should be explored, but he didn't want to sink a lot of money into a temporary solution. He wanted to reach a long-term solution as quickly as possible.

Council Member Gerber asked how far out the School District was in finalizing their master plan. Mayor Beerman indicated the School Board met this week and asked the architect to explore a community building. He estimated it would take three to five years. Council Member Gerber thought if the plan with the School District didn't come to fruition, the City needed to jump in and act immediately on the next plan. Council Member Joyce explained the School District's proposed timeline and configuration for class alignment. Council Member Gerber stated until that time, she favored a location in the Snyderville area to meet the needs of the seniors.

Council Members Worel and Ware Peek favored looking for a market rate facility that met the seniors' criteria and they were fine with it being in the Snyderville area. Council Member Joyce stated the City was trying to find a good location, but in the next couple of months the seniors would hear and participate in the long-term plan.

Mayor Beerman summarized that the market rate scenario was favored by Council and they would like to hear more about it. Council Member Worel talked about the Aging Alliance and indicated they had monthly meetings. Council Member Joyce stated the topic would be discussed by the County, the School Board, the City, and seniors. He asked that the seniors organize themselves so information could be disseminated and that these entities could hear one united voice.

Review and Presentation of the Bonanza Flat Conservation Easement and Adaptive Management Plan:

Heinrich Deters, Trails and Open Space Manager, and Wendy Fisher, Executive Director Utah Open Lands, presented this item. Fisher reviewed the timeline for purchasing the property, the committees formed, the leases and inholdings that were being worked on, and indicated they were ready to finalize a conservation easement. It was noted that after the purchase, more traffic and parking issues were discovered. The committees didn't want to see motorized recreational use on the property because of vegetation and noise. She reviewed the conservation values.

Fisher stated the property came with inholdings and leases for different parcels within the property, and mentioned the Daderko parcel, which was sold to the City a few weeks ago, and the Bransford parcel, which was on tonight's agenda for approval to purchase. She noted the Girl Scouts had also negotiated a land exchange.

Fisher reviewed that the conservation easement was the binding document that would protect the property in perpetuity. There was a management plan to help with the protection and it could be changed as needed. Within the easement, there was language for a 175 vehicle parking spot maximum. She discussed the management areas and noted the trails would only be open from July through October each year in the wildlife area. She indicated dogs were not allowed in the Bloods Lake area as long as it was the drinking source for the Girl Scouts' camp. The management plan also prohibited Nordic skiing in wetland areas. Jeep Hill was designated as the safety corridor. There were also provisions in the plan for emergency access in case of fire.

Council Member Henney stated he had been anxious to get a plan in place so action could be taken on the property. He was happy that he waited because this easement and plan was far superior than what he imagined. Council Member Ware Peek disclosed she was building a home in Brighton Estates. She congratulated staff and Fisher for all their work in putting the easement and plan together. She asked about

winter trail usage. Fisher stated there was some nesting of wildlife in the winter, but there could be skiing there. Council Member Gerber indicated there was overuse of the area and she was grateful for the policies that had been put in place. Deters felt the results of the work would be seen in the coming summer.

Deer Valley Resort Base Area Parking Update:

This item was discussed during the regular meeting.

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce Council Member Lynn Ware Peek Council Member Nann Worel Matt Dias, City Manager Margaret Plane, Special Counsel Michelle Kellogg, City Recorder	Present
None	Excused

II) RECOGNITIONS AND AWARDS

1. Consideration to Approve Resolution 26-2019, a Resolution Acknowledging Karen Yocum's Retirement from Park City Municipal Corporation and Recognizing her Many Contributions in Providing Service to Park City:

Ken Fisher, Recreation Manager, reviewed the great accomplishments of Karen Yocum for the past 30 years, including new recreation programs she created and equipment she found when there was no City funding for those projects.

Council Member Henney moved to approve Resolution 26-2019, a resolution acknowledging Karen Yocum's retirement from Park City Municipal Corporation and recognizing her many contributions in providing service to Park City. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

III) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Reports:

1. **Community Development Process Improvements Update:**
2. **Park City Heights Annual Update:**

IV) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Beerman opened the meeting for public input on matters not being addressed on the agenda.

Jim Doilney thanked Wendy Fisher and Heinrich Deters for their work on the Bonanza Flat conservation easement.

Ann Bransford stated she was happy to work with the City on Bonanza Flat and she hoped the community would enjoy her property that was being sold to the City.

Bridgette Meinhold congratulated the City for acquiring the inholdings. She also indicated she had enjoyed the trail that was built last summer. She was frustrated with the management of Bonanza Flat. The trails were built without any resident input and she noted it was close to the Girl Scouts' camp which was dangerous. There would be a Phase Two and she hoped there would be more communication.

JP Crendson stated a point person was designated from Brighton Estates, but they were not being informed. He noted there were cross country ski trails next to the access road and there were associated hazards. He thought there could be better communication.

Matt Meinhold asked for transparency for Brighton Estates residents as well as the Park City community.

Joe Butterfield, Brighton Estates property owner, was disappointed in the new implementation of the parking area on Lower Park Avenue.

Mayor Beerman closed the public input portion of the meeting.

V) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from November 21, 2019 and December 5, 2019:

Mayor Beerman referred to the November 21st minutes, Page Three, Line 37, and clarified the City leased the land, and did not sell it.

Council Member Gerber also noted the November 21st minutes, Page 18, Line 24, which referred to the terrible living conditions staff had, and noted those conditions were not found at the National Abilities Center.

Council Member Worel moved to approve the City Council meeting minutes from November 21, 2019 and December 5, 2019, as amended. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

VI) CONSENT AGENDA

1. Request to Authorize the City Manager to Enter into a Service Provider Agreement with Y2 Analytics for The Electric Bicycle (E-bike) Survey and Task Force Project in the Amount of \$25,175.00 in a Form Approved by the City Attorney:

2. Request to Approve and Accept the Fiscal Year 2019 Comprehensive Annual Financial Report (CAFR):

3. Request to Approve the Following Amendments/Contracts Associated with Invasive Species Mitigation ("ISM") Grant Funding: 1) Change Order Number One, with Ground Solutions LLC in an Amount not to exceed \$44,000.00 for Noxious Weed Control, and 2) a Professional Service Agreement (PSA) with Ecology Bridge LLC Totaling \$30,000.00 for Grant Management, Monitoring and Control Work:

4. Request to Approve a Purchase Agreement to Acquire the 7.1 Acre Bransford Property from the 'Bransford Sisters' for \$170,000 in a Form Approved by the City Attorney:

5. Request to Approve Type 2 Convention Sales License Applications for Businesses Operating During the 2020 Sundance Film Festival

6. Request to Approve Single Event Temporary Liquor License Applications for Operation During the 2020 Sundance Film Festival:

7. Request to Approve a Purchase Agreement with Salt Lake City Department of Public Utilities for 55 Acres of Property Located in Bonanza Flat in the Amount of \$1,509,310.00 Subject to the Bonanza Flat Conservation Easement, in a Form Approved by the City Attorney:

8. Request to Authorize the City Manager to Lease Two (2) Low Floor Transit Buses and Two (2) Proterra Electric Low Floor Transit Buses for Six (6) Months for \$131,512.00 in a Form Approved by the City Attorney:

9. Request to Authorize the City Manager to Execute the Park City- Salt Lake City Connect Collaborative Agreement with the Utah Transit Authority for Purchase and Operation of Electric Buses through the Federal Lo/No Grant Program in a Form Approved by the City Attorney:

Council Member Joyce moved to remove Consent Agenda Item Two for further discussion. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

Council Member Ware Peek moved to remove Consent Agenda Item One for further discussion. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

Council Member Steve Joyce moved to approve Consent Agenda Items Three through Nine. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

1. Request to Authorize the City Manager to Enter into a Service Provider Agreement with Y2 Analytics for The Electric Bicycle (E-bike) Survey and Task Force Project in the Amount of \$25,175.00 in a Form Approved by the City Attorney:

Council Member Ware Peek asked if a City survey was necessary since Mountain Trails performed a survey and had a good response. Heinrich Deters reviewed he was following Council direction and seeking a statistically significant survey.

Council Member Ware Peek moved to authorize the City Manager to enter into a service provider agreement with Y2 Analytics for The Electric Bicycle (E-bike) Survey and Task Force Project in the amount of \$25,175.00 in a form approved by the City Attorney. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

2. Request to Approve and Accept the Fiscal Year 2019 Comprehensive Annual Financial Report (CAFR):

Mindy Finlinson, Finance Manager, thanked the Finance Department for their work and dedication. She noted an incorrect link to the Water Development Fees and Capital Contributions and stated the number would be updated and it would not have a material effect on the schedule. She also noted there was a date and minor punctuation modified as well. Council Member Joyce noted the net zero energy goals should be written 2030 instead of 2032.

Council Member Joyce moved to approve and accept the Fiscal Year 2019 Comprehensive Annual Financial Report (CAFR) as amended. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

Deer Valley Resort Base Area Parking Update (From Work Meeting Agenda):

Hannah Tyler, Senior Planner, Alfred Knotts, Transportation Manager, and John Robertson, City Engineer, presented this item. Tyler stated the City had an awesome snow year in 2018-19. The City worked with the resorts to accommodate their guests. The overflow traffic days caused concerns due to congestion, transit delays and emergency vehicles that were not able to get through the right-of-way. Staff was asking Council to consider reaffirming the use for Deer Valley Drive for parking on peak skier days, and noted Council had this authority from the development agreement. She reviewed the agreement allowed for overflow parking on 10% of ski days, which equaled 13 days per ski season. Deer Valley exceeded those days and a notice of violation was issued. In August, Deer Valley requested to expand its parking area and their request was approved.

Tyler noted three studies with associated reports were done for the area in question. One study recommended parking only on the west side with restriping and new protocols. Another study agreed parking could only be accommodated on the west side. Council Member Gerber remembered that parking could only be on the east side because there was so much snow. Tyler responded that the snow removal would be removed ahead of the weekends so parking could go along the west side. The City Engineer agreed to west side parking with "day of" protocols. She indicated Council could authorize parking on both sides, just the west side, or prohibit it altogether.

Steve Issowits, Deer Valley Resort Planning Director, stated Deer Valley and the City managed street parking for decades and he wasn't worried about that, but he felt comments had been made with regard to housing and transportation for staff that was hurtful, and he wanted to show what the resort did for its employees. He reviewed data from previous years with regard to overflow parking.

Victoria Schlaepfer, Deer Valley Events and Transportation Coordinator, stated Deer Valley had many meetings with Park City staff about transit for Deer Valley staff and reviewed their requests. Issowits talked about Deer Valley staff affordable housing and stated there were 468 beds for 2,800 staff, which equated to 17% of the workforce. Transportation benefits for staff included a full subsidy for UTA fares to Salt Lake and Utah Valleys, they had a coach bus that ran to Heber twice a day, and individual staff shuttles that went to the Heber campgrounds and into Heber City for shopping 21 times a day.

Schlaepfer explained Deer Valley's support for Park City's program Ride On Park City, and they offered monetary rewards for the number of transit trips employees took. Issowits noted the micro transit efforts of Deer Valley as well. He stated the City had requested an update on what Deer Valley was doing to help with transit and taking care of its employees. He asked if Deer Valley could work with staff to resolve the parking issue.

Jon Nepstad, Fehr and Peers, indicated he took the memo from August 1st and came up with the same alternatives as the Park City staff. He recommended narrowing each driving lane by one foot, and adding sharrows. Council Member Worel asked how skiers would circle around when looking for parking. Nepstad stated communication needed to be at points along the right-of-way before the parking lots so drivers would know when the lots were full. Issowits stated they would have Variable Message Signs (VMS) on the road as well as parking staff to help with communication. The only challenge would be with the skier drop off.

John Robertson, City Engineer, stated 12 foot lanes were consistent with the other collector roads in the area. The lanes could be reduced to 10 feet as proposed, but he would like to consult with Police and Fire for their input. Mayor Beerman stated it needed to be determined if parking should be allowed on the west side of the street. Robertson did not recommend parking on the loop since the shoulder was very narrow.

Council Member Joyce asked if there was a history of accidents in that area. Captain Leatham researched the statistics and reported that of the 145 calls for service, there were only six or seven that were accidents. Council Member Joyce stated this issue was brought to Council nine months ago and there were now fewer parking spaces than last year. He noted Deer Valley did more for its employees than any other business in town, as well as helping the City with Special Events. He favored having parking on the west side for this season, but was against narrowing the bike lanes.

Council Member Ware Peek was concerned about the residences in the area. She agreed parking should be on the west side of the street to Queen Esther. Council Member Worel asked if there would be enough sidewalk for pedestrians if parking was allowed on the west side. Robertson stated there was enough room assuming snow

removal was completed. Council Member Worel was willing to try the parking recommendation for the west side. Council Member Gerber favored parking on the west side all around the loop. She felt this would buy some time for Deer Valley as well as the City. Council Member Henney did not support any overflow parking on the street because a private sector business should not put its parking problem on the community. He suggested a pilot program to see if the 1,350 cars could be moved without causing gridlock as they tried to get out of town. If that program was successful, he might reconsider his opinion.

Mayor Beerman stated the majority of Council favored parking on west side to the north lot. He also indicated he attended an event for Deer Valley international workers where there was pizza and the workers told how much they were valued.

Dias clarified the City would still hold Deer Valley to its original constraint of having 10% overflow days per ski season for street parking. Council Member Joyce stated Deer Valley could work with staff and communicate with Council via a staff communication report. Dias was authorized to proceed with a limited program with authority to expand it around the loop. Dias stated he would report the outcome of this season and plans for summer, whether for restriping, etc. to Council.

VII) OLD BUSINESS

1. Consideration to Approve the 2020 Sundance Supplemental Plan:

Jenny Diersen, Special Events Manager, and Betsy Wallace and Tina Graham, Sundance Institute, were present for this item. Diersen explained the changes Sundance requested for the 2020 festival. The City identified transportation changes to deter the congestion on residential streets and increase the Transit priority.

Wallace thanked residents for their patience during the festival. Robert Dick reviewed the request to extend the noise exemption from 11:00 p.m. to 1:00 a.m. Council Member Worel asked if noise from the Bob Wells Plaza carried into the neighborhoods and was told it did. Graham clarified the event staff would turn off the music at 11:00 p.m. and the noise would not be at 90 decibels. Captain Leatham stated great effort had been made to keep the noise levels low and noted requests for a noise extension to 1:00 a.m. had not previously been made. Council Member Gerber was fine with the extension if there was no amplified music. She asked about traffic on Park Avenue to which Diersen stated residents could park on the east side of Park Avenue or at City Park if they did not have a driveway. Council Member Gerber felt "residents only parking" should be added to the plan. Council Member Joyce agreed. Council Member Ware Peek felt the noise level extension was fine if they would cut the music at 11:00 p.m.

Mayor Beerman opened the meeting for public input.

Peg Bodell stated if this extension was allowed it would open the door for other events to have music until 11:00 p.m. Captain Leatham stated staff would look at requests on a case-by-case basis. Bodell felt there was no reason the music should go past 10:00 p.m. She asserted there was no outreach for the neighborhoods before this extension was considered by Council.

Mayor Beerman closed the public input portion of the meeting.

Council Member Gerber asked that the Racket Club movies not be scheduled after 8:00 p.m. Wallace stated all movies would start at 8:30 p.m. or earlier. Council Member Joyce was fine with the noise extension until 1:00 a.m. if the music was off between 11:00 p.m. and 1:00 a.m. He also favored Council Member Gerber's suggestion for resident parking on Park Avenue.

Council Member Joyce moved to approve the 2020 Sundance Supplemental Plan as amended. Council Member Ware Peek seconded the motion.

Council Member Worel asked if there would be specific outreach for noise. Diersen stated there would be outreach since there would be noise after 11:00 p.m. Council Member Gerber asked how much noise permeated the tent and what would they be doing inside the tent. Dick stated it was a film team gathering. It wouldn't be a big noise event, but the request was due to the late ending of the film. Mayor Beerman stated the City had to hold the line, but on the first week of Sundance with traffic and pedestrian ambient noise on the street, this event would not significantly add to the noise level.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

VIII) NEW BUSINESS

1. Consideration to Approve an Exchange Agreement with Girl Scouts of Utah in a Form Approved by the City Attorney:

Heinrich Deters, Trails and Open Space Manager, and Wendy Fisher, Utah Open Lands Executive Director, as well as Lisa Hardin-Reynolds, Girl Scouts Executive Director, and Leslie Egan, Girl Scouts Board Chair, were present for this item.

Deters asked to continue this item in order to work out a few details in the agreement, and bring it back on January 9, 2020. Fisher indicated the Girl Scouts were great to work with and noted they had helped with the fundraising to purchase the Bonanza Flat property.

Hardin-Reynolds indicated there were complex issues involved with the property. She reviewed the history of the Girl Scouts on that property and noted she looked forward to presenting the final proposal in January. Egan stated this land exchange was supported by the board.

Mayor Beerman opened the meeting for public input. No comments were given. Mayor Beerman closed the public input portion of the meeting.

Council Member Joyce indicated this had been a tremendous effort and he felt comfortable that the exchange was a win for all.

Council Member Worel moved to continue an exchange agreement with Girl Scouts of Utah in a form approved by the City Attorney to January 9, 2020. Council Member Ware Peek seconded the motion.

RESULT: CONTINUED TO JANUARY 9, 2020

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

2. Consideration to Approve a Special Service Contract Extraordinary Request with Park City Community Foundation for \$30,000 for Services Related to the Learning Cohort and Leadership Training:

Jed Briggs, Budget Manager, and Diego Zegarra, Katie Wright, and Ollie Wilder, Park City Community Foundation, were present for this item. Briggs explained that when Council didn't spend all the Special Service Contract funds, nonprofits could make extraordinary requests and those funds could be allocated. Zegarra reviewed the launch of a community learning cohort and a parallel leadership track. He indicated many organizations weren't equipped with the tools and the language to advance these conversations, so the learning cohort would give them the opportunity to do so. They reached out to partners to see if there was interest in this program, and indicated 20 organizations would be participating. He hoped to begin in the first quarter of 2020. Inclusion was a top priority in the strategic plan and this program would be in direct response to that priority.

Council Member Henney asked if \$30,000 would cover the entire cost of the program or would the Community Foundation be seeking additional funding from other partners. Zegarra stated this contract would cover the planning phase. He would ask other organizations to contribute, and he was working on a fee schedule for the different organizations. Council Member Worel noted these participating organizations would take the information back to their organizations to implement, and asked how the information would spread into the community. Zegarra stated the organizations served thousands in the community, and he would focus on achieving equitable outcomes. The message would be that these organizations were committed to equity. Wilder stated the community leaders would be trained and would be the experts in teaching others.

Mayor Beerman reviewed the Community Foundation contract ended and it was determined the City wanted the new contract to be more project driven. In looking at several projects, it was determined this one would be most effective.

Council Member Gerber thought a lot of momentum had been built in the community with social equity and this was a logical next step. She encouraged more steps in promoting social equity. Council Member Ware Peek asked if there was a certain number of training hours in the program. Zegarra stated leaders would be trained at a high level and staff would have a deeper training. Council Member Joyce indicated there were targeted proposals, but this was an umbrella that could drive the mission forward.

Mayor Beerman opened the meeting for public input. No comments were given. Mayor Beerman closed the public input portion of the meeting.

Council Member Ware Peek moved to approve a special service contract extraordinary request with Park City Community Foundation for \$30,000 for services related to the learning cohort and leadership training. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

Matt Dias announced that the Park City Museum, New Business Item Seven, withdrew its request and would not be discussed tonight.

3. Consideration to Approve Ordinance 2019-62, an Ordinance Adopting an Adjusted Budget for FY 2020 for Park City Municipal Corporation and its Related Agencies:

Jed Briggs stated the budget would be adjusted to provide for a senior police officer for the parking plan on Main Street enforcement. The budget would increase by \$210,000 with a Police vehicle, equipment and wages. Mayor Beerman asked if an electric police car could be considered. Luke Cartin, Environmental Sustainability Manager, stated they planned to get a Ford Explorer Interceptor Hybrid, which had a 24 mpg. The Police Department was fine with that vehicle and Chief Carpenter stated he was trying to move the fleet in that direction. Cartin also noted 20 entities had signed on to the HB411, the Renewable Energy bill.

Briggs reviewed requests for \$25,000 to advance Environmental Sustainability initiatives and \$50,000 for project management contract services, which would help with annexations, base development, LMC changes, etc. to make sure staff was meeting Council priorities. Dias stated Council had high expectations and staff was trying to meet those needs. There were a few staff vacancies and extra resources were needed,

in the form of special project management services and contract labor, that could work with staff to move projects forward. Briggs also stated there was also the adjustment to provide for a City Manager separation agreement.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Ware Peek moved to approve Ordinance 2019-62, an ordinance adopting an adjusted budget for FY 2020 for Park City Municipal Corporation and its related agencies. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

4. Consideration to Approve Ordinance 2019-63, an Ordinance Approving the Empire Residences First Amended and Restated Condominium Plat Located at 7697 Village Way, Park City, Utah:

Hannah Tyler, Senior Planner, stated some units were presold and owners wanted to consolidate multiple units. This plat would condominiumize the plat.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Ware Peek moved to approve Ordinance 2019-63, an ordinance approving the Empire Residences First Amended and Restated Condominium Plat located at 7697 Village Way, Park City, Utah. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

5. Consideration to Approve Ordinance 2019-64, an Ordinance Amending Land Management Code § 15-1-11(E) to Outline Medical Cannabis Administrative Permit Requirements; Adopting LMC § 15-2.25 to Create a Medical Cannabis Production Establishment Light Industrial/Agricultural Overlay Zone; Adopting LMC § 15-2.25-1(B) to Define Main Street Parks as They Relate to Medical Cannabis Locations; and Amending § 15-15-1 and § 15-15-2 To Define Medical Cannabis Pharmacy, Medical Cannabis Production Establishment, and Primarily Residential Zoning District:

Rebecca Ward, Land Use Policy Planner, reviewed the state required zones for cannabis cultivators, processors and testing labs within each municipality. She noted there was a foul smell associated with processing cannabis and recommended enacting an overlay zone on the Baingo Wortley property by Quinn's Junction. The code

amendment would also allow for pharmacies in certain districts throughout the City. Main Street parks would be defined in order to protect Main Street from these locations. This would create a 200 foot buffer on Historic Main Street.

Mayor Beerman was concerned about defining the parks, and thought the state legislature might combine the requirements with the liquor laws, which would bind the City from adding bars or restaurants. Ward indicated the definition was added to the overlay zone in order to show that it was intended for medical cannabis only. Council Member Gerber asked if this could be addressed through vertical zoning. Ward thought the proposed ordinance addressed it sufficiently. Council Member Ware Peek asked why a cannabis pharmacy was allowed in Park City Heights. Ward stated Park City Heights was protected as a Primary Residential zone, but a pharmacy could be located north of SR248 on the medical campus. Council Member Worel asked about zoning in Bonanza Park. Bruce Erickson stated it was a general commercial area so a pharmacy could go in at that location.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Ware Peek moved to approve Ordinance 2019-64, an ordinance amending Land Management Code § 15-1-11(E) to outline medical cannabis administrative permit requirements; adopting LMC § 15-2.25 to create a Medical Cannabis Production Establishment Light Industrial/Agricultural Overlay Zone; adopting LMC § 15-2.25-1(B) to define Main Street parks as they relate to medical cannabis locations; and amending § 15-15-1 and § 15-15-2 to define medical cannabis pharmacy, medical cannabis production establishment, and Primarily Residential Zoning District. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

6. Call-Up of a Conditional Use Permit for a Private Driveway within a Platted, Unbuilt City Street, Located at 901 Woodside Avenue, Park City, Utah:

Caitlyn Barhorst, Historic Preservation Planner, distributed public comments that were received after the packet was published. She reviewed that the Historic Preservation Board approved the panelization of the historic house, and the Planning Commission approved this three times and then it failed in a three to three split vote the fourth time. She reviewed the history of the house and noted this house was very unique and designated a Landmark site. Of the 186 Landmark structures, 10 had a garage level space and one was used as a garage. Other Landmark Structures with garages wouldn't meet the current guidelines. Barhorst noted the current design met the standards.

Barhorst reviewed the five main concerns expressed at the Planning Commission: an additional condition was recommended for signage stating the driveway was for public use, the utility capacity, as well as concerns noted in the staff report. Staff added another condition that the driveway be built prior to receiving a certificate of occupancy. There would also be an encroachment permit stating the owner would not be compensated in the event of the loss of the driveway.

Brent Bateman, attorney for client, stated the request by the client was legal and he met the requirements in the Land Management Code (LMC). He noted this property was not open space, but was a platted road.

Barhorst stated the proposal was access to a single car garage. The sidewalk and driveway would be heated and there would be a stairway up to and parallel to the property line. Jerry Fiat, owner, stated this was a Landmark house and the City preferred a side entry garage so that was what he had planned. Barhorst stated it complied with the new guidelines as well.

Council Member Gerber asked if this land could be leased, especially since land was so valuable. She felt there should be a lease or purchase. Bruce Erickson, Planning Director, stated he would not want to sell the land because the City might want it back at some point. The City had leased land for dining decks so that was a possibility. He noted there were encroachment agreements all over town, but it was complicated with a Landmark structure that faced a street. Council Member Ware Peek asked if she could park in front of the driveway, and was told she could not. Margaret Plane indicated the platted right-of-way was put there for future streets. It was still a right-of-way that people could use to get from one place to another.

Council Member Gerber noted that there were other little City-owned parcels that people requested to buy. This was a sizeable piece and she felt a lease could be executed and the money used for other projects. Council Member Joyce stated some streets would never be a road, but this street was part of the walkability plan and would be used. This would promote one individual's use for a car instead of public use. He also thought the conditions of approval were not enforceable. He did not support the request.

Bateman stated Park City law set forth that the property could have the driveway. Some of the conditions might not be enforceable, but that was not a detrimental effect. Fiat clarified the staircase was not heated and the City would have to shovel it. Also, a fire hydrant was in front of the house so no parking was allowed.

Mayor Beerman opened the public hearing.

Maria McNaulty spoke to the Planning Commission and she had concerns about the driveway. This was currently a green space and was actively used for sledding, wildlife, children playing, and pedestrians. She felt this property was for public use. This house could have parking from the front like many other Landmark homes. She noted her neighbors felt the same and had submitted letters for the public record.

Nick Frost, represented Fred and Annette Keller, who owned property on Woodside. He agreed with Bateman, that if the applicant could meet the requirements, the CUP should be granted. He thought if the detrimental effects could not be mitigated, the CUP should not be granted. He noted the other side of the proposed stairs was the Keller's home. The construction process concerned them. He wasn't against the application, but he wanted to make sure the detrimental effects were recognized and mitigated.

Frederique Astie lived down the street at 944 Woodside. It was hard to figure out the process which would affect the neighbors. She noted reasons why the CUP should not be approved. She referred to CUP Nine-Use of Open Space, and stated the garage door was seven feet in height and could be too small for a large car with equipment on the roof. Cars would park in the driveway. Also, when backing out of the driveway, the car would back into the pedestrian right-of-way in order to exit the driveway front facing. She talked about potential public utility conflicts with the construction of the driveway in the right-of-way. With regard to the requirement of an encroachment permit, a heated driveway was massive and not easy to remove upon request. She also stated the present land use should be preserved. She requested the application not be approved.

Peg Bodell stated it was unrealistic to think cars would not park there. If this CUP was granted, neighbor relations would suffer. She was not in favor of the CUP.

Mayor Beerman closed the public hearing.

Council Member Joyce asked how tall the retaining wall was, and it was indicated it would not exceed four feet on the bottom and two feet on the top. He noted there was 35 feet where parking could take place after the fire hydrant was taken into consideration. He also thought the stairway had to be lit. He stated snow removal would be difficult with this configuration. Fiat clarified the plans for the staircase and walkway.

Council Member Henney felt there should be a decision on when it was or was not appropriate to have encroachments. Council Member Ware Peek didn't support the request because the right-of-way would become private property. Council Member Worel agreed with Council Member Joyce, and stated there was no public benefit for the driveway being on public property. Council Member Gerber agreed with Council Members Joyce and Worel. Council Member Joyce stated this was not about public benefit or open space, but the mitigations were not satisfactory.

Council Member Joyce moved to deny the conditional use permit for a private driveway within a platted, unbuilt city street, located at 901 Woodside Avenue, Park City, Utah, based on the conditions discussed that were inappropriately addressed. Council Member Ware Peek seconded the motion.

RESULT: DENIED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

Plane stated she would check the City code, but thought staff had 10 days to prepare findings and bring it back to Council. Erickson stated Planning would come back with a discussion on rights-of-way.

7. Consideration of the Historical Society's Request to Sublease Park City Museum during the Sundance Film Festival:

Dias announced that the Park City Museum withdrew its request.

Mayor Beerman opened the meeting for public input. No comments were given. Mayor Beerman closed the public input portion of the meeting.

Council Member Gerber moved to continue the Historical Society's Request to Sublease Park City Museum during the Sundance Film Festival to a date uncertain. Council Member Worel seconded the motion.

RESULT: CONTINUED TO A DATE UNCERTAIN

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

Mayor Beerman thanked Council Member Ware Peek for her dedicated service on the Council and indicated the Council members would miss her. Council Member Ware Peek stated she would miss the Council as well.

Dias indicated Council Member Ware Peek was great about coming into City Hall to speak with staff and understand issues, and staff would miss her.

IX) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder



BONANZA FLAT CONSERVATION AREA

Utah Open Lands // Park City Municipal Corporation

TIMELINE

SUCCESSFUL PURCHASE OF BONANZA FLAT

June 2017

ANALYSIS & PLANNING

RESOURCE INVENTORY
JURISDICTIONAL
TECHNICAL MEETINGS

November 2017-November 2018

ADDITIONAL CONSIDERATIONS

SAFETY CORRIDORS
INHOLDINGS
LEASES
TRAILHEADS/TRAILS AND INFRASTRUCTURE
CONSIDERATIONS

2019

ADOPTION

CONSERVATION EASEMENT
BASELINE DOCUMENTATION
ADAPTIVE MANAGEMENT PLAN

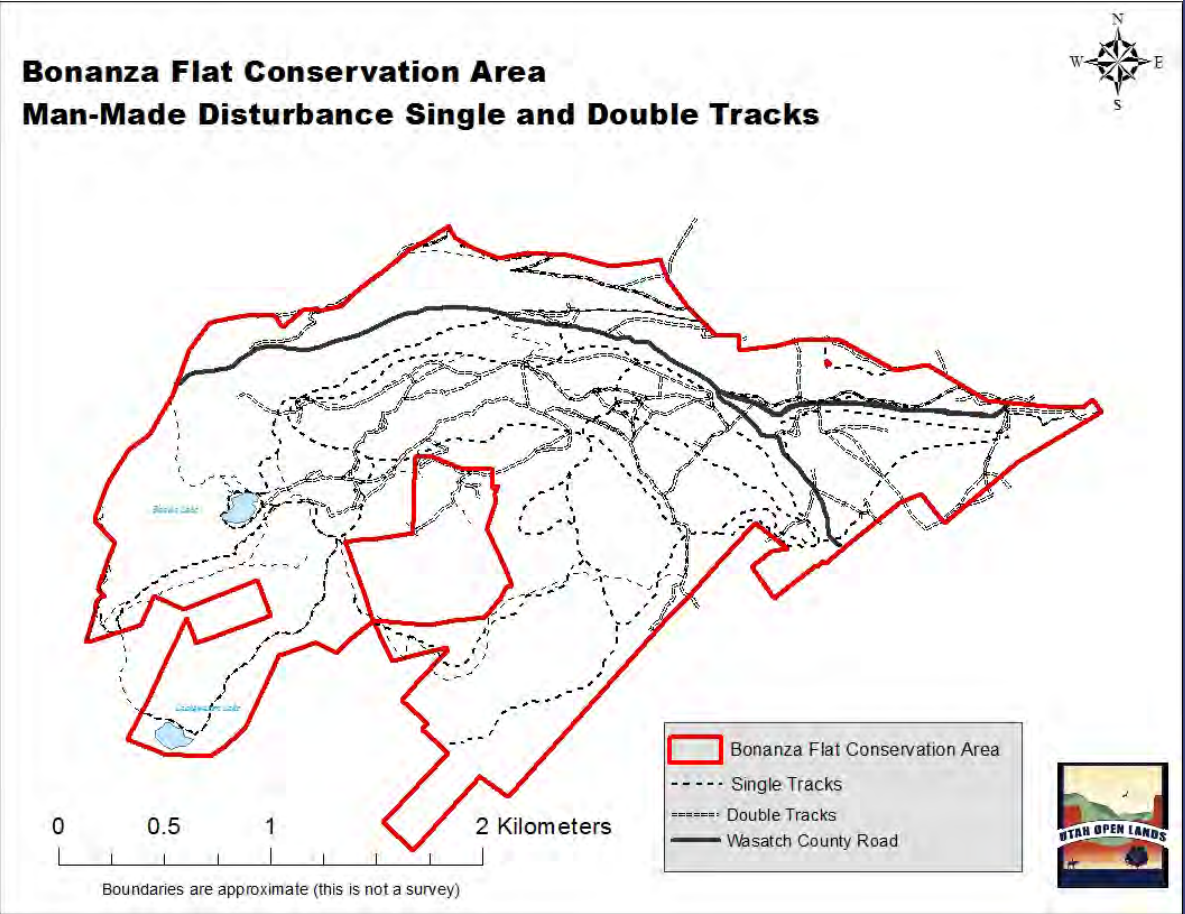
January 2020

MANAGEMENT THREATS AND CONSIDERATIONS



Unsafe conditions due to lack of parking and adequate access

Miles of social trails and ground disturbance existing at time of purchase



Trash piles removed four times over four months

Motorized vehicle use in jurisdictional wetland



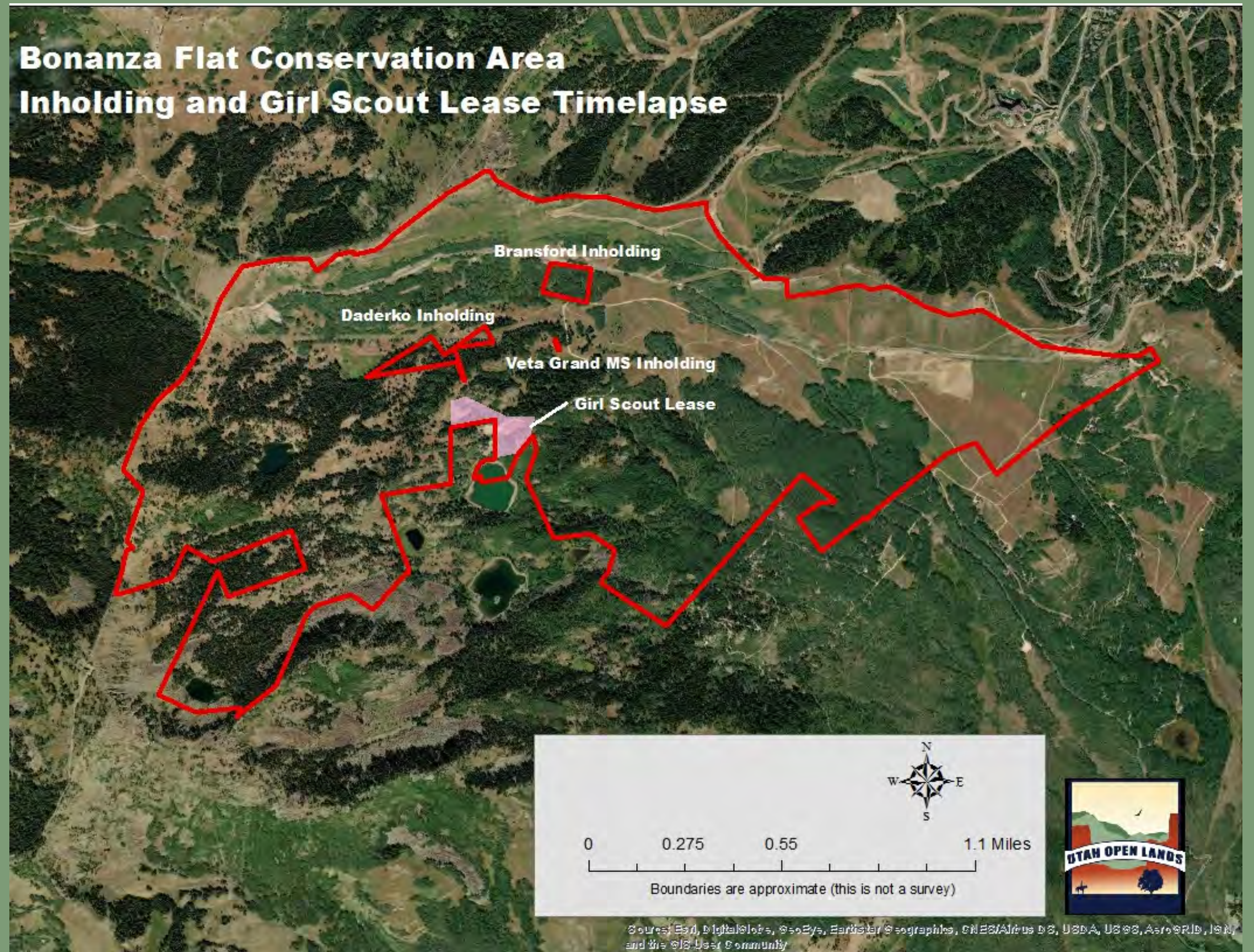


CONSERVATION VALUES

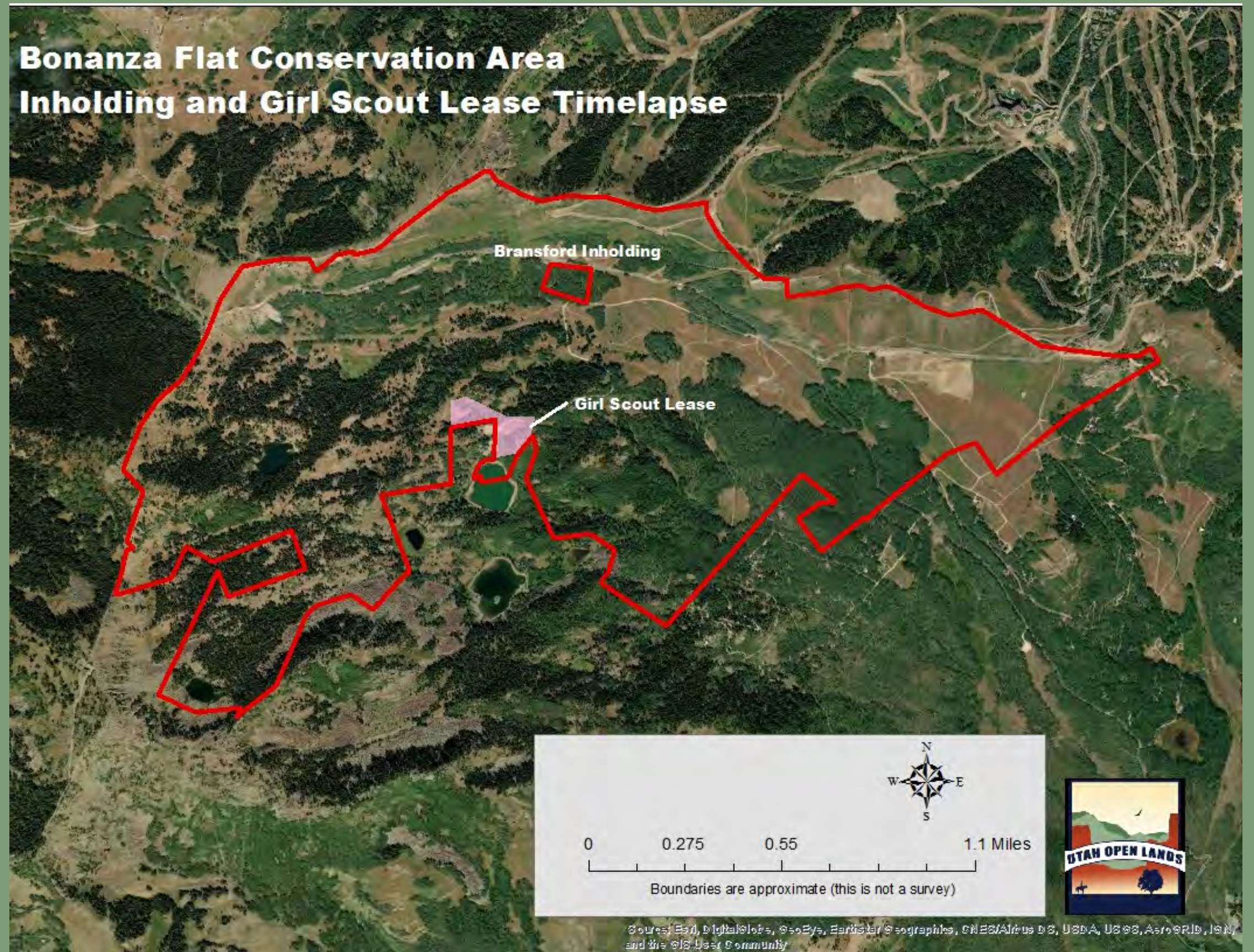


NATURAL HABITAT
SCENIC, AESTHETIC, AND OPEN SPACE
WATERSHED VALUES
CULTURAL VALUES
PUBLIC RECREATIONAL AND EDUCATIONAL VALUES

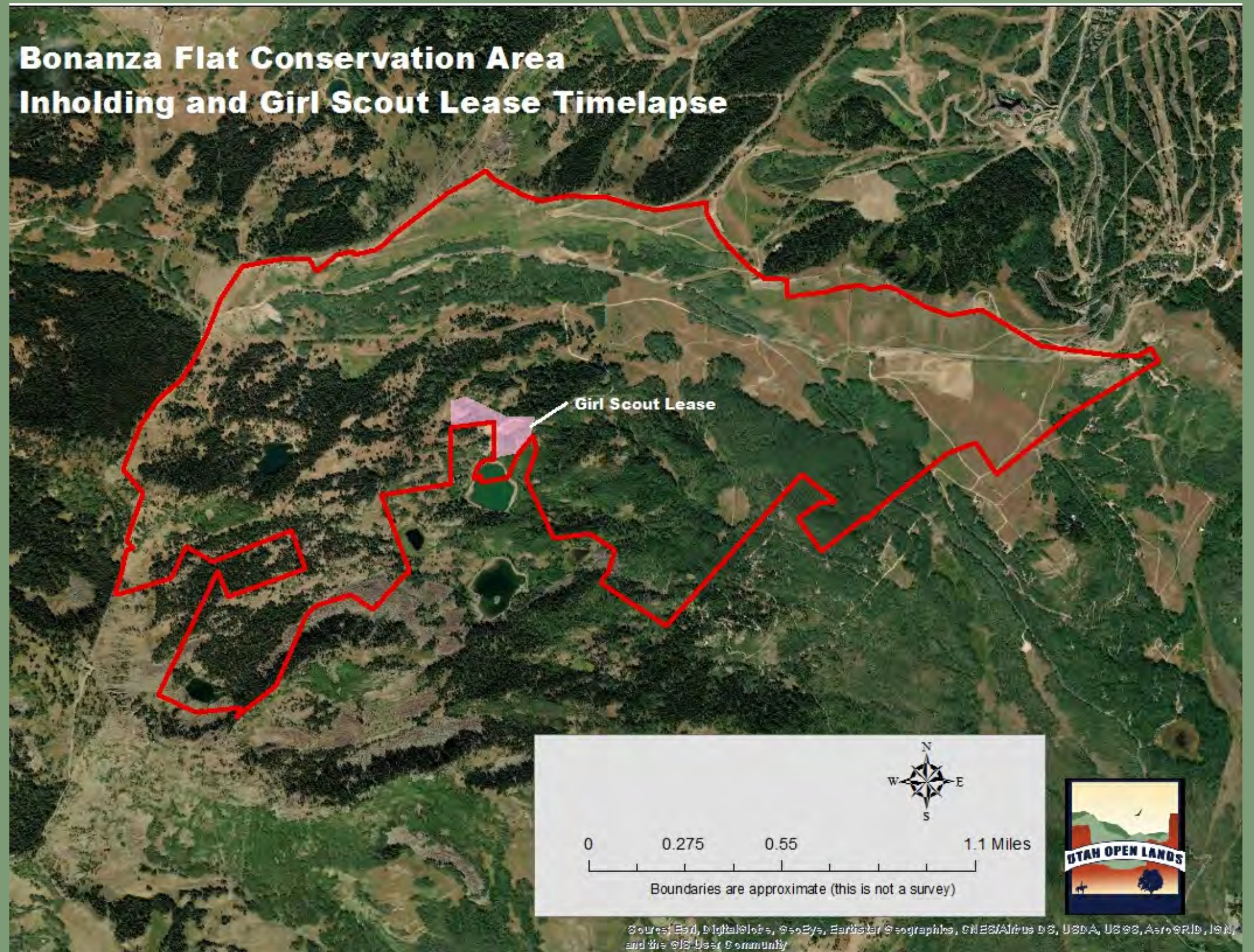
SHORING UP INHOLDINGS



DADERKO & VETA GRAND INHOLDINGS PURCHASED

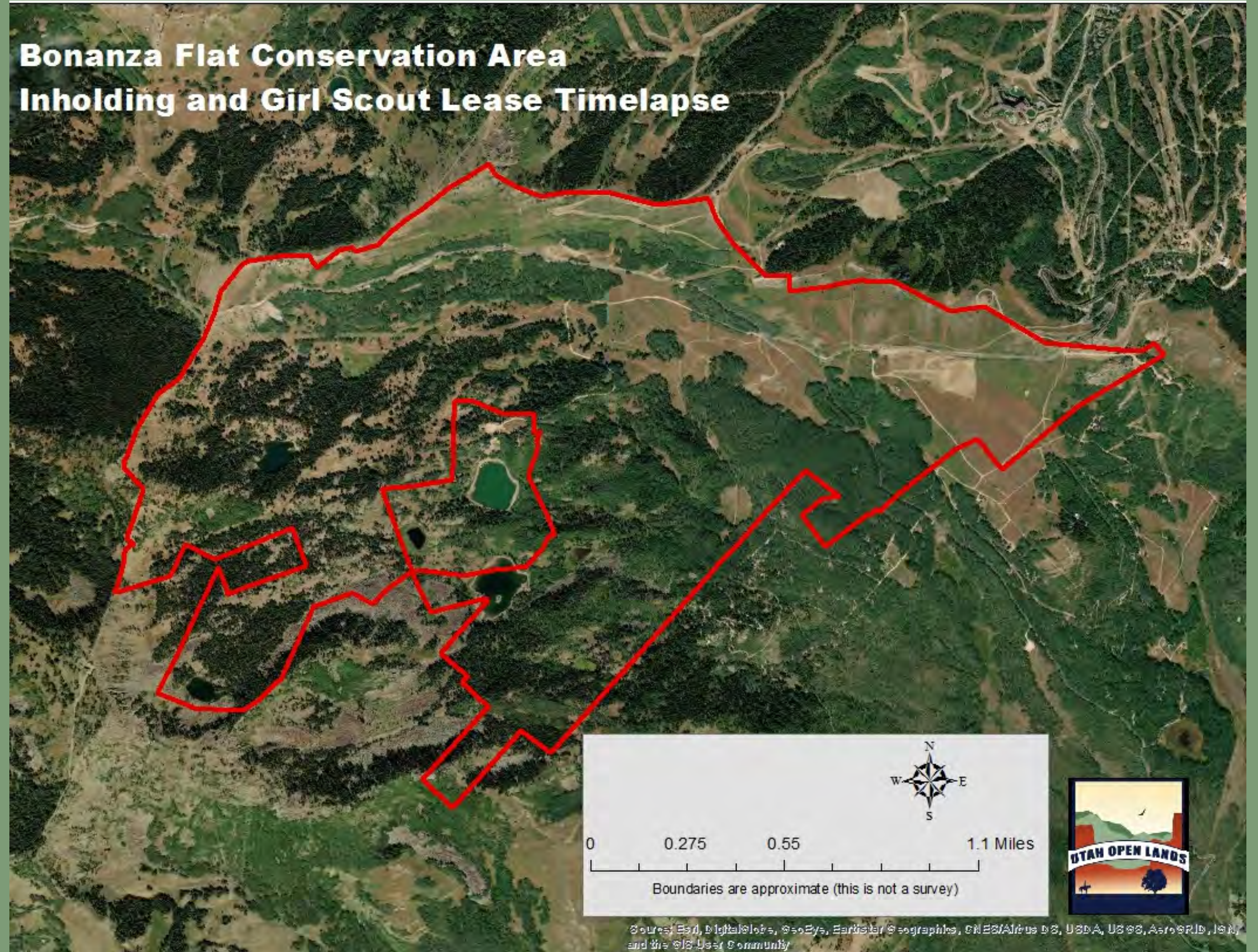


BRANSFORD INHOLDING PURCHASED



EXCHANGE AGREEMENT

Bonanza Flat Conservation Area Inholding and Girl Scout Lease Timelapse





BASELINE DOCUMENTATION

235 PAGE DOCUMENT DETAILING

Descriptions of Property and Current Use and Current Condition

- Soil Types
- Geology
- Water Resources
- Mining History
- Vegetation
- Forest Health
- Wildlife
- Prohibited Uses
- Maps
- 150+ Photographs
- & More.
- Conservation Values
- Threats to Conservation Values
- Adjacent Lands
- Existing Structures
- Man-Made Disturbances
- Trailheads
- Recreation
- EcoRegions
- Climate
- Toxic Materials



CURRENT USE

Existing Conditions

HISTORIC USE

Past Landowner Practices

Mining, Prep and use for
Development, Trespass,
Reclamation

ANALYSIS

Balancing Conservation
Values

Sustainability, Carrying
Capacity, Use Designation and
Compatability, Adjacent
Influences

RESOURCE INVENTORY

A basis of understanding of the Property's resources

CONSERVATION EASEMENT

Binding document that protects the property in perpetuity. Outlines Permitted and Prohibited Uses. Underscores the Conservation Values to be protected.



ADAPTIVE MANAGEMENT PLAN

A TOOL-BOX FOR SUSTAINABLE MANAGEMENT

Impact Assessments, Monitoring Strategies, Recreational Maps.

MANAGEMENT STRATEGIES

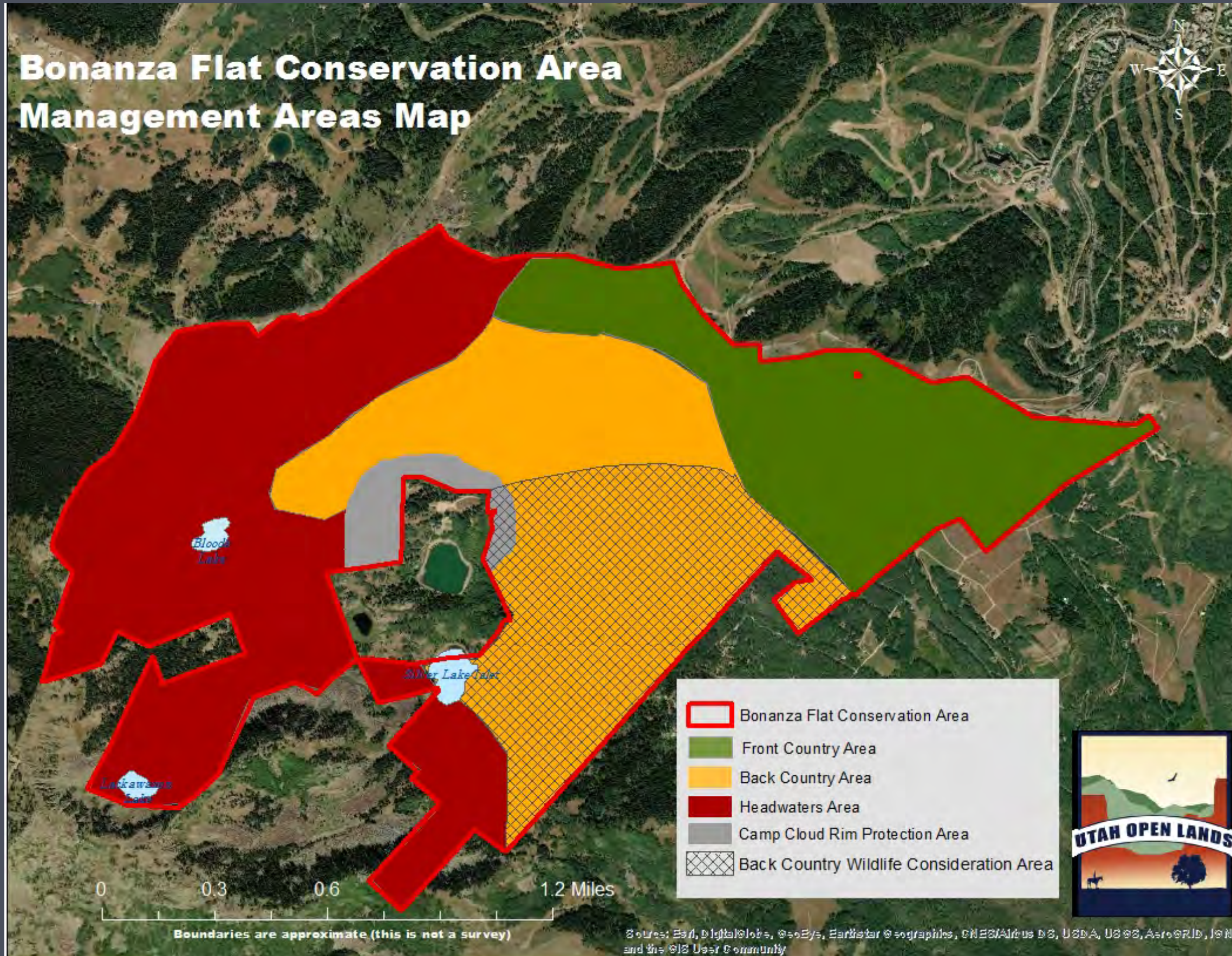
Documentation & Considerations for an improved recreational experience.

WATERSHED PROTECTION

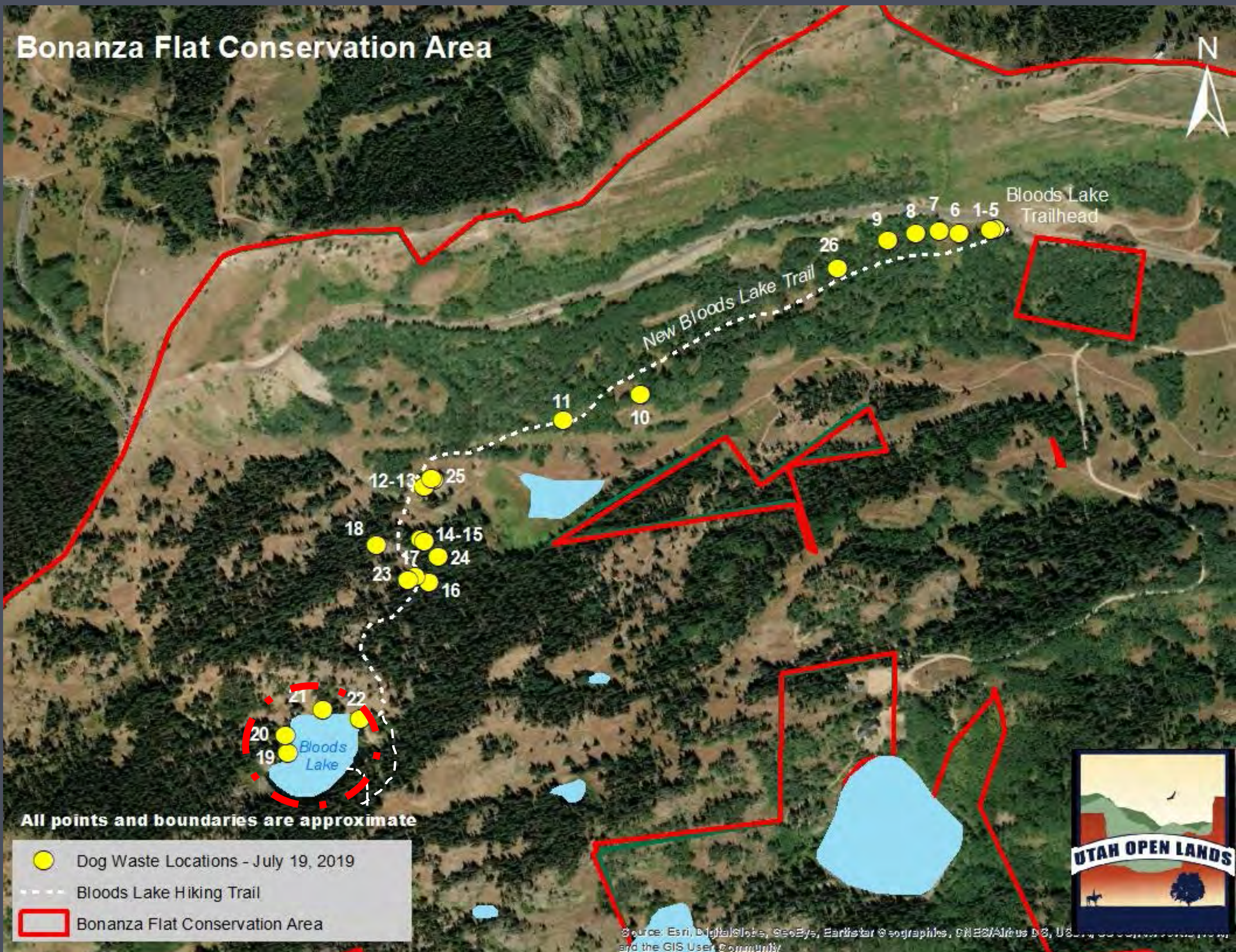
Underlying concern in management decision making.



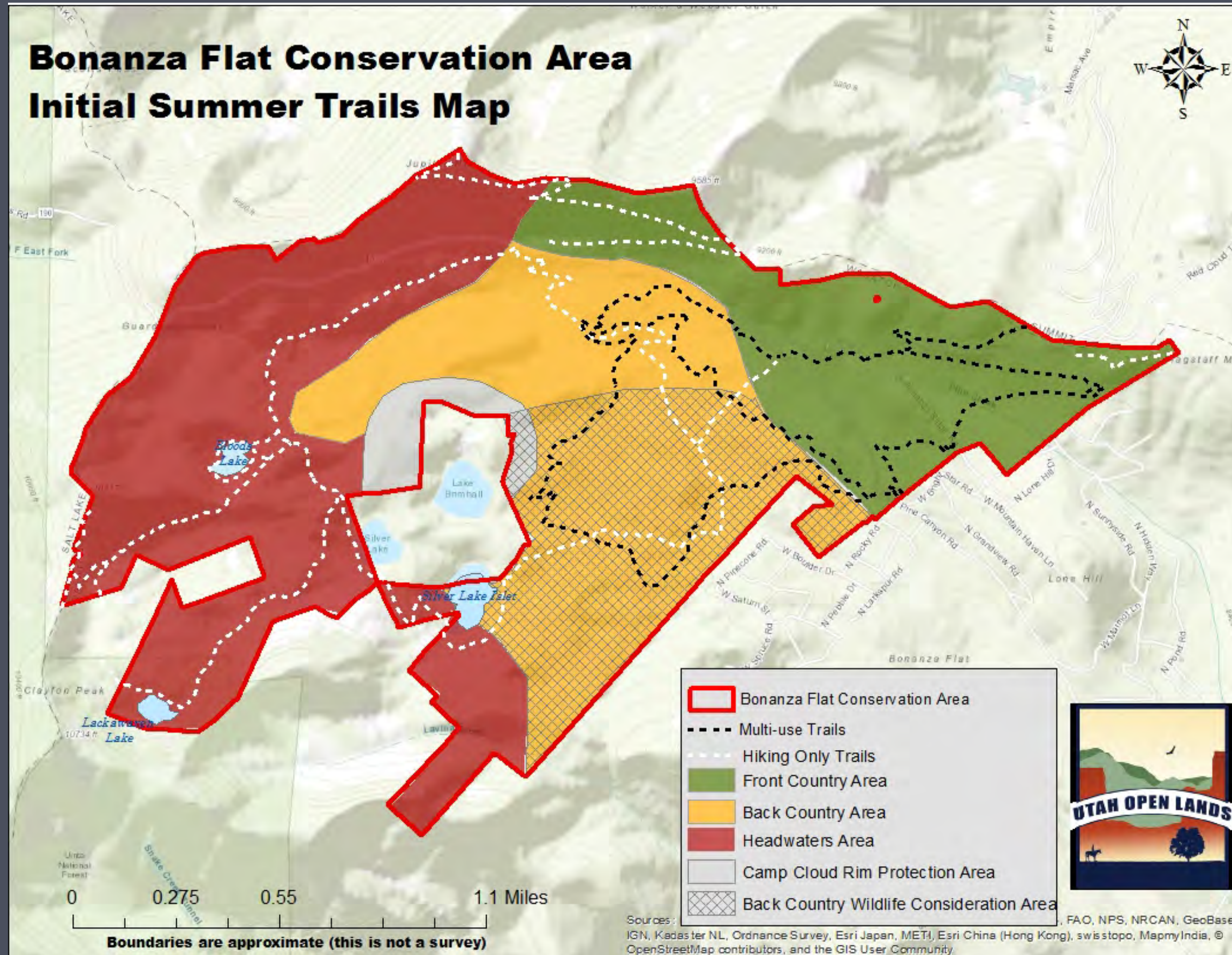
MANAGEMENT ZONES



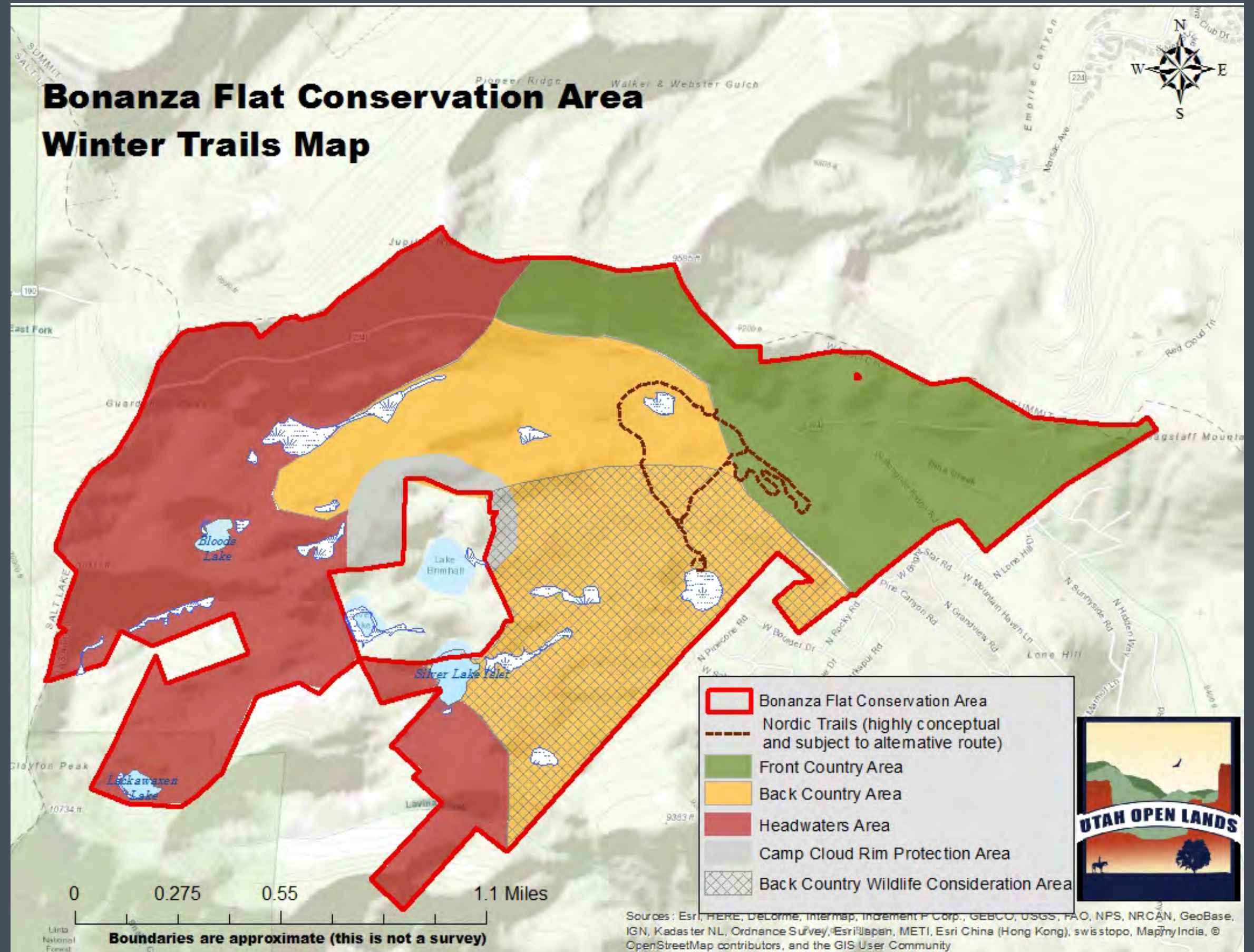
TRAIL
DESIGNATIONS
AND SEASONAL
CONSIDERATIONS



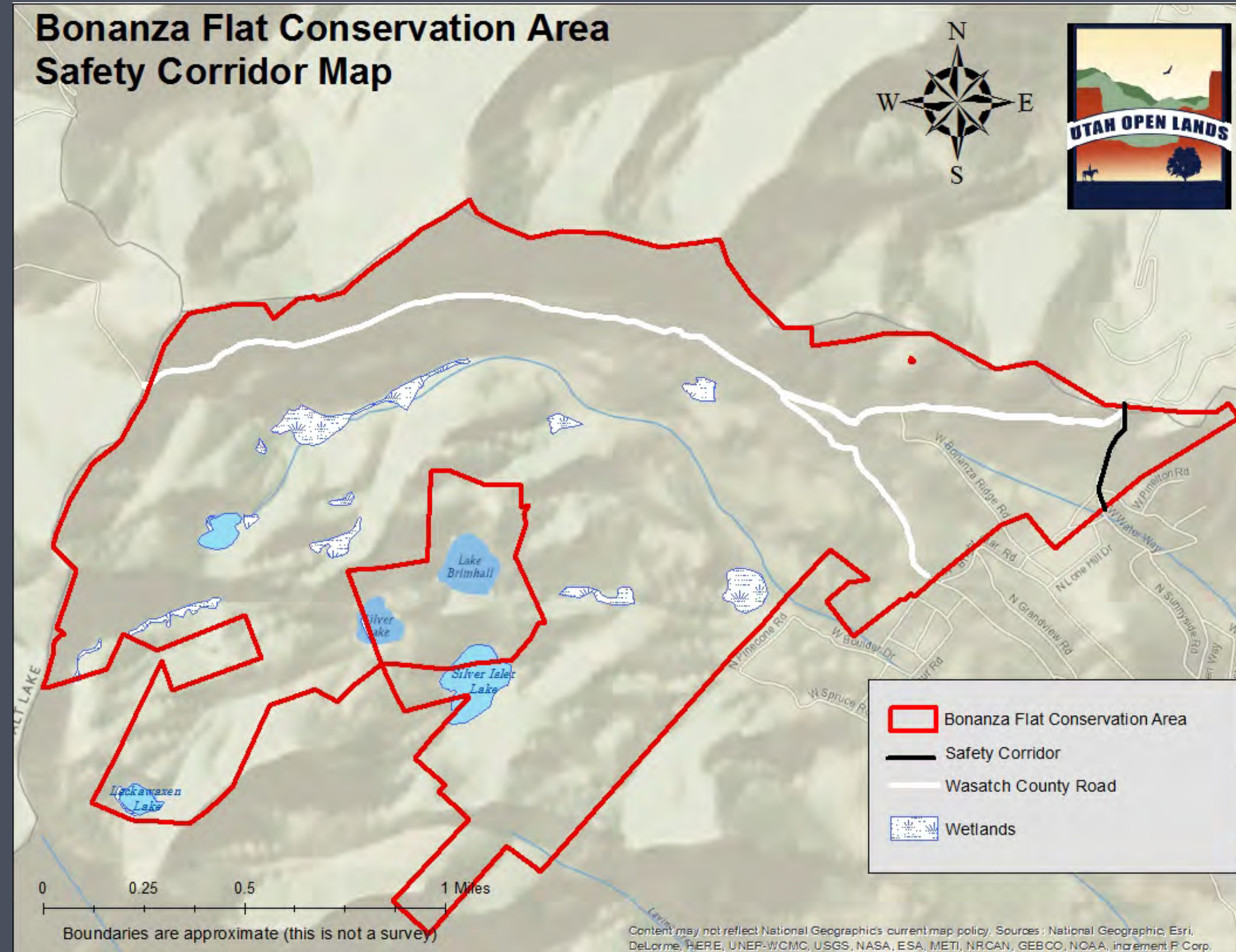
SUMMER TRAILS



WINTER TRAILS



DESIGNATED SAFETY CORRIDOR

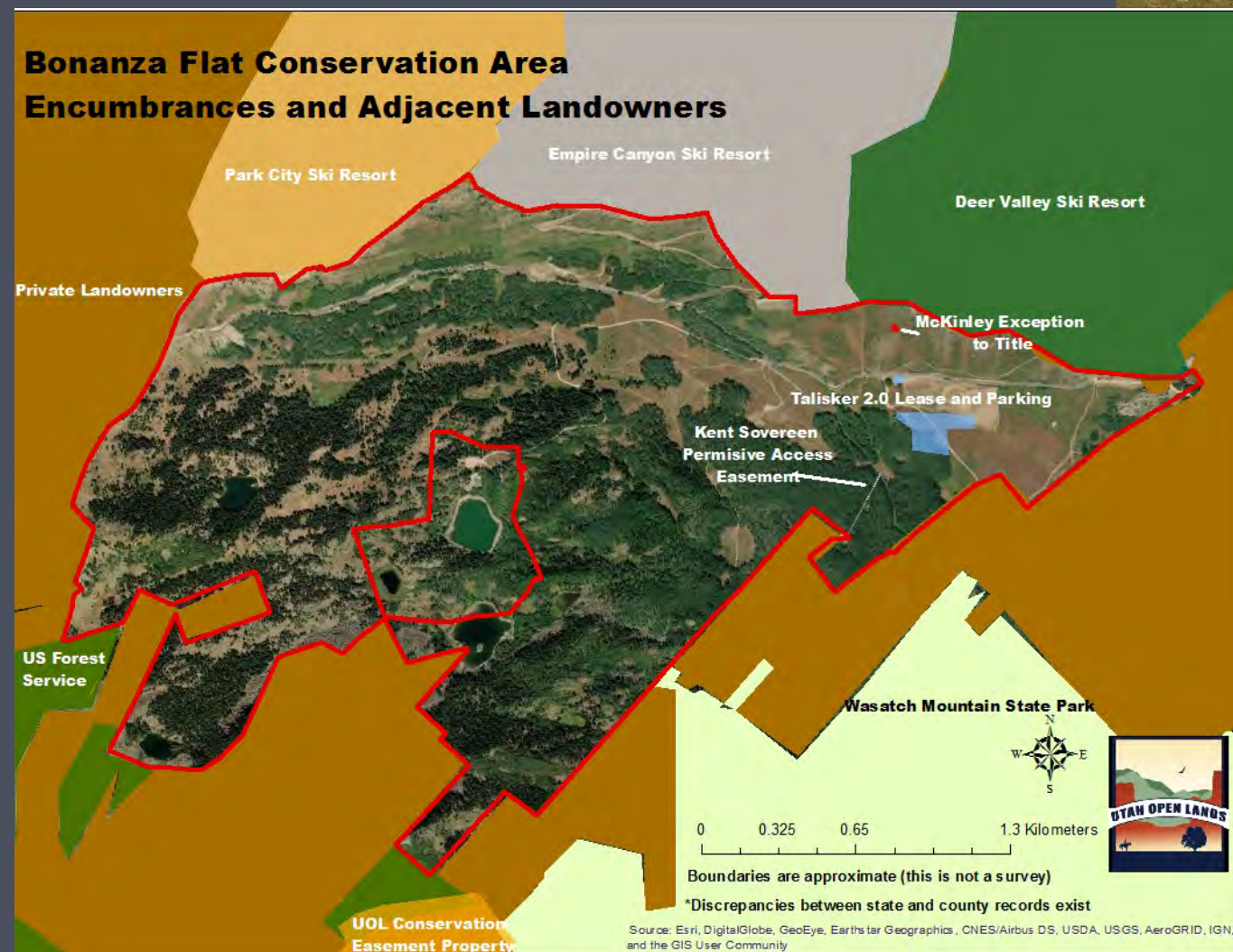


ADAPTIVE MANAGEMENT

MONITOR

MONITOR

MONITOR



DEER VALLEY RESORT OVERFLOW PARKING

City Council

December 19, 2019

Why are we here?

- Deer Valley Resort and PCMC as partners
- 2018-2019 ski season was a record year
- Overflow parking was needed on Deer Valley Drive which caused impacts to:
 - Transit Operations
 - Pedestrian Safety
 - Fire Department access concerns
 - Police Resources
 - Traffic
 - Etc.

Governing Documents

- 12th Amended Development Agreement
 - Section G. Off-Street Parking
 - If the capacity of the surface parking lots in the Snow Park Community is exceeded on 10% or more of the days during any single ski season the need for constructing additional parking in said area shall be reviewed by the Commission.
- Planning Commission - August 2019
 - Approved the expansion of Parking Lot #5
 - By at least 80 parking spaces

2018 (September)

Snow Park Community

Legend



Parking Lot #

5

4

3

2

1

Google Earth



1000 ft

2018 (September)

Snow Park Community

Legend



Parking Lot #

5

4

3

2

1

Google Earth



1000 ft

Deer Valley Drive On-Street Parking Studies

- August 2019: PCMC Contracted City Engineer (T.O. Engineers)
- October 2019: Deer Valley Resort (Fehr and Peers)
- December 2019: PCMC City Engineer Response to Fehr and Peers



East Side



West Side



City Staff Recommendation

- Staff recommends allowing Deer Valley Resort to utilize overflow parking between parking lots #1 and #5 on no more than 10% of the skier days.
 - Staff recommends developing an Operational Plan between PCMC and Deer Valley Resort.

Deer Valley Peak Day Protocol

Pre-Ski Day Protocol

Action: Check skier estimate

- **Detail:** Call Victoria to get most recent estimate on skier visit
- **Responsible Party:** Park City Transportation Manager
- **Schedule:** Minimum of 2 days before peak ski day or weekend

Action: City VMS Boards

- **Detail:** Deploy Portable City owned VMS Boards and activate with "Take Transit Carpool to Resorts."
- **Responsible Party:** Park City Transportation Manager Activate/ Streets Deploy
- **Schedule:** Minimum of 1 day

Action: UDOT VMS Boards

- **Detail:** Pre-message on peak days but not average weekend
- **Responsible Party:** Park City Transportation Planning
- **Schedule:** Minimum of 2 days

Day of Protocol

Action: Pedestrian snow removal

- **Detail:** Clear sidewalks south of lot 5 in designated overflow zone
- **Responsible Party:** Deer Valley
- **Schedule:** Day of

Action: Bagging of Signs

- **Detail:** Deer Valley to notify dispatch and bag signs when they go into overflow
- **Responsible Party:** Deer Valley
- **Schedule:** At time of overflow

Action: Overflow Monitoring

- **Detail:** Dispatch to log and verify overflow days
- **Responsible Party:** Park City Police Department
- **Schedule:** At time of overflow

Action: SR 224 Southbound VMS

- **Detail:** Activate to notify Deer Valley lot full
- **Responsible Party:** Park City Transportation Manager
- **Schedule:** At time of overflow

Deer Valley Peak Day Protocol

Action: UDOT Traffic Operations Center and PC Traffic Command Center

- **Detail:** Contact TOC and TCC and notify of PM peak egress
- **Responsible Party:** Park City Transportation Manager
- **Schedule:** At time of overflow and no later than 3PM

Action: Social Media

- **Detail:** Post on social media that resort lot is full and "Take Transit"
- **Responsible Party:** Park City Community Engagement/Transit Outreach
- **Schedule:** At time of overflow

Post Peak Day

Action: Overflow documentation

- **Detail:** Park City Police Department to verify overflow status following day
- **Responsible Party:** Park City Police
- **Schedule:** Day after

City Council Authority

- City Council has the authority to direct the City Manager to allow the use of Deer Valley Drive for public parking in an area where on-street parking is otherwise prohibited.
- City Council may also continue to prohibit parking on Deer Valley Drive.

Approval Request

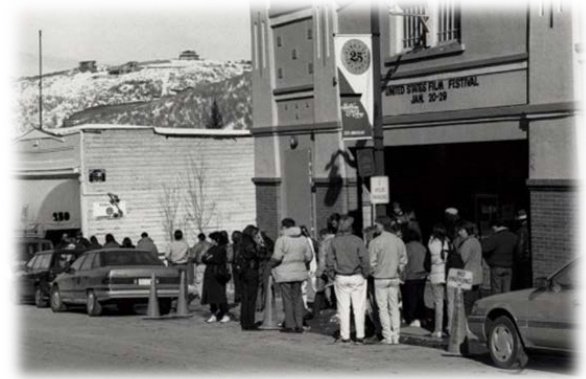
2020 Sundance Film Festival Supplemental Plan

January 23 to February 2

Sundance Film Festival Changes:

❖ Minor Changes to City Property

- ❖ Requiring Updated Leases for MARC, Switchback & Clinic



❖ Lyft – Add Pick Up & Drop Off at Brew Pub (first 5 days)

❖ Festival Village (Swede) Noise Exemption Request

- ❖ Friday & Sunday until 11 p.m.
- ❖ Saturday until 1 a.m. – Staff recommend 11 p.m.

❖ Festival Celebration & Bonfire

- ❖ Thursday, January 30 – Flagpole Parking Lot
- ❖ Build second half of the Festival by celebrating storytelling and bringing the community together back to Main Street.
- ❖ \$5,200 in City Services, Preliminary Council direction to waive fees





Transportation Goals Identified



2019 Debrief, Many Options Considered,
Unanimous Department Recommendation

Primary: Reduce Residential Impacts and
Increase Transit Priority

Secondary: Alleviate traffic, reduce
congestion/traffic times/single occupant cars



Transportation Changes

- ❖ 4th & 5th Street from Park Avenue –
One way east;
- ❖ Hillside – One Way west;
- ❖ Park Avenue – One way north &
Remove parking on east side of Park Ave;
- ❖ No DLS permit zones, Drop & Load
areas are for anyone;
- ❖ All inbound Transit will divert to Park
Avenue (10 White stop at Library);
- ❖ Richardson Flat Route will transfer at
Prospector (High School previously);
- ❖ Increase in Kane Security;
- ❖ Increase in Police for Traffic Direction;

Parking Changes:

*Picture from residential home on Norfolk first Friday 2019

- ❖ Entry top of Marsac/Exit Swede *Except Black Permits
- ❖ Changes to Lots on Swede:
 - ❖ North Marsac – City Ops
 - ❖ South Marsac – Drop & Load (Thurs to Sun/ Sat & Sun)
 - ❖ Flagpole – Blue & Carpool Permits
 - ❖ Brew Pub – Lyft*, Drop & Load, ADA/UHP,
Snow Removal
- ❖ Dynamic Parking Rates:

Day	Price
Thursday, Jan 23	\$40
Friday & Saturday, Jan 24 & 25	\$60
Sunday & Monday, Jan 26 & 27	\$40
Tuesday to Thursday, Jan 28 to 30	\$3/hr after 5 p.m. first hour free
Friday & Saturday, Jan 31 & Feb 1	\$30

2020 Sundance Film Festival Supplemental Plan

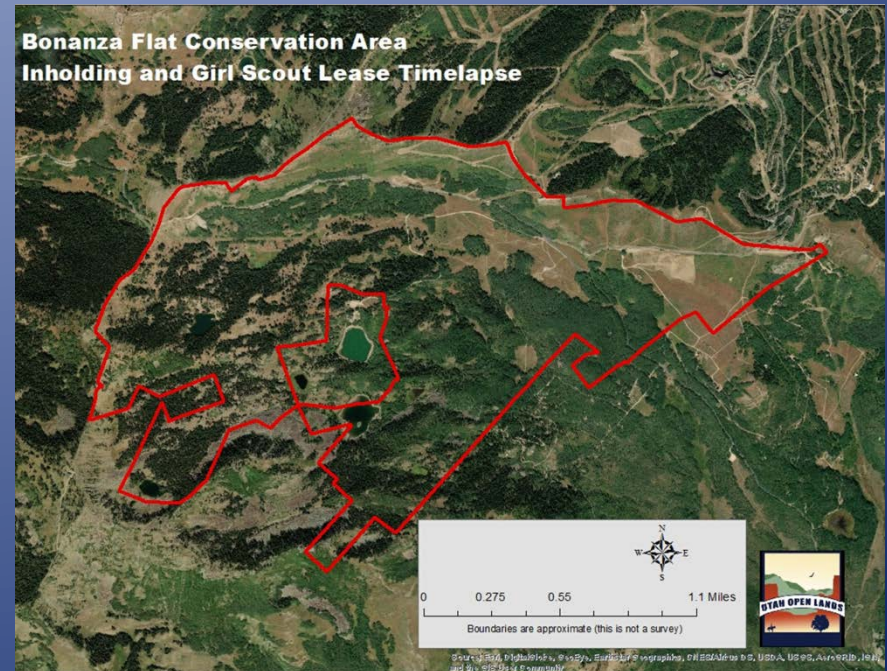
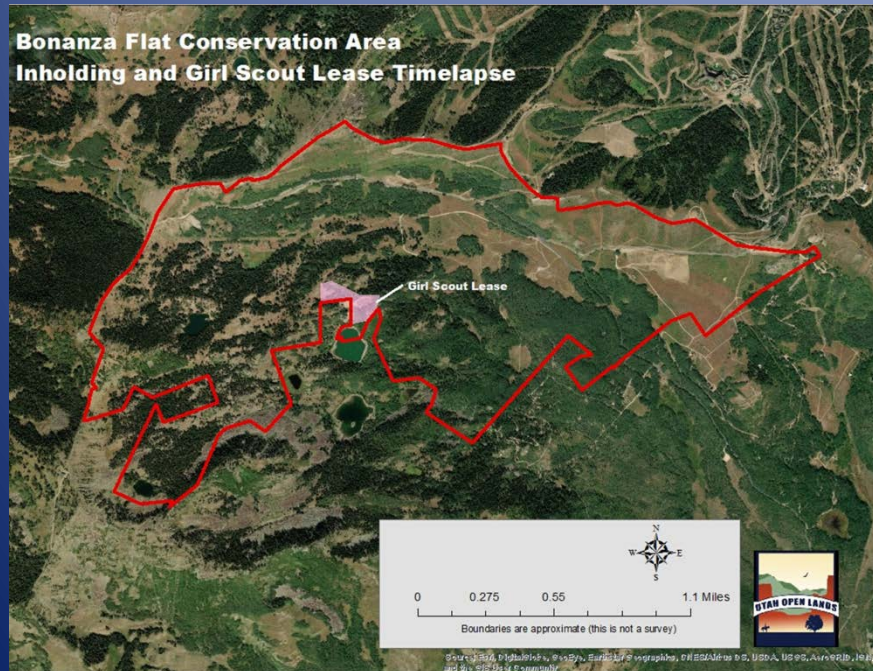
Recommendation:

- Approve 2020 Sundance Film Festival Supplemental Plan;
- Discuss Noise Exemption until 1 a.m. on Saturday;
- Consider Changes to City Operations namely for Public Safety and Transportation, including attributing costs of \$145,200, to mitigate impacts of the Festival permit which can be covered within existing department budgets.

Item	2020 Cost
Kane Security	\$21,000
Transit Leases	\$30,000
Police Traffic Mitigation	\$68,000
Homestake Lot	\$21,000
Bonfire Program	\$5,200
Total Costs	\$145,200



Girl Scouts of Utah and Park City Municipal Land Exchange Bonanza Flat



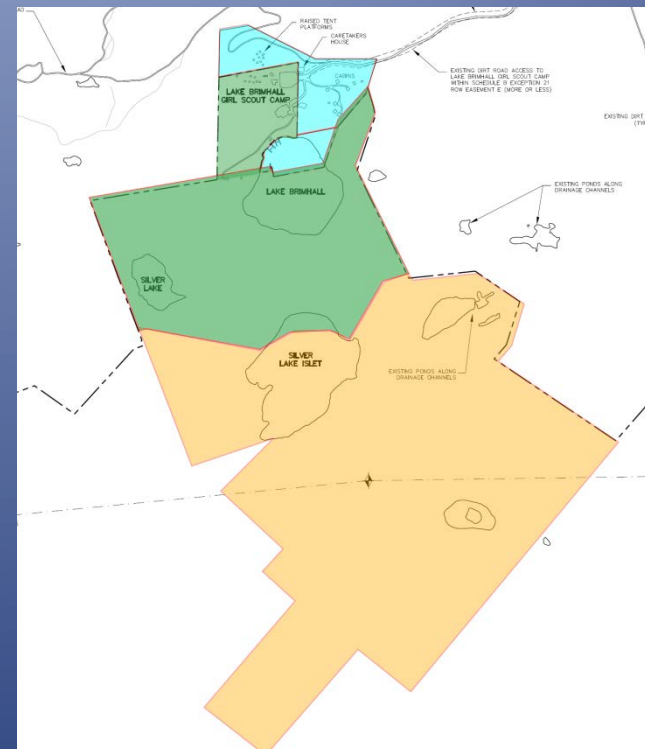
Land Exchange/Covenants

GSU acquires fee title of approximately 16 acres (in blue) of previously leased land where vital infrastructure including a ranger cabin, several cabins and restroom/shower facilities are located, in addition to shore line and lake property not previously leased but owned by PCMC, where docks and programming takes place.



Restrictive Covenant

GSU will place a Restrictive Covenant on all the property they acquire or retain, which allows for continued use of the camp, additional development of camp infrastructure and repair/replacement of existing infrastructure



PCMC acquires fee title of approximately 170 acres (in orange) of protected open space, to be encumbered by the BFCE, where existing trails connect to and from Lake Lackawaxen, Silver Islet and Culvert Meadow.

Conservation Easement

PCMC agrees to place the Bonanza Flat Conservation Easement on all property they acquire in the Agreement.

Protection Zone and Water Lease:

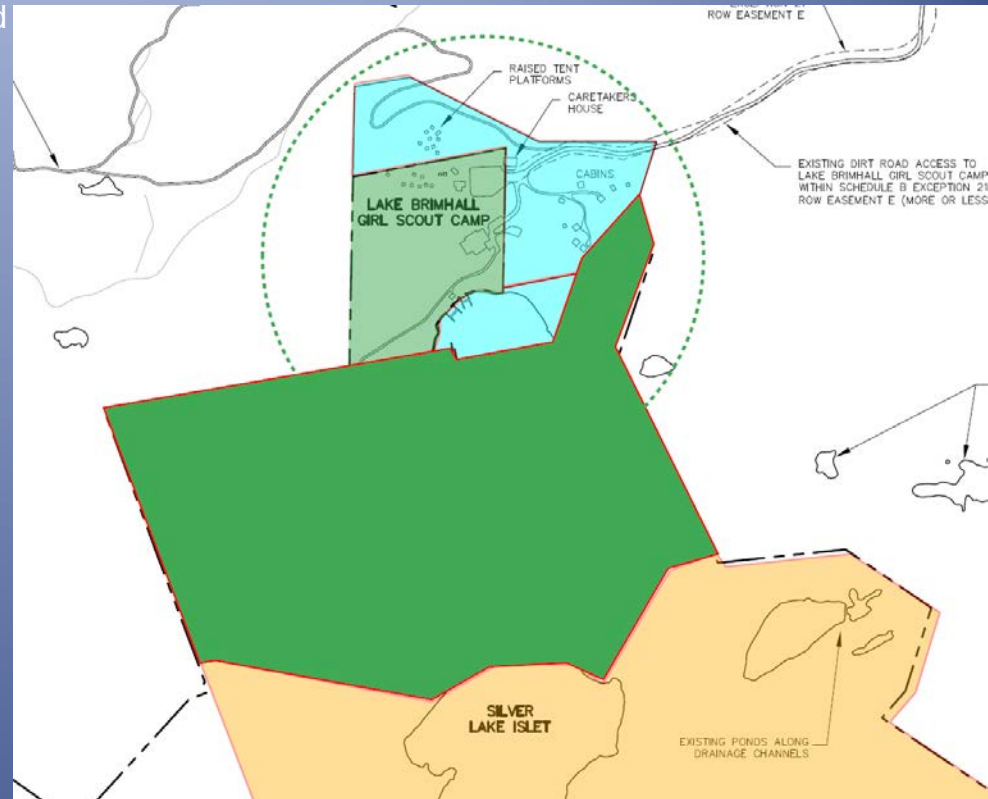
GSU acquires a Water Lease and Protection Area, (**green dashed line**) which improves the security and sustainability of the camp and related programming. Both of these provisions are exclusive to GSU.

Future Considerations

Option and Bonanza Flat Conservation Easement

PCMC acquires an option to purchase the property when/if GSU ever sells or transfers ownership in the property/camp. Additionally, GSU agrees to encumber the property/camp with the Bonanza Flat Conservation Easement when/if GSU ever sells or transfers ownership in the property/camp.

Should PCMC not exercise their purchase option, GSU would be able to sell/transfer the property/camp to a third party as encumbered by the Bonanza Flat Conservation Easement.





City Council

December 19, 2019

Medical Cannabis Land Use Regulations
Land Management Code Amendments

PL-19-04379

MEDICAL CANNABIS LAND USE REGULATIONS

The Utah Legislature enacted the Cannabis Production Establishments Chapter in the Agricultural Code to:

Define Cannabis Production Establishments

- Cultivators
- Processors
- Testing Labs

Establish Utah Department of Agriculture and Food Regulation

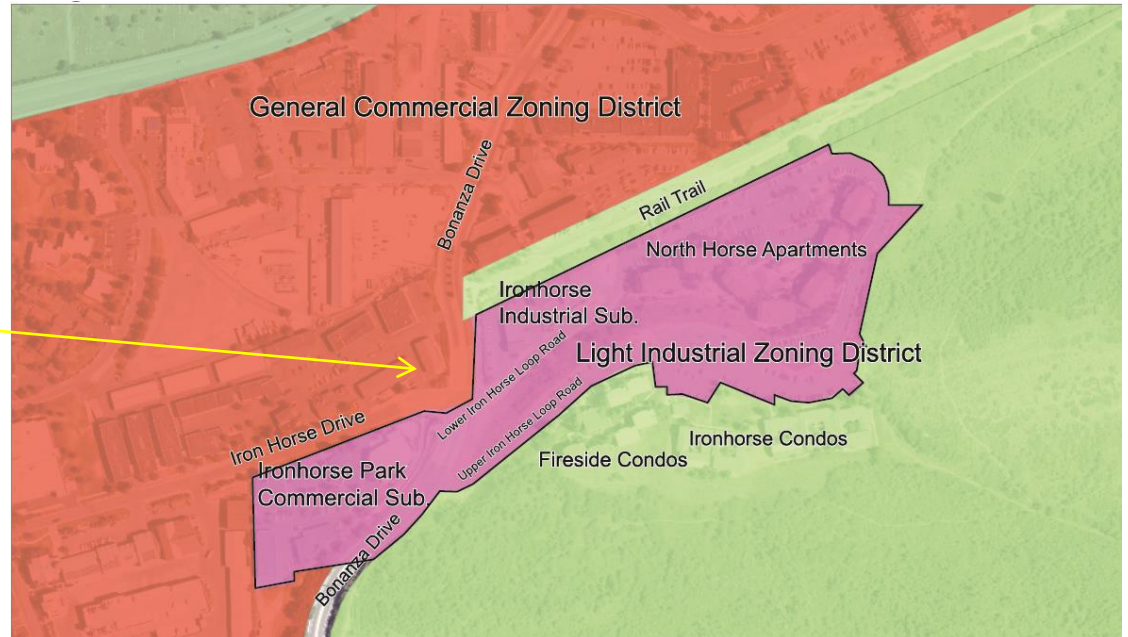
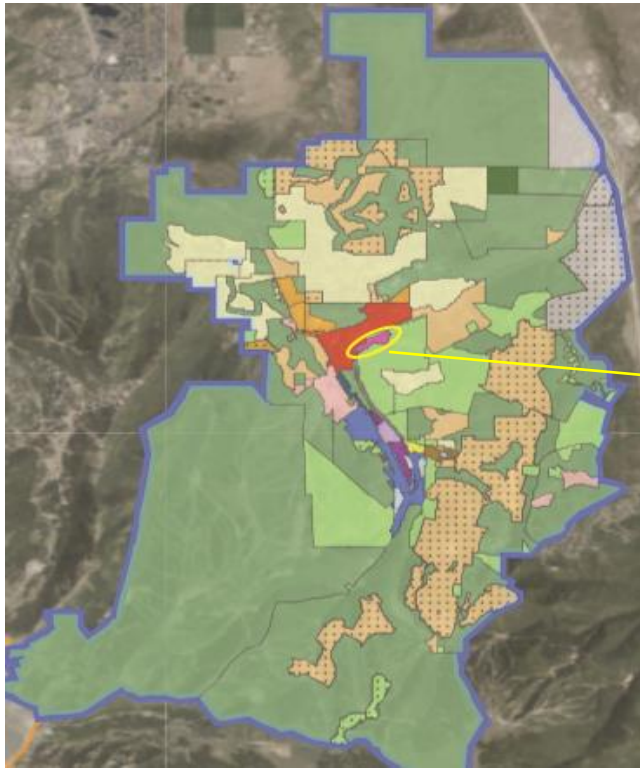
- The Department selected and licensed 8 cultivators
- None of the licensed cultivators are proposed to be located in Summit County

Impose Local Land Use Requirements

- Production Establishments are a permitted use in all industrial and agricultural zones, unless a city designates a zone for Production Establishments

MEDICAL CANNABIS LAND USE REGULATIONS

Park City does not have any agricultural zones, so under state law, Production Establishments are a permitted use in the City's Light Industrial zone, which is located in the center of town.



MEDICAL CANNABIS LAND USE REGULATIONS



The 13,000 residents of Carpinteria, Calif, aim to get along with the 28 licensed cannabis operators.
ROGER KISBY FOR THE WALL STREET JOURNAL

By [Zusha Elinson](#)
Updated Sept. 12, 2019 12:01 pm ET

BEST OF 2019
100 best restaurants

THE BEST MORNING READS
☀️ + 📱 + 📺 = 😊

TALKING POLITICS
Across the Aisle

News Sports Entertainment Life Money Tech Travel Opinion

🔍

What's that smell? Legal marijuana growing in Colorado

Trevor Hughes USA TODAY
Published 6:57 p.m. ET Aug. 11, 2014 | Updated 7:15 p.m. ET Aug. 11, 2014

NEWS SPORTS BUSINESS OPINION POLITICS ENTERTAINMENT LIFE FOOD HEALTH 🔍 ☰

Pa. weed facility stinks like ‘20 skunks’ and drives neighbors to flee its Poconos hamlet

by [Sam Wood](#), Updated: December 13, 2019



The New York Times

‘Dead Skunk’ Stench From Marijuana Farms Outrages Californians



Robert Guthrie wearing his respirator outside his home in Sebastopol, Calif. “I can’t be outside more than 30 minutes,” Mr. Guthrie said of peak cannabis odor times. [Jim Wilson/The New York Times](#)

MEDICAL CANNABIS LAND USE REGULATIONS

The screenshot shows the City of Boulder website. The header includes the city name, a weather widget for Dec 18 (Fair, 36°), and a search bar. The main navigation bar lists: Home, I Want To..., Services, Government, Environment, and Trails and Recreation. Below this is a carousel of department links: BOULDER REVISED CODE, FINANCE CONTACTS, BUDGET DIVISION, PURCHASING DIVISION, and TAX & LICENSING DIVISION. The breadcrumb trail reads: Home - Tax License - Marijuana Odor Complaints. The page title is "MARIJUANA ODOR COMPLAINTS". The content is divided into two sections: "Marijuana complaints related to grow operations:" and "Marijuana complaints not related to grow operations:". The first section explains that users should use a specific form for grow-related complaints and that anonymous complaints may not lead to prosecution. The second section instructs users to call police dispatch at 303-441-3333 for non-grow related complaints. A "Want to learn more?" section follows, stating that detecting odor from outside a grow is a violation of BRC licensing codes, regardless of whether it's a Medical or Recreational Grow. A green "Up" arrow button is visible at the bottom right.

CITY OF BOULDER COLORADO

Calendar | Jobs | Maps | Contact Us

Dec 18 - Fair, 36°

SEARCH

Home | I Want To... | Services | Government | Environment | Trails and Recreation

BOULDER REVISED CODE | FINANCE CONTACTS | BUDGET DIVISION | PURCHASING DIVISION | TAX & LICENSING DIVISION

Home - Tax License - Marijuana Odor Complaints

MARIJUANA ODOR COMPLAINTS

Marijuana complaints related to grow operations:

Please use [this form](#) for complaints related to grow operations (both licensed and suspected unlicensed). Although contact information is not required, any anonymous complaints will be investigated but may not result in prosecution if there is no complainant willing to testify in court to their observations and if city inspectors cannot find adequate evidence of odor.

Marijuana complaints not related to grow operations:

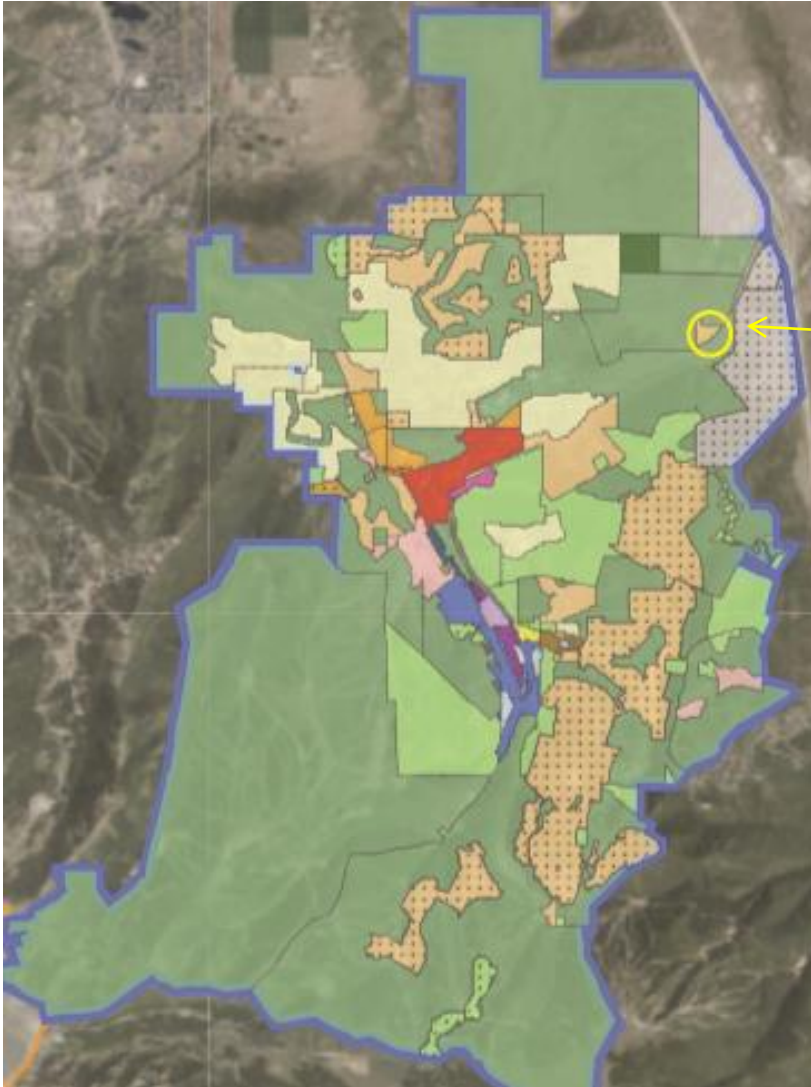
If your complaint is about somebody smoking marijuana or using marijuana, please call police dispatch at 303-441-3333 to report the complaint to a police officer.

Want to learn more?

For licensed grows, It is a violation of our BRC licensing codes for a reasonable person to be able to detect the odor of marijuana from outside of the marijuana grow and that violation is the same whether it is a Medical Grow or a Recreational Grow.

MEDICAL CANNABIS LAND USE REGULATIONS

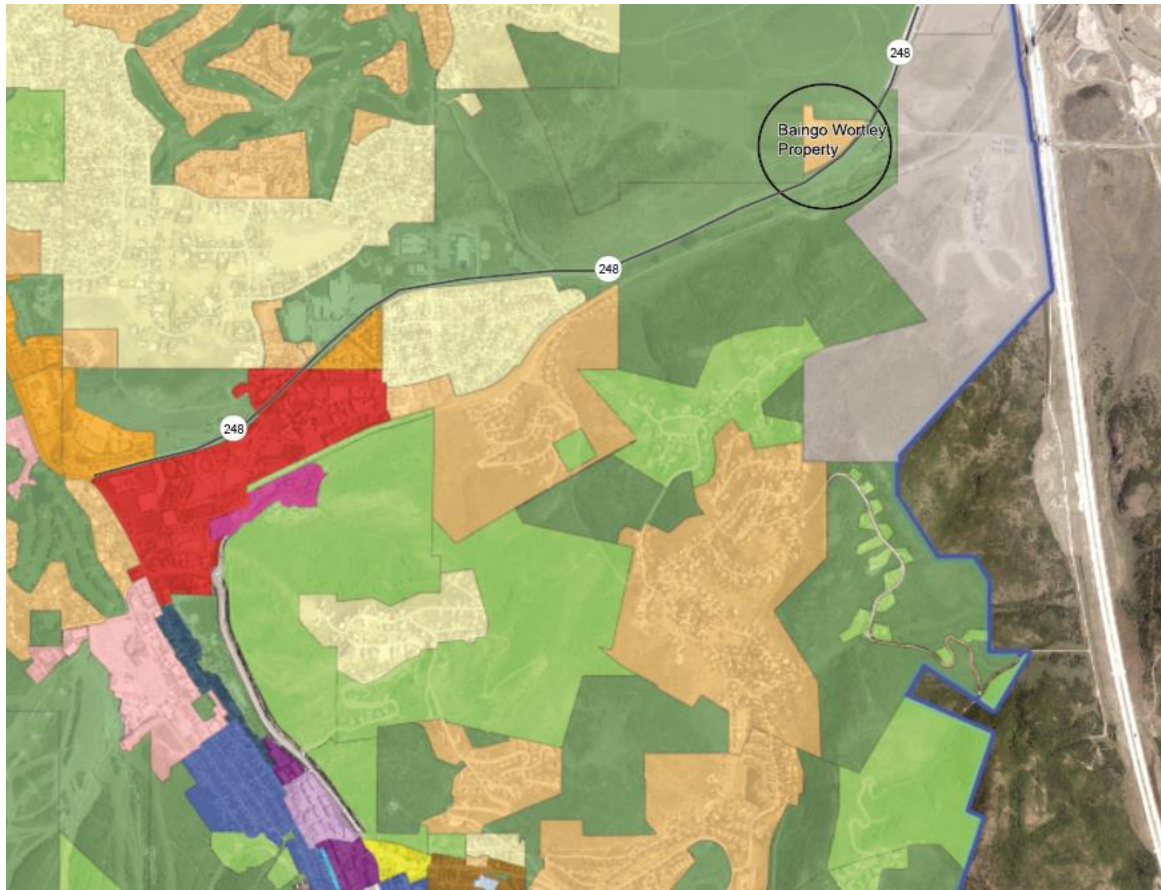
Staff recommends creating an Overlay Zone for Production Establishments as a temporary solution with a possibility of moving the Overlay Zone to a more remote area when the annexation of City-owned property is complete in 2020.



MEDICAL CANNABIS LAND USE REGULATIONS

The proposed Overlay Zone is the Baingo Wortley property, surrounded by open space and located north of SR 248, across the street from the Quinn's Junction Water Treatment Plant.

The property is in the Frontage Protection Zone and Entry Corridor Protection Overlay and any structures would be limited in height with additional setback requirements from SR 248.



MEDICAL CANNABIS LAND USE REGULATIONS

The Utah Legislature enacted the Utah Medical Cannabis Act in the Health Code to:

Define and establish Utah Department of Health regulation of 14 medical cannabis pharmacies statewide.

Impose Local Land Use Regulations

- Medical Cannabis Pharmacies are a permitted use in all zones, except for zones that are primarily residential

MEDICAL CANNABIS LAND USE REGULATIONS

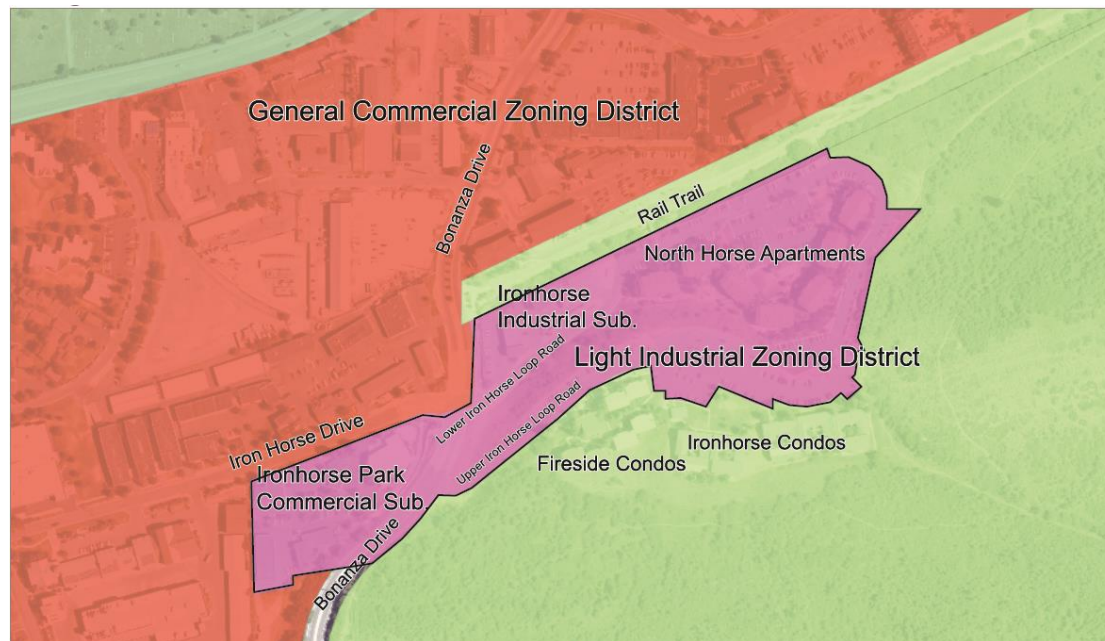
Most of Park City's residential zones are clearly established, but the City has a few outliers with residential clusters in zones that allow for other uses.

Staff recommends defining *Primarily Residential Zoning District* to ensure that residential clusters in outlier zones are buffered from pharmacies.

MEDICAL CANNABIS LAND USE REGULATIONS

The Light Industrial Zone, shown in purple below, contains the North Horse Apartments (a 7-building apartment complex).

The Ironhorse (50 units) and Fireside Condos (48 units) are directly to the south in the Estate Zone.



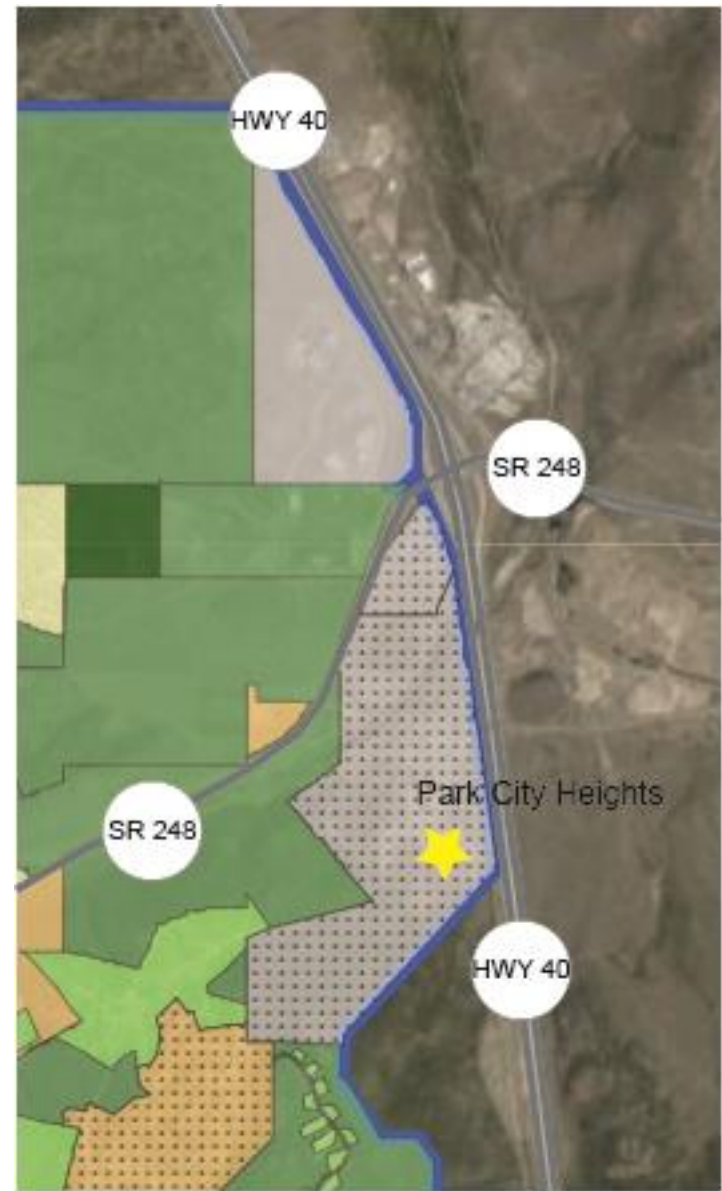
The proposed *Primarily Residential Zoning District* definition includes the Light Industrial Zone east of Bonanza Drive. Cannabis Pharmacies could still apply to be located in the Light Industrial Zone west of Bonanza Drive.

MEDICAL CANNABIS LAND USE REGULATIONS

The Community Transition Zone, shown in grey, includes the 200 + proposed units in the Park City Heights residential development south of SR 248.

The proposed *Primarily Residential Zoning District* definition includes the Community Transition Zone south of SR 248.

Cannabis pharmacies could still apply to be located in the Community Transition Zone north of SR 248.



MEDICAL CANNABIS LAND USE REGULATIONS

The Historic Recreation Commercial Zone, shown in light purple, includes many residential condos like Lift Lodge, Town Lift, Caledonian, 820 Park Avenue, and 692 Main Condos.

The proposed *Primarily Residential Zoning District* definition includes the Historic Recreation Commercial Zone.

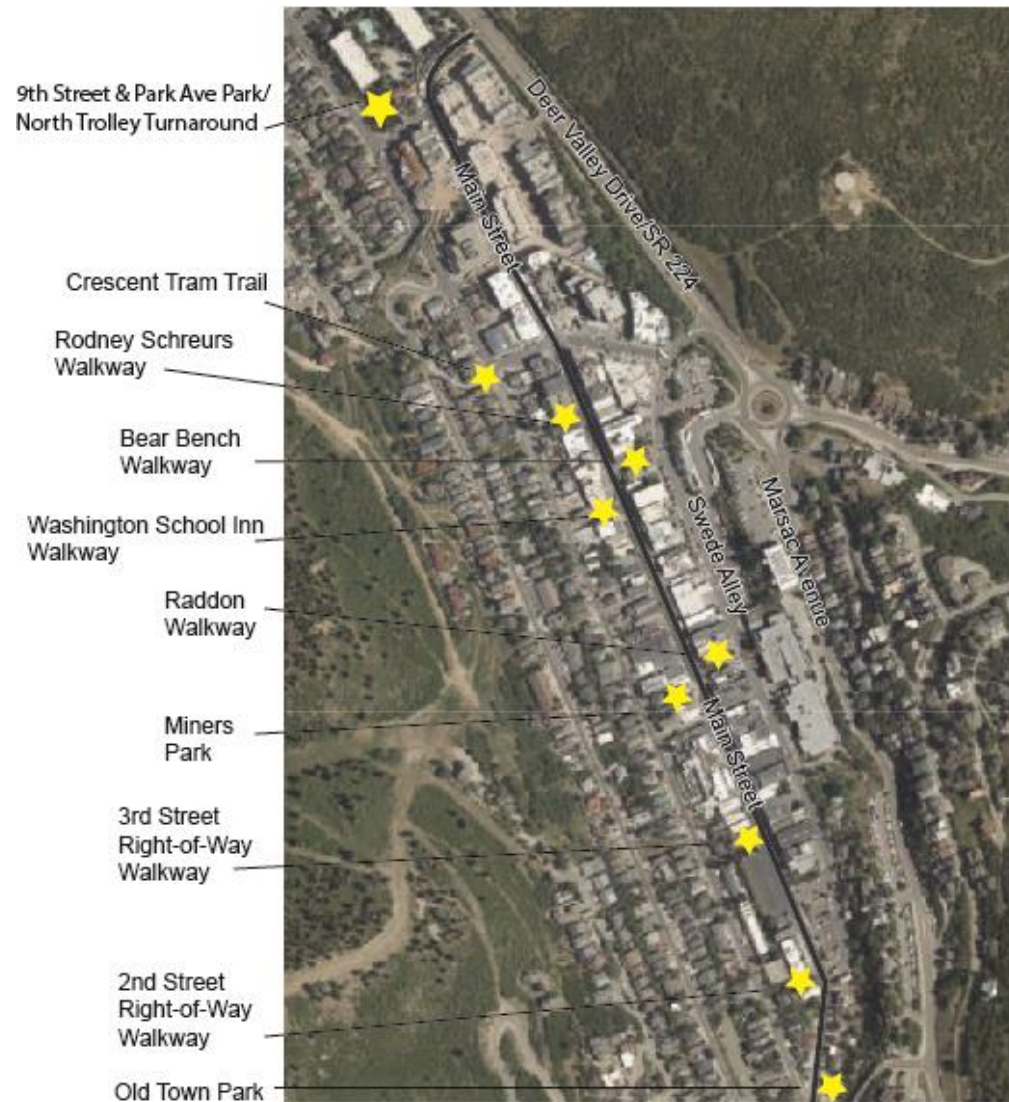


MEDICAL CANNABIS LAND USE REGULATIONS

The legislature created proximity requirements to buffer community locations (schools, child-care facilities, churches, public libraries, and public playgrounds/parks) from medical cannabis locations.

A pharmacy cannot be within 200 feet of a community location or within 600 feet of a primarily residential zone.

Staff recommends defining Main Street Parks to clarify sites that will require a 200-foot buffer on the City's Historic Main Street.



MEDICAL CANNABIS LAND USE REGULATIONS

Staff recommends amending Land Management Code § 15-1-11(E) to outline the local land use Administrative Permit requirement.

Staff also recommends amending Land Management Code § 15-15-1 to define *Medical Cannabis Production Establishment* and *Medical Cannabis Pharmacy* to clarify the state license, local Administrative Permit, and local Business License requirement.



901 WOODSIDE AVENUE

City Council Call-Up of a Conditional Use Permit for the Construction of a Private Driveway within a Platted, Unbuilt City Street

December 19, 2019

Past Meetings

- **Historic Preservation Board:**
 - August 7, 2019. Approved Material Deconstruction and Disassembly/ Reassembly (Panelization).
- **Planning Commission:**
 - August 14, 2019, continued to a date uncertain;
 - September 11, 2019, continued to September 25, 2019;
 - September 25, 2019 meeting, continued to November 13, 2019;
 - November 13, 2019 meeting, the motion failed with a 3-3 split vote.



circ. 1940



circ. 1982



2019

Applicable Design Guidelines for Historic Residential Sites

- Including but not limited to:
- Primary façade components shall be maintained in their original location;
- Historic retaining walls shall be preserved to the greatest extent possible;
- Additions shall be considered with caution and shall be considered only on non-character defining façades and shall be visually subordinate;
- Minimize visual impacts of on-site parking by incorporating landscape treatments for driveways, walkways, paths in a comprehensive, complementary and integrated design;
- Provide landscaped separations between drives and public use areas including walkways
- Off-street parking areas should be located beyond the rear wall plane of the primary structure, with consideration given to a driveway along the side yard of the property where feasible.

Landmark Historic Sites with Garage Additions

- 186 Landmark Sites
- 10 Landmark Sites with basement-level garage
- 3 of the 10 had “garages” historically (likely used as coal or wood sheds under the porch, such as 157 Park Avenue, to the right)
- Of remaining 7 Sites, 5 would likely not meet current Design Guidelines as-is

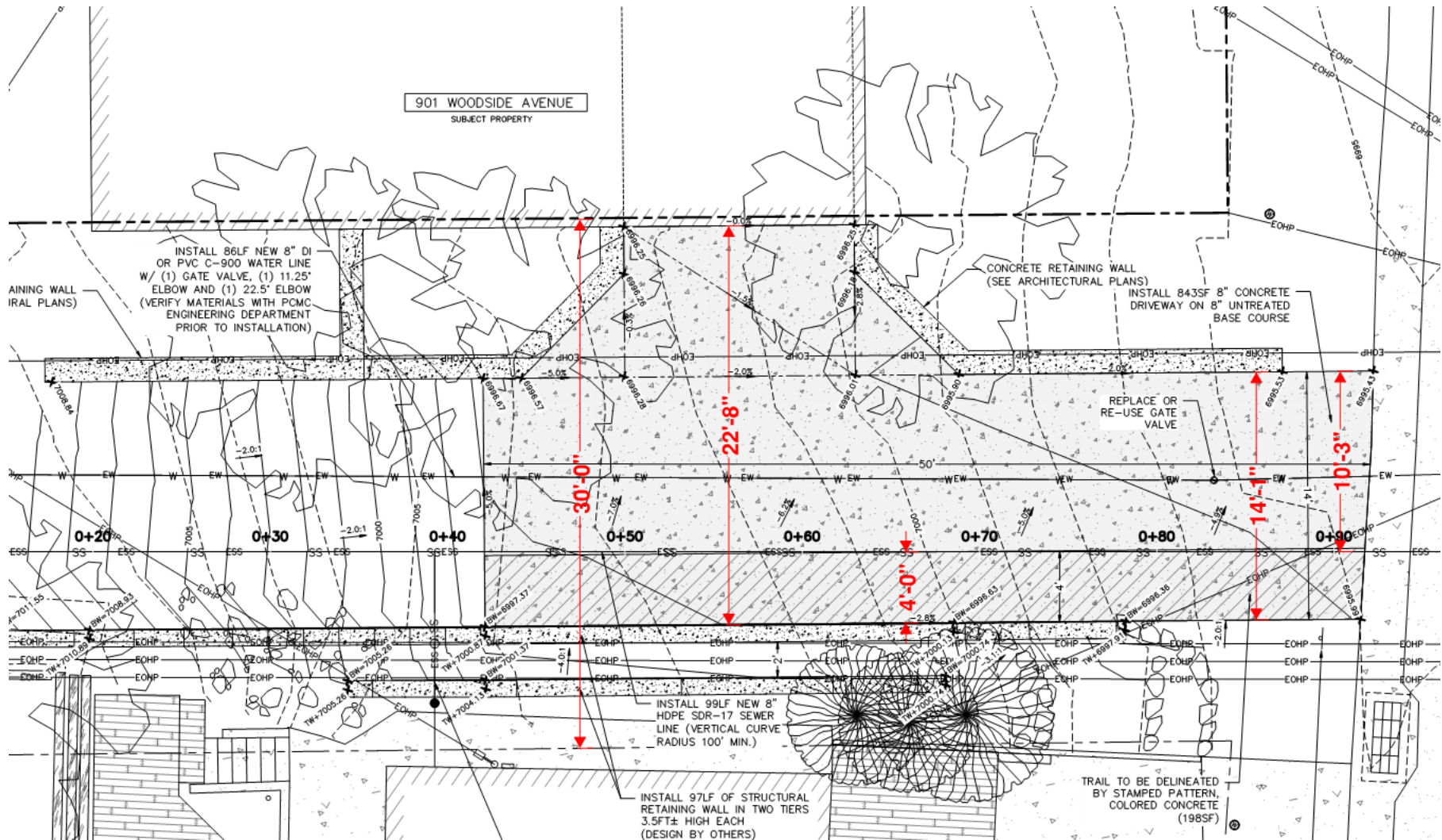


157 Park Avenue, circ. 1983



157 Park Avenue, circ. 2013

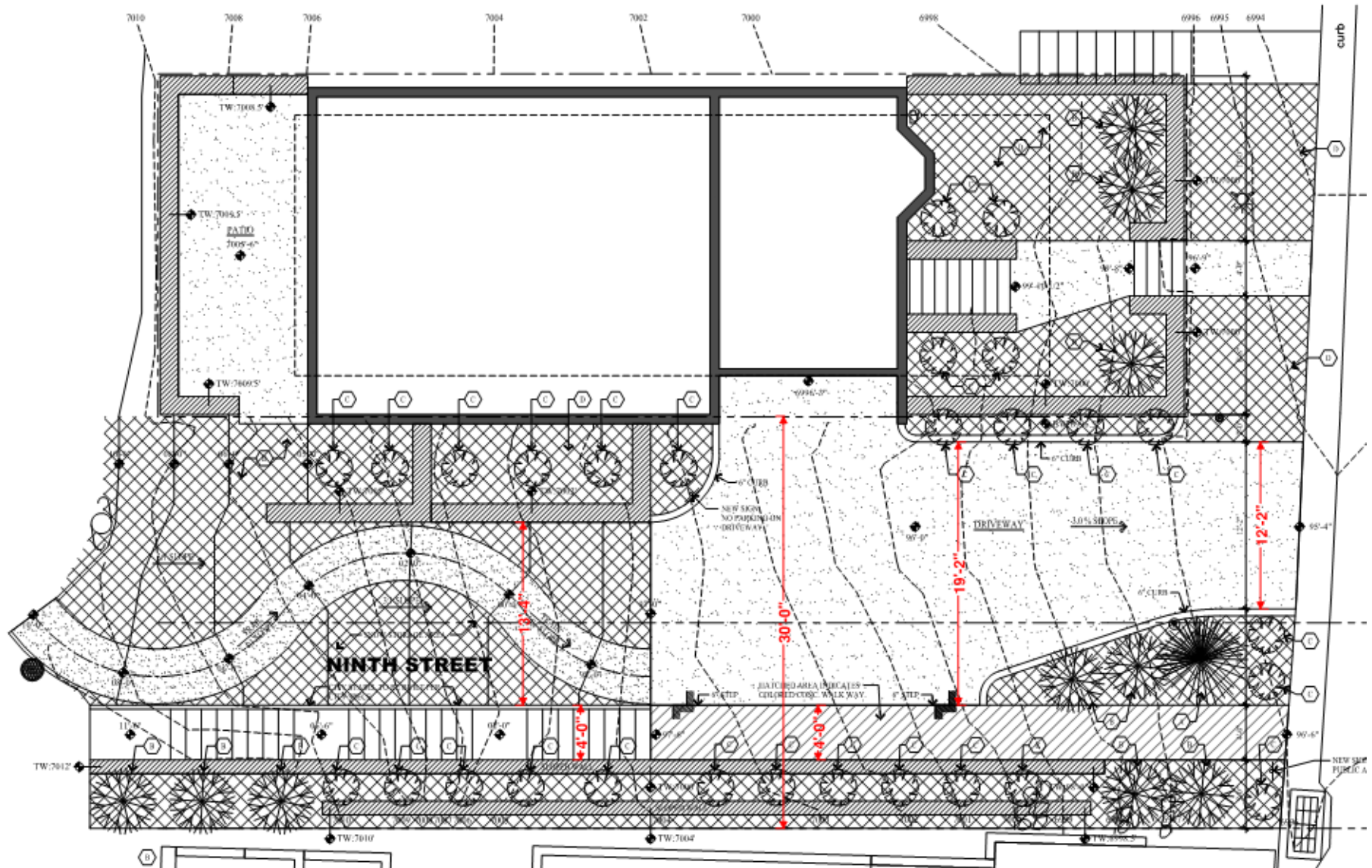
Submittal seen at August 14, 2019 Planning Commission meeting



Revisions dated October 26, 2019

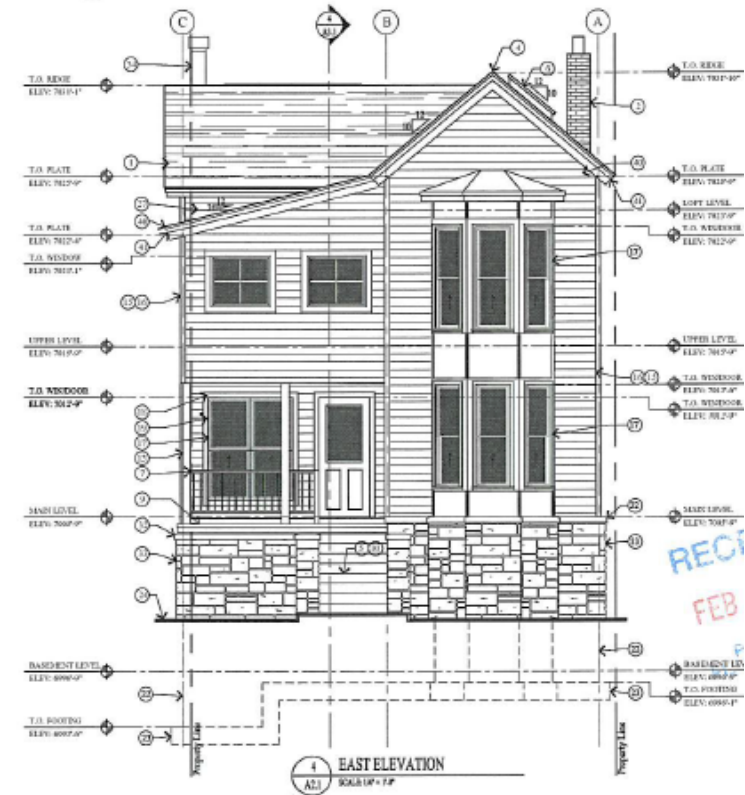
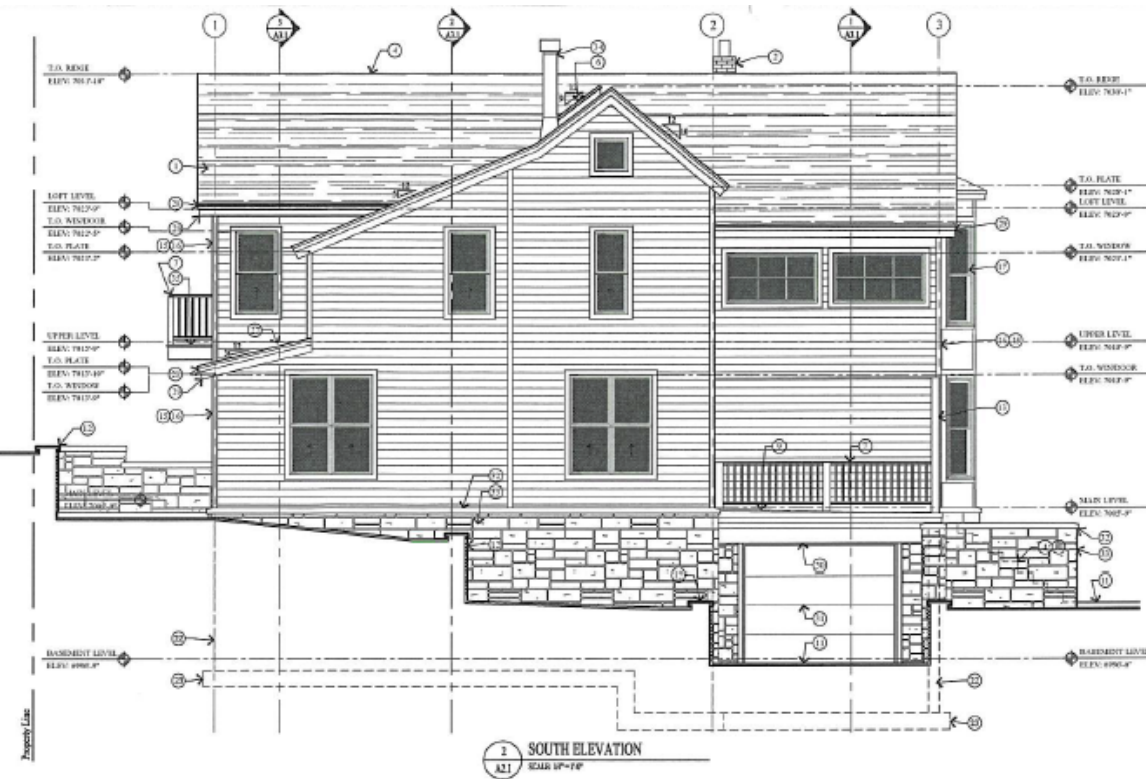
- The following items were addressed and the plans were updated regarding comments made during the September 25, 2019 Planning Commission meeting:
- The sidewalk has been separated from the driveway by a landscape planter;
- The front retaining wall along the south property line of 901 Woodside has been reduced and steps down along the driveway;
- A meandering dirt path on the uphill side of the driveway at a 4:1 slope has been added on the uphill end of the paved driveway.

Proposal, Revised October 26, 2019 (Exhibit A)





HDDR Elevations



Summary of concerns at the November 13, 2019 Planning Commission meeting

1. Public Use of the Private Driveway

- Staff has proposed Condition of Approval #10 to address concerns

2. Utility Capacity

- Review of Line Extension Agreement and Encroachment Agreement

3. Off-Street Parking

- CUP Criteria does not include informal parking

4. General Plan

- Concerns of inconsistencies with Small Town Feel, Natural Setting, and Open Space

5. Setback Variance

- Clarification of permanent setback variance of a built Structure vs. a flatwork and landscaping permit

Encroachment Permit (Exhibit B)

- 3. The City may, at some future date, elect to make improvements to _____ (*street name*) at this location and widen the streets to full width of the right-of-way and City property and/or to install utilities (or allow such installation by franchised utilities). To the extent that any improvements or utility work requires the removal, relocation, replacement, and/or destruction of the improvements the Owner(s) may have been using within the City property right-of-way, **the Owner(s) waives any right to compensation for the loss of improvements** and loss of the use of the street right-of-way and/or change in the grade and elevation of the street. This waiver of compensation, in the event the improvements are removed for any reason whatsoever in the sole determination of Park City, is the consideration given for the granting of this encroachment permit.
- 4. Prior to installing City improvements in, along or adjacent to the street or installing utilities in a manner that will require the removal or relocation of the improvements, the City will endeavor to give the Owner(s) sixty (60) days notice, in which time the Owner(s) shall make adjustments and remodel the improvements as necessary to accommodate the changes in the street width, utilities, and-or grade **at the Owner(s) cost**. Park City and its franchised utilities will attempt to save as much of the Owner(s) improvements as possible but in no way guarantees any salvage value whatsoever.

The purpose of the Historic Residential HR-1 District is to:

- Preserve present land Uses and character of the Historic residential Areas of Park City,
- Encourage the preservation of Historic Structures,
- Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- Encourage single family Development on combinations of 25' x 75' Historic Lots,
- Define Development parameters that are consistent with the General Plan policies for the Historic core, and
- Establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Land Management Code Analysis

I. LMC 15-3-5
Driveway
Standards for
Private Driveways
Within Platted,
Unbuilt City
Streets

II. LMC 15-1-10(E)
Conditional Use
Permit Review
Criteria

LMC 15-3-5 Driveway Standards for Private Driveways Within Platted, Unbuilt City Streets

- A. The driveway shall not exceed ten percent (10%) Slope.

Complies

The proposed driveway is 3% and does not exceed ten percent (10%) Slope maximum. See Exhibit A for Proposed Plans.

- B. Adequate snow storage Area along the downhill side and/or end of the driveway shall be provided.

Complies

The proposal allows for adequate snow storage at the downhill (north east), end of the driveway. The driveway and public pedestrian path will be heated.

- C. The driveway must be paved with asphalt or concrete.

Complies

The applicant is proposing to construct the driveway and public pedestrian pathway out of concrete. The concrete will be heated.

- D. The driveway must not pre-empt any existing physical parking, which may occur in the platted Street. If the platted Street has been improved to provide Public Parking, then any driveway proposal must replace such parking with new Public Parking of equal or better convenience and construction.

Complies

The driveway does not pre-empt any existing physical parking and the platted Street has not been improved to provide Public parking. The parking proposed for 901 Woodside Avenue will be within the garage underneath the Historic Structure.

- E. The driveway and related improvements such as retaining walls shall be designed and built to minimize present and future conflicts with public utilities and stairs.

Complies

The applicant designed the driveway proposal after discussion with the City Engineer as well as the comments made at previous Planning Commission meetings. The retaining walls for the site grading have been stepped to reduce the mass, and the applicant is constructing the public staircase that will be continued by the City up to Norfolk Avenue. The applicant is also building a new water line per the discussions with the City Engineer and public utilities.

- F. The driveway construction requires a Conditional Use permit, Section 15-1-10.

Complies

See Section II. below for review.

- G. An encroachment permit for the driveway is required.

Complies as conditioned

The applicant shall record an encroachment agreement for the driveway prior to issuance of the Building Permit. See Condition of Approval #9.

- H. Private utilities, including snow melt devices, within the platted City Street require approval by the City Engineer.

Complies

The Building Permit will be reviewed by the City Engineer prior to issuance.

LMC 15-1-10(E) Conditional Use Permit

Review Criteria

1. Size and location of the site

No Unmitigated Impacts

The Lot is 1,875 square feet (0.04 acres). The site is located on Woodside Avenue (north east property boundary) and abuts a Platted Public Right of Way to the south-east. This is an existing Historic Single-Family Dwelling. This proposal does not extend the allowable Building Footprint, Lot size, Building Pad, or Building Envelope.

2. Traffic considerations including capacity of the existing Streets in the Area

No Unmitigated Impacts

There is no change in Use that would generate additional vehicular trips beyond the current and Historic Single-Family use.

3. Utility capacity

No Unmitigated Impacts

The current use is Single-Family and the proposal does not change the Use. There are no impacts in utility capacity. The proposed heated driveway and heated public walkway will be controlled by the utilities at 901 Woodside Avenue.

4. Emergency vehicle access

No Unmitigated Impacts

There is no impact to the existing emergency vehicle access.

5. Location and amount of off street parking

No Unmitigated Impacts

Per LMC 15-2.2-4, Existing Historic Structures that do not comply with Off-Street parking are valid Non-Complying Structures. The proposal does not create a Lockout Unit or an Accessory Apartment; therefore, no additional parking is required. However, the benefit of the proposed driveway access is twofold of 1) Preserving the character of the Landmark Historic Structure by not altering the primary façade and 2) it reduces the on-street parking number for Woodside Avenue. The applicant is proposing a single-car garage underneath the existing Historic Structure which will allow one off street parking spot.

6. Internal vehicular and pedestrian circulation system

Not applicable

There is no impact to the existing internal and pedestrian circulation system.

7. Fencing, Screening and landscaping to separate the Use from adjoining Uses

No Unmitigated Impacts

There is no commercial Use; therefore, no separation between Residential and commercial Uses is required. The separation from the driveway use and pedestrian pathway use is achieved from the landscaped separation at the street/curb, as well as by providing a varying paved surface for each use. The pedestrian pathway will be constructed of a colored, heated concrete and the driveway will be constructed of uncolored, heated concrete.

CUP Review Criteria Cont.

8. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots

No Unmitigated Impacts

The current HDDR application has been reviewed under the Design Guidelines for Historic Districts and Historic Sites and does not change the building mass, location, or orientation. The proposed basement with side garage entry and driveway preserves the Historic character of the Landmark designated Site by entering from the side and not changing the integrity of the front façade character. No increase in Building Footprint will be achieved through the addition of the subject basement area. The proposed design incorporates stepped site grading in order to reduce the perceived bulk. See Exhibit A for a rendering of the proposal and proposed plans.

9. Usable Open Space

No Unmitigated Impacts

The definition of "Open Space, Landscaped" in the Land Management Code includes "necessary public improvements... and public pedestrian amenities", and does not include Buildings or Structures. There are no proposed Buildings within the unbuilt Right of Way, and the proposed Structures (including the driveway as well as the pedestrian access pathway and staircase) are providing a clear access corridor along the unbuilt Right of Way that currently does not have any build pedestrian access. The definition of "Open Space, Natural" includes "trail linkages... or view corridors." The proposal does not obstruct any view corridors as no Building is proposed that would block the views and provides a trail along the uphill side where the driveway ends.

10. Signs and lighting

No Unmitigated Impacts

The proposal includes a sign noting the pathway is for public access as well as a sign for no parking on the driveway.

11. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing

No Unmitigated Impacts

There is no impact to the Compatibility with surrounding structures or perceived mass from the Street. The current HDDR application has been reviewed under the Design Guidelines for Historic Districts and Historic Sites and does not impact the compatibility with surrounding structures. The proposed basement addition with side garage entry and driveway preserves the Historic character of the Landmark designated Site by entering from the side and not changing the integrity of the historic character. The proposed site grading retaining walls have been stepped and will be landscaped to reduce the mass and scale.

12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and property Off-site

No Unmitigated Impacts

The construction of the driveway will allow for a car to be parked in the garage which will result in occasional noise of the garage door opening and car. There is currently an unapproved parking area on the location of the proposed driveway and the change in the site will improve the off-street parking.

13. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas

Not applicable

There are no changes that will impact the control of delivery and service vehicles, loading and unloading zones, or Screening of trash pickup Areas.

14. Expected Ownership and management of the project as primary residences, Condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities

Not applicable

This is a Single-Family Dwelling.

15. Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site

No Unmitigated Impacts

The proposed improvements will be appropriately re-graded and reviewed thoroughly through the Building Permit.

CUP Review Criteria Cont.

16. Reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding.

No Unmitigated Impacts

This proposal has been reviewed for consistency with the Goals and Objectives of the Park City General Plan. The General Plan establishes several goals and objectives including, but not limited to:

Goal 4: Open Space- Conserve a connected, healthy network of open space for continued access to and respect for Natural Setting.

- The proposed driveway incorporates landscaping and site grading with respect to the Natural Setting as well as a trail path on the uphill side of the proposed driveway. This, along with the pedestrian access corridor consisting of the heated concrete pathway and the staircase will allow for continued access.*

Goal 15: Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations.

- The proposal preserves the integrity of the Landmark Historic Site by not altering the main façade of the Structure. The design respects the massing and scale of the Historic Structure and is compatible with the Historic District Design Guidelines.*

Objective 15A: Maintain the integrity of historic resources within Park City as a community asset for future generations, including historic resources locally designated on the Park City Historic Sites Inventory and its two National Register Historic Districts – the Main Street Historic District and the Mining Boom Era Residences Thematic District.

- The integrity of the Historic Site is retained through no impacts to the main (front) elevation with the proposal of the side-entrance garage.*

Objective 15B: Maintain character, context and scale of local historic districts with compatible infill development and additions.

- The design of the garage addition is consistent with the Historic District Design Guidelines and maintains the context of the site and surrounding neighborhood through maintaining the 12ft driveway curb cut.*

Public Comment

- Can be seen in the Staff Report
- Additional comment after packet publication sent out to City Council Members via email and printed copies available at the back of the room.

Recommendation

- Staff recommends that the City Council review the Conditional Use Permit, as revised October 26, 2019, for the Construction of a Private Driveway within a Platted, Unbuilt City Street, hold a public hearing, and consider approving the Conditional Use Permit based on the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Alternatives

- The City Council may approve the Conditional Use Permit for the Construction of a Private Driveway within a Platted, Unbuilt City Street at 901 Woodside Avenue, as conditioned or amended; or
- The City Council may deny Conditional Use Permit for the Construction of a Private Driveway within a Platted, Unbuilt City Street at 901 Woodside Avenue and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the Conditional Use Permit for the Construction of a Private Driveway within a Platted, Unbuilt City Street at 901 Woodside Avenue and request additional information or analysis in order to take action.

Grow Community Center & Cafe Alignment with Senior Center Criteria

Criteria	Grow Provides	Notes
Kitchen	X	
Open Gathering Space	X	
Accommodate 100+ people events	X	
Game Room Area	X	*can't house a pool table
Audio Visual Equipment	X	
Storage for games, art supplies, etc.	X	
No Stairs	X	
Parking	X	
Public transit accessibility	X	



Amber Raleigh
Co-Founder and CEO

303-931-8026
amber@supawesomelife.com
GrowCommunityCenterandCafe.org



OPPORTUNITY

In a world full of connectivity, a time where we are more wired to each other than ever, we are experiencing a paradox where we're losing our ability to truly connect with each other. As humans we are designed to feel emotion, care for each other, teach and learn from each other and be part of a mission or movement beyond ourselves. We see this need across social media where people are eager to connect with others around the world for a cause close to their heart. Yet, there is something missing—the human connection. While many try to replicate it online, a face-to-face interaction cannot be emulated by any form of technology.

In recent times, we have seen the power of unity in our culture like when we pulled together as a nation after 9/11. However, our focus has shifted from unity to division. Our communities are no longer communities. We are often just a bunch of people living in the same zip code. Isolation is posing a threat to our ability to be healthy, whole and live a life of purpose and impact. Isolation is a silent killer of a community and its next generation—whether it takes their lives physically, emotionally, mentally or their hopes and dreams.

Communities like Park City that are experiencing rapid growth are challenged with maintaining the strong sense of community and citizen engagement that is at its very core. While growth can be positive for a community, it can also come at a price including increases in health care needs and costs, crime, socio-economic and cultural segregation and the erosion of citizen engagement and contribution.

Rapid population growth can also change the identity of a community because there are more new people who aren't familiar with the soul of the community than there are long-term residents who anchor the values and positive attributes of the community. Integrating all the diverse and positive gifts the citizens of Park City (new and old) have to offer is a secret to fostering a thriving community in a rapid growth cycle.

One of the greatest opportunities for a community to invest in its evolution is by investing in its youth. A Harvard Business study states the single factor in insuring a youth transitions into a functioning adult in society is that they had one meaningful relationship with a trusted adult before they turned 18. In our community, we have a number of single parents and double-income parents who aren't always available to drive their kids to activities or even be actively involved in their development because of the high cost of living in Park City.

MISSION

Grow Community Center and Cafe is a gathering place for people to connect, become whole and give back to the community. It's by the community, for the community. It is the golden thread that weaves the individuals of a community together to find their awesome and live life monumentally. It exists to transform lives no matter what stage of life they're in. Transform a life, transform a community. Grow was birthed in Parker, Colorado and it is now seeking a home in Park City, Utah.

PROBLEMS SOLVED

Grow Community Center and Cafe offers the following solutions to the greater Park City area:

- **HEALTHY LIFESTYLES:** Increases physical health of individuals in the community by providing healthy food options and education for all socio-economic groups in the community
- **COMMUNITY CONNECTIVITY:** Offers a gathering place, social events and educational programming for everyone in the community especially our youth



- **LIFE PURPOSE DISCOVERY:** Provides programs, experiences and mentorship to help people fall in love with their life increasing their well-being and the well-being of the community
- **RESOURCE AND LOCAL BUSINESS HUB:** Aggregates and shares community resources with Park City citizens. Offers a place for community resources and business to gather. Supports local businesses by purchasing and/or promoting their products.

AUDIENCE

Grow serves all members of the community including all cultural backgrounds, income levels, and stages of life.

HOW IT WORKS

Grow is a non-profit community center and cafe available to anyone in the community no matter their financial status. It operates off of a PAYCA “pay as you can afford” model. This allows everyone in the community to benefit from the services and healthy food. It welcomes those who are in challenging times to receive from the community with dignity so they can overcome their circumstances and eventually pour back into the community. It empowers those who are more financially stable to invest in the community they love and to be intimately involved in the healing and positive evolution of their community.

Grow is an extension of people's homes, drawing them out of the four isolating walls of their individual dwellings. With a residential design and feel, people gather in grow's various rooms based on their needs and desires:

- **The Great Room**—the heart and soul of any home, this is a place where people gather to share a meal, catch-up and play. The open plan kitchen allows people to learn from cooks and chefs preparing functional farm-to-table meals supporting healthy bodies and healthy minds. Whether they eat-in or take meals to go, people experience the benefits of functional food helping their bodies recover from mental instability, chronic illness, pain, and dysfunction. The family room setting is full of community dining tables making people feel at home and inspiring moments of laughter, connectivity, vulnerability, healing and inspiration.
- **The Den**—a place to hang, connect, play games, co-work and collaborate with others. Set with couches, comfy chairs and a fireplace, this space is intended to promote the deepening of relationships and foster the creation of new relationships.
- **The Study**—the grow experience hub. This ultra flexible space hosts everything from healthy lifestyle education, mentorship programs, life purpose discovery, meeting space for local organizations and businesses and more. This space also hosts the after school program for our local youth.

SERVICES AND PROGRAMS

FOOD: CAFE & COFFEE/JUICE BAR

The cafe is designed to:

- bring people together over a healthy meal
- re-train tastebuds to crave functional food
- improve health through healing food
- empower people to eat healthy at home

It is fast and fresh food concept where people can select their ingredients and flavor profiles to meet their personal diet preferences. The personalization of the food model caters to a wide variety of customer types including people with food allergies, vegans, vegetarians, paleo dieters, keto dieters, etc. as well as different types of ethnic foods including Italian, Indian, Asian, Latin, etc. Grow's food concept also supports a low food and prep cost making healthy food affordable to all income levels. When possible Grow uses and features local products that align with Grow's food model.



Coffee/Juice Bar

Coffee and juice bars have become a major attraction for people to connect, gather and obtain nutrition. Grow's coffee/juice bar reflects current trends in coffee and juicing to attract residents from all over the Park City area.

Donation Model Example

- Cafe meals are "pay as you can afford". Below are some of the suggested donation amounts:
 - doing my best \$0+
 - enough to share \$20+
 - community changer \$40+

EDUCATION

Grow's programs and services are organically developed based on the needs and available resources of the local community. Below is an outline of programs and services designed for the needs of Park City. Some programs are classes while others are mentorship and peer-groups led by community members seasoned in that particular area. In areas where grow is not licensed or qualified, we refer to licensed professionals.

Healthy Lifestyles: Physically and Emotionally

This program of classes and interactive experiences explores the benefits of functional food, emotional health and physical activity. The program reveals how all of these areas contribute to our physical health, brain performance, creativity, energy, longevity, happiness and life purpose.

Physical Health

Partnerships with local health coaches, nutritionists and fitness providers would allow us to offer an array of classes and experiences such as:

- Eating with Purpose: The Benefits of Functional Food
- Food as Medicine Everyday
- Eating for Results Series
 - Autism and Other Sensory Symptoms
 - Emotional and Mental Stability
 - Chronic Disease (diabetes, inflammatory diseases, etc)
 - Energy and Longevity
- Cooking Events
 - Food Prep Like a Boss—Make 30 Meals in less than 3 Hours
 - Guest Chef Cooking Classes
 - Park City's Got Talent Cook-Off
- Move Your Body
 - Boxing, Dancing, Martial Arts, Yoga, Pilates, Metabolic and HITT Training, etc.

Emotional Health

Partnerships with mental health organizations like CONNECT Summit County, Summit County Mental Health Alliance and local life coaches and counselors would provide classes and experiences such as:

- Be Your Own Chief Joy Officer
- Breaking Addictions
- Why Can't I Get Motivated?
- 3 Ways to Beat Difficult Circumstances
- Conquering Bullying
- Mental Health Awareness and Support

Finding Your Awesome and Living Monumentally

We've all heard the words, do what you're passionate about! We agree 100% with this wisdom and encourage everyone to find their awesome. For some people they know they're awesome from a young age. For others, it's more of a life puzzle with some pieces in place and others yet to be discovered.



This series is for both types of purpose seekers. For those who know their purpose, we connect them with leaders and influencers in that field to help them develop knowledge, relationships and skills in their chosen profession. For those still in the puzzle piece phase, we have classes and mentors to help them discover their life inspirations by empowering them to develop a variety of skills, explore various opportunities and talk to different mentors and business people. A sampling of the programs include:

- The Futures of America Mentorship Program
 - Engineers, Astronauts, Athletes, Entrepreneurs, CEOs, Teachers, Nurses, Doctors, Filmmakers, Entertainers, Athletes, Pilots, Firefighters, Police Officers, Civil Servants, Public Leaders, Freedom Fighters (Military), etc.
- Paralyzed by Fear Series: Overcoming the Fear of Success, Failure, Rejection
- Discovering What Fuels Your Soul
- Art Classes
- Working with Your Hands Series
 - Art classes, modeling

Donation Model Example

- All classes and educational programs are “pay as you can afford”.
 - doing my best \$0+
 - enough to share \$20+
 - community changer \$40+

YOUTH DEVELOPMENT

Grow offers Park City's youth a safe and healthy place to gather after school and on weekends. Grow's after school programs helps Park City's youth develop healthy relationships with their peers, trusted adults and explore their individual interests. Youth can also take advantage of Grow's mentorship programs. Grow facilitates mentorship connections with adults in the community to help youth navigate personal challenges, explore career and business interests and develop their gifts and talents.

SENIOR COMMUNITY

Grow offers Park City's senior community a space to gather and connect with fellow seniors as well as other Park City communities such as our youth community. Grow's multi-functional space allow seniors to have a place for games, arts, audio visual experiences and even a potential garden. There is also ample storage for their items and no stairs. Seniors would also have access to kitchen facilities and the ability to host events for 100+ people. Grow's proposed location of 6585 N Landmark Drive (the former Trio Restaurant) in Kimball Junction is fully accessible by public transit and has plenty of parking.

SOCIAL AND LOCAL BUSINESS DEVELOPMENT

Grow also provides social events like movie nights, sports viewing events, book clubs, etc. based on the requests of the community. Some of the gathering spaces are also available for use by community organizations and local businesses.

REVENUE MODEL

Grow is funded and supported by the local community. From the beginning of time, communities have shared resources to help their community thrive in good and bad times. Some people have money, some people have knowledge and others have physical resources. Each of these are equally important. Therefore, every person has something to give which means we're all qualified to insure grow thrives and transforms the community from the inside out.

The “pay as you can afford” model is quickly growing across our nation. Many Americans are concerned about the direction of our country and our communities. They're looking for ways they can personally make a positive impact and change the direction of our country for the good. Grow fulfills this



burning need. Many people rich in resources have already expressed an interest in making Grow a reality in Park City.

Additional, revenue generating channels include individual endowments and donations, government grants, local business sponsorships, memberships and renting Grow out for high dollar events like Sundance.

GROW COMMUNITY INTEGRATION & IMPACT MATRIX

Social Inclusion		Education	
<u>Function</u>	<u>Potential Partners</u>	<u>Function</u>	<u>Potential Partners</u>
Gathering place for everyone in the community	PC Community Foundation	After school learning and development programs	PCCAPS
Place for ALL to eat together (Food is a uniting factor)	All community specific organizations	Provide digital access to community groups	Bright Futures
Opportunities to learn and grow together	Vail Resorts & Deer Valley	Healthy food education to support physical health and manage disease (i.e. auto-immune, diabetes, food allergies, etc.)	EATS Park City
Mentorship programs across communities (i.e. seniors/teens)	Leadership Park City	Healthy food preparation	Kimball Arts Center
Cross community social events (viewing parties, dances, concerts, game nights)	CCPC	Growing healthy food	Sundance Institute
Creating two-way beneficial relationships	Men Making a Difference	Creative exploration (art classes, writing classes, etc.)	Summit County Community Gardens
Inclusive community discovery panels and experiences	Mountain Town Music	Musical talents exploration	Bill White Agriculture Education & Sustainability Center
Facilitate healthy integration of new and longtime PC residents	PC All	Career exploration and development programs	Camp Gloss
Promotion of local businesses across communities	Local businesses	Life skills development programs	CCPC
Inclusive employment of communities	Flourish Bakery	Skill set discovery	Communities that Care
Support of individuals/communities in transition i.e. divorcing families, loss of income, health challenges, loss of family member	Lucky Ones	Two-way mentorship programs (i.e. teens help seniors with technology)	Egyptian Theater
Menu options that reflect food flavor profiles from local communities	Summit County Clubhouse	Environmental education	Girls Giving Fund
	National Ability Center	Legal services education	Healthy Environment Alliance of Utah
	Summit County Recovery Foundation	Financial services education	Teen Advisory Board
	Future Park City	Compassion for animals	Immigrant Legal Services
	Utah 1033 Foundation	Emotional Intelligence development	Joseph James Morelli Legacy Foundation
Community Connection			Leadership PC
<u>Function</u>	<u>Potential Partners</u>		Mountain Mediation Center
Facilitate neighborhood engagement	Local businesses		Mountain Town Music
Place for people to meet friends and make new friends	Local organizations, clubs & non-profits		National Ability Center
Serves and has function all communities (especially teens and seniors)	PC Community Foundation		Nuzzles & Co
Walkable and accessible via public transit	CCPC		Pandolabs
Integrates year round residents with seasonal residents	Senior Center		Paws for Life Utah
Opportunities for all communities to volunteer and interact with other communities			PC Community Foundation
Donors can easily interact with recipients on an ongoing basis			PC Education Foundation
Venue to host clubs, groups, events, organization gatherings			PC Film Series
Generates awareness and advocacy for organizations and communities that need resources			Intermountain PC Hospital LiveWell Center
Acts as hub for community resources (dedicated resource area)			Park City Summit Art Council
Market and promote local businesses and products in dedicated retail area			PC All
Reduce isolation and loneliness in community			PC Reads
			PC Tots

Mental Health

<u>Function</u>	<u>Potential Partners</u>
Employ Neurodiverse communities (MH diagnoses, brain trauma, special needs, etc.)	CONNECT Summit County
Facilitate and host mental awareness, education and support events, groups, etc.	Summit County Mental Health Alliance
Provide healthy brain food education, implementation and tools	Summit County Youth Alliance
Offer life purpose and skill set discovery	Intermountain PC Hospital
Create human connections through mentorship and buddy programs to ward off isolation and loneliness	Summit County Clubhouse
Facilitate connections with therapy animals	National Ability Center
	Camp Gloss
	Canines with a Cause
	EATS Park City
	Utah Support Advocates for Recovery Awareness
	Summit County Recovery Foundation
	Image Reborn
	Jewish Family Services
	PC Community Foundation
	Nuzzles & CO
	Paws for Life Utah
	Sage Animal Sanctuary
	Peace House
	Community for Children's Justice
	Speedy Foundation
	Valley Behavior Health

Education

<u>Potential Partners</u>
Recycle Utah
ReLeaf Utah
Sage Animal Sanctuary
Sierra Club Utah
Summit County Power Works
Summit Land Conservancy
Swaner Preserve and Ecocenter
The Hope Alliance
The Literacy Project
Utah Avalanche Center
Utah Clean Energy Alliance
Utah Legal Services
Utah Open Lands Conservation Association
Utah Rivers Council
Utah Symphony & Opera
Wild Heart Sanctuary
Women's Giving Fund
Young Life
YMCA of Northern Utah

Physical Health

<u>Function</u>	<u>Potential Partners</u>
Offer healthy food to improve the physical health of all communities	EATS Park City
Provide healthy food to people dealing with food insecurity	Summit County Community Gardens
Offer healthy food for athletes in training	Utah Olympic Park
Healthy food, education and preparation to manage disease (i.e. auto-immune, diabetes, food allergies, etc.)	US Ski & Snowboard Foundation
Healthy food, education and preparation for specialty diets (vegan, paleo, keto, vegetarian, etc.)	Ballet West
Healthy food, education and preparation to support healthy brains	Bill White Agriculture Education & Sustainability Center
Healthy food, education and preparation for pets	Camp Gloss
Make healthy lifestyle education, programs and events available to all communities	CONNECT Summit County
Offer move your body programs (yoga, pilates, martial arts, dance, etc)	Basin Rec
Provide mindfulness and stress reducing moments, experiences and education	Image Reborn
	CCPC

Sports & Recreation

<u>Function</u>	<u>Potential Partners</u>
Offer move your body programs (yoga, pilates, martial arts, dance, etc)	Youth Sports Alliance
Try out a new physical movement modality, sport, outdoor activity	Basin Recreation
Get outdoors programs	Local yoga, fitness, pilates, martial arts, etc. studios and teachers
After school sports programs	ID One Foundation
Support in developing advance athletic skills	Intermountain Karate Foundation
Healthy physical movement for specific communities (seniors, neurodiverse, etc)	Kids Play International
	Little Bellas
	Live Like Sam Fund
	Figure Skating Club of PC
	Mountain Trails Foundation
	National Ability Center

		Intermountain PC Hospital Intermountain Karate Foundation People's Health Clinic Planned Parenthood All local and national sports organizations based in PC		PC Ice Miners Solomon Fund PC Lacrosse Organization PC Sailing Association PC Soccer Club PC Speed Skating Club PC Youth Lacrosse Organization SOS Outreach Summit Bike Club Team Utah Snowboarding US Ski & Snowboard Foundation US Adaptive Bobsled & Skeleton Wasatch Freestyle Foundation Wasatch Luge Winter Sports School Women's Ski Jumping USA Young Riders
--	--	--	--	---



WRONA | DUBOIS
LAW FIRM

1745 Sidewinder Drive
Park City, Utah 84060
(435) 649.2525
f (435) 649.5959

Nicholas W. Frost
Direct: (435) 776-7559
Fax: (435) 649-5959
frost@wdlawfirm.com

December 18, 2019

VIA EMAIL:

Park City Municipal City Council
Mayor Andy Beerman, andy@parkcity.org
Council member Becca Gerber, becca.gerber@parkcity.org
Council member Tim Henney, tim.henney@parkcity.org
Council member Steve Joyce, steve.joyce@parkcity.org
Council member Lynn Ware-Peek, lynn.ware-peek@parkcity.org
Council member Nann Worel, nann.worel@parkcity.org

445 Marsac Avenue
Park City, Utah 84060

Re: Notice of Objection to "Conditional Use Permit" for Development of a Private Driveway within a Platted, Unbuilt City Street

Dear Park City Council:

A public hearing is scheduled for December 19, 2019, to discuss a "Conditional Use" for the development and construction of a private driveway within City owned property (the "Site"). Specifically, the Proposal contemplates the construction of a private driveway to service the private residence located at 901 Woodside Avenue, as well as the construction of a pedestrian path and stairway (the "Proposal").

Fred and Annette Keller (the "Kellers") own the real property immediately adjacent to the Site, located at 839 Woodside Avenue ("839 Woodside Property"), as well as the property located at 850 Norfolk Avenue ("850 Norfolk Property"). The 839 Woodside Property shares a common border with the Site. I have been retained by the Keller's to convey their very serious concerns with and objections to the Proposal.

The Keller's object to the Proposal, at this stage in the process, for several important reasons, each of which is outlined below:

1. The Proposed Development is Inconsistent and Conflicts with CUP requirements.

The Proposal and the request for a CUP must be rejected because the negative impacts of the Proposal simply cannot be mitigated, or at least, have not been considered or addressed by the owner of 901 Woodside Avenue in a satisfactory manner. The Land Management Code (“LMC”) specifically requires that all reasonably anticipated detrimental effects are eliminated or mitigated, including those sustained by “surrounding neighbors.” See LMC §15-1-10. Specifically, the following is a non-exhaustive list of CUP requirements that are not met:

a. The Proposal Fails to Satisfy CUP Criteria No. 5 – Location and Amount of Off Street Parking.

The Proposal will create a net-negative of at least one parking place. The analysis performed by the City in the Staff Report for the December 19, 2019 meeting suggests that the Proposal will create one off-street parking while preserving the historic nature of the residence. While efforts towards historic preservation are always applauded, the Proposal, in effect, will eliminate two actively-used on-street parking spaces in an era of increasingly tight parking regulation.

The Park City General Plan states “*On-street parking spaces are a finite city service, and it is important for neighborhoods to efficiently and effectively manage existing facilities as a scarce and valuable resource.*” See General Plan, Volume 2, Page 30. Despite this clear objective, the City attempts to distinguish between “formal” and “informal” on-street parking spaces by stating that this criterion does not contemplate “informal” parking use. In reality, this criterion is silent as to informal or formal use. The net effect of the Proposal is less available parking – an unmitigated detriment.

b. The Proposal Fails to Satisfy CUP Criteria No. 7 – Fencing, Screening, and Landscaping to Separate the Use from Adjoining Uses.

The analysis performed in the Staff Report ignores the 839 Woodside Property – which shares a boundary with the Site and the proposed improvements. Instead, the Staff Report indicates that this criterion is mitigated because the driveway and pedestrian path are partially separated by a small section of landscaping. It also suggests that because the adjoining properties are not “commercial” that no further analysis is needed. This is inaccurate. A cursory review of the defined term “Use” in the LMC states “*The purpose or purposes for which land or Structures are occupied, maintained, arranged, designed, or intended.*” See LMC §15-1-15. The definition does not suggest that need to separate uses are limited to residential versus commercial. Here, the

proposed “uses” on the Site are entirely different and separate from the residential “uses” of the immediately adjoining residential properties, including the 839 Woodside Property.

As a result, the owner of 901 Woodside has not performed sufficient analysis of the detrimental effects of constructing and operating a path and staircase constructed immediately adjacent to the 839 Woodside Property. Indeed, the Proposal, as well as the plan for the improvements, do not show any fencing, screening, or landscaping to separate the proposed uses from the adjoining properties. Unfortunately, the owner of 901 Woodside has not contacted the Keller’s to discuss any aspect of the Proposal, especially as it will affect the 839 Woodside Property. As set forth in further detail below, the proposed uses in the Site will inevitably generate detrimental impacts to the 839 Woodside Property – which to date remain unaddressed and unmitigated.

c. The Proposal Fails to Satisfy CUP Criteria No. 9 – Usable Open Space.

While the Staff Report cites to the LMC to provide various definitions of “open space” it does not describe how the Proposal seeks to mitigate the detrimental effect of converting undeveloped, natural land to improved impervious surfaces designed to service a private residence. Regardless of definitions, the Site effectively serves as “open space” and the Proposal seeks to eliminate the same. Simply put, there is no indication that the Proposal seeks to mitigate its improvements by reserving any portion of the Site for Open Space.

d. The Proposal Fails to Satisfy CUP Criteria No. 12 – Noise, Vibration, Odors, Steam, or other Mechanical Factors that Might Affect People and Property Off-Site.

As set forth above, the 839 Woodside Property shares a common boundary with the Site. The Proposal contemplates the construction of a path and stairs immediately adjacent to the 839 Woodside boundary. Given the changes in uses from effective Open Space to an impervious driveway, path, and stairway, it is reasonably contemplated that the proposed uses will create increased noise, foot traffic, light pollution, garbage, etc. However, the Proposal is entirely silent on these issues, and instead, the Staff Report states “no unmitigated impacts” without stating how these valid concerns have been mitigated. For example, any light fixtures servicing the Site will likely be projected toward the 839 Woodside Property; regulation of the use of the stairs, including signs reflecting “quiet hours” also remains unaddressed, and therefore, unmitigated. Again, despite clear directive in the LMC for a CUP application that the impacts of the “surrounding neighbors” should be a part of the analysis, no such analysis is found. Indeed, the Keller’s concerns are valid, and to date, remain unmitigated.

In fact, the artist renderings included in the Proposal are misleading and do not show the 839 Woodside Property, including the extreme close proximity of the proposed uses on the Site to the Keller's residence. A Google Street View search provides an idea of the close constraints within which the Keller's residence will be to the stairway and path – a matter of feet.

e. The Proposal Fails to Satisfy CUP Criteria No. 10 – Signs and Lighting.

As set forth above in “d,” the Proposal does not address lighting, in any form. Will the private driveway on public property have lighting? Will the stairway and path have lighting? Will the outdoor lighting affect adjoining properties, including the 839 Woodside Property? How will the City regulate the noise level generated by pedestrian use of a stairway a matter of feet from residential bedrooms? Will a buffer be installed? Instead of addressing these issues, the Staff Report only indicates that there are “no unmitigated impacts,” an incomplete analysis.

f. The Proposal Fails to Satisfy CUP Criteria No. 11 – Physical Design and Compatibility with Surrounding Structures in Mass, Scale, Style, Design, and Architectural Detailing.

The proposed driveway, path, and stairway are in no way compatible with surrounding uses in mass, scale, style, design, and architectural detailing. The Proposal seeks to alter the Site to add a substantial amount of impervious surface, including a private driveway on public land, stairway, and concrete path between residential structures. The LMC defines “Compatibility” as *“Characteristics of different Uses or designs that integrate with and relate to one another to maintain and/or enhance the context of a surrounding Area or neighborhood. Elements affecting Compatibility include, but are not limited to, Height, scale, mass and bulk of Building, pedestrian and vehicular circulation, parking, landscaping and architecture, topography, environmentally sensitive Areas, and Building patterns.”* See LMC §15-15.

Here the addition of impervious surfaces, a stairway, and private driveway on public land do not “integrate” or maintain and/or enhance the context of the surrounding residences. This is because nothing like this exists in proximity to the residences around the Site. The Proposal also violates the “Building patterns” in the area.

g. The Proposal Fails to Satisfy CUP Criteria No. 15 – Within and Adjoining the Site, Impacts on Environmentally Sensitive Lands, Slope Retention, and Appropriateness of the proposed Structure to the Topography of the Site.

The Proposal does not address the required retainage between the Site and the 839 Woodside Property, especially where the stairway and path are proposed to be built. Instead,

the Proposal indicates that retainage will be addressed through the building permit process at some point in the future. However, deferring action on this significant issue to a different department on a future date does not satisfactorily address this criterion now as part of the CUP application. The Keller's, the City Council, and the public deserve the opportunity to understand exactly what is being proposed, the detrimental impacts that proposal will generate, and how the owner of 901 Woodside Avenue is successfully mitigating those detrimental impacts, if at all.

h. The Proposal Fails to Satisfy CUP Criteria No. 16 – Reviewed for Consistency with the Goals and Objectives of the Park City General Plan; However such Review for Consistency Shall not Alone be Binding.

1. General Plan Small Town – Parking in Old Town – page 30

“On-street parking spaces are a finite city service, and it is important for neighborhoods to efficiently and effectively manage existing facilities as a scarce and valuable resource. This will require careful coordination between the neighborhood, the Planning Department, and the Parking Department.”

As discussed above, it is evident that the Proposal would effectively eliminate at least one parking space for which no mitigation has been proposed. The Proposal is inconsistent with this portion of the General Plan.

2. General Plan Small Town – Protect Open Space – Page 14

“A ... benefit to smaller lot sizes is increased density which reduces pressure on undeveloped land and prevents sprawl. Undeveloped land plays a critical role in carbon sequestration and off-setting greenhouse gas emissions. Within Park City, the increased open space protects the core value of natural setting.”

While the Site may be an unbuilt road, it acts, effectively, as Open Space. Regardless, the Proposal directly violates the intent behind this goal. In fact, the Proposal directly contradicts every aspect of this provision of the General Plan. Specifically, the construction of a private driveway on public, undeveloped land is tantamount of sprawl and removes the natural vegetation, replacing it with impervious surface that in no way can play a role in carbon sequestration and the reduction of greenhouse gas emissions. The Proposal is inconsistent with this portion of the General Plan.

3. General Plan Natural Setting – Protect Open Space – Pages 42-47

Again, while the Site may be an unbuilt road, it acts, effectively, as Open Space. More importantly, as undeveloped, natural land, it accomplishes and supports the goals set forth in this section of the General Plan. Specifically, as currently existing, the Site protects biodiversity, offsets/reduce greenhouse gas (carbon sink), etc. The Proposal includes a substantial amount of impervious surface and removal of the natural landscape. As a result, it simply does not, and cannot, comply with the General Plan.

2. Planning Commission Acted Appropriately Within the Scope of their Duties

Legal Counsel for 901 Woodside, LLC indicated in his December 4, 2019 letter to you that the Planning Commission acted outside of the scope of their duties when considering the CUP application because their primary concerns were based on “policy issues” and not “legal reasons.” However, a careful review of the November 13, 2019 Planning Commission meeting reveals that the Planning Commissioners’ so called “policy” concerns were entirely based on and involved the CUP criteria as set forth in the LMC. For example, and as further set forth in the Staff Report, three of the Commissioners who voted against the Application, were concerned about the elimination of parking spaces – an inevitable result of approval of the Application in its current form and one of the criteria for approval of the Application.

Further, some of the other so-called “policy considerations” involved Commissioners discussing the elimination of Open Space and the loss of Old Town character. However, these items are part of the General Plan, including the Goals and Strategies and therefore, are included in the criteria of the CUP Application as set forth in the LMC. It seems apparent that 901 Woodside’s attorney seeks to label all items of concern expressed by the Commissioners as mere “policy” in an attempt to dismiss otherwise valid discussions of the CUP criteria and shoehorn-in an approval of the Application.

3. The Harms to the Neighboring Land Owners Cannot be Mitigated.

It is obvious that the Proposal will impose significant impacts on the properties and neighborhoods surrounding the Site. These negative impacts include noise, light, additional retainage, and a violation of multiple provisions of the General Plan, including the removal of natural vegetation. With respect to light and noise, it is important to understand exactly what the owner of 901 Woodside is proposing and exactly what will result from the proposed stairway, path, and private driveway on public land. Moreover, the Proposal does not include any mitigation of these obvious detrimental effects.

Additionally, the Keller's intend to use their residence full-time within the next year or so. Conversely, the owner of 901 Woodside is simply making improvements to the residence to turn around or "flip" the residence to a willing buyer. While there is nothing inherently wrong with the owner of 901 Woodside's actions, it can, and does suggest a disinterest in the long-term viability, maintenance, and mitigation of the Site and the Proposal.

Finally, while not a criterion of the CUP Application, the Keller's join their many neighbors in expressing their fears and concerns regarding the precedent an approval of this CUP Application will create as it relates to use of public land for private uses. The precedent is incredibly dangerous and creates a very slippery slope.

In sum, the development outlined in the Proposal fails to satisfy the CUP criteria as set forth above and is entirely inconsistent with the General Plan and character of the surrounding neighborhood. The Keller's are entitled to understand the proposal as it affects their real property and quality of life. To date, no such attempts have been made by the owner of 901 Woodside Avenue. The Keller's respectfully request that the Proposal be denied.

Respectfully Submitted,

WRONA DUBOIS, PLLC



Nicholas W. Frost

cc:

Mark Harrington mark@parkcity.org

Caitlyn Barhorst caitlyn.barhorst@parkcity.org