



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
April 29, 2021**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regular City Council meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Thursday, April 29, 2021.

NOTICE OF MEETING & HOW TO COMMENT VIRTUALLY:

On April 8, 2021, the Mayor issued a written determination that because of the public health emergency, conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may attend in person. For these reasons, this meeting will be an electronic meeting without an anchor location.

Council members will connect electronically. Public comments will be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom. Written comments submitted before or during the meeting will be entered into the public record, but will not be read aloud. For more information on participating virtually and to listen live, please go to www.parkcity.org.

CLOSED SESSION - 2:45 p.m.

To Discuss Property, Personnel, and Litigation

WORK SESSION

3:30 p.m. - Fourth of July Update
[Fourth of July Staff Report](#)

3:50 p.m. - Song Summit Event Update
[Song Summit Work Session](#)

4:30 p.m. - Discuss the Request by Fairway Village Homeowners Association for Park City to Accept its Private Streets into the Public Road System
[Fairway Village HOA Request Staff Report](#)
[Exhibit A: Site Map](#)
[Exhibit B: 2019 Dedication Map](#)
[Exhibit C: Resolution No. 6-91](#)
[Exhibit D: Plat Map Fairway Village No. 1](#)
[Exhibit E: Plat Map Fairway Village No. 2 \(First Amended\)](#)
[Exhibit F: July 1991 City Letter](#)
[Exhibit G: August 2014 City Letter](#)
[Exhibit H: Letter Fairway Village HOA Road Dedication for 4.29 CC](#)

4:50 p.m. - Park City Arts and Culture District Follow Up Discussion: Scope and Plan of Finance
[Arts and Culture District Staff Report](#)
[Exhibit A: Sources and Uses Spreadsheet](#)

REGULAR MEETING - 6:00 p.m.

I. ROLL CALL

II. RECOGNITION

1. Consideration to Adopt Resolution 07-2021, a Resolution Acknowledging the Legacy of Adolph's Restaurant - A Ski Town's Host
(A) Public Input (B) Action
[Adolph's Staff Report](#)
[Exhibit A: Adolph's Resolution](#)

III. APPOINTMENTS

1. Reappointment of Sarah Hall and the Appointment of William Johnson to the Planning Commission with Terms Expiring July 2024
[Planning Commission Appointments Staff Report](#)

IV. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Staff Communications Reports

1. Public Art Update
[Public Art Staff Report](#)
2. FY2021 Distinguished Budget Award and March 2021 Budget Report
[Budget Award Staff Report](#)
[Exhibit A: Fitch Ratings](#)
[Exhibit B: GFOA Certificate FY21](#)
[Exhibit C: Monthly Budget Report-March 2021](#)
3. Affordable Housing Projects Update
[Affordable Housing Projects Staff Report](#)
4. Water Conservation and Drought Update
[Water Conservation Staff Report](#)
[Exhibit A: Water Conservation Program](#)
5. Social Equity Quarterly Update
[Social Equity Staff Report](#)

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

VI. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from April 15, 2021
[April 15, 2021 Minutes](#)

VII. CONSENT AGENDA

1. Request to Accept a Donation of a Mixed Media Painting on Behalf of Artist Nancy Scheibe to the Public Art Collection in an Art Agreement Approved by the City Attorney
[Public Art Donation Staff Report](#)
[Exhibit A: Nancy Scheibe Art Donation Proposal](#)
2. Request to Appropriate \$25,000 for Spring 2021 Wildfire Mitigation Efforts
[Wildfire Mitigation Funding Request Staff Report](#)

VIII. OLD BUSINESS

1. Consideration to Adopt Resolution 08-2021, a Resolution Approving the Refinancing by Park City, Utah of a Training and Office Facility and Related Improvements for the Center of Excellence Properties, LLC; Authorizing the Issuance by the Issuer of its Not to Exceed \$16,500,000 Industrial Revenue Refunding Bonds, Series 2021 (United States Ski and Snowboard Association); and Related Matters
(A) Public Hearing (B) Action
[USSA Conduit Financing Refunding Resolution Staff Report](#)
[Exhibit A: USSA Refinance 2021 Authorizing Resolution](#)
[Exhibit B: Public Hearing Minutes - Park City USSA Refinance 2021](#)
2. Park Avenue Redesign Pilot Program Update
[Park Avenue Pilot Project Staff Report](#)
[Exhibit A: Park Avenue Pilot Project Postcard](#)

IX. NEW BUSINESS

1. Consideration to Adopt Resolution 06-2021, a Resolution Allowing All Park City Municipal Public Bodies to Hold Electronic Meetings
(A) Public Hearing (B) Action
[Electronic Meetings Staff Report](#)
[Exhibit A: Electronic Meetings Resolution](#)
2. Consideration of the Park City Baseball Event Appeal of Peak Times
(A) Public Hearing (B) Action
[Park City Baseball Invitational Appeal Staff Report](#)
[Exhibit A: Park City Baseball Appeal Requesting Peak Time Period](#)
[Exhibit B: PCMC Administrative Denial and Summary of Communications](#)

3. Consideration to Approve the Park Silly Sunday Market Supplemental Plan
(A) Public Input (B) Action
[PSSM Supplemental Plan Staff Report](#)
[Exhibit A: PSSM Supplemental Plan and Special Event Application](#)
[Exhibit B: PSSM Analysis](#)
[Exhibit C: Draft Level 5 Event Permit](#)
4. Consideration to Approve Ordinance 2021-18, an Ordinance Amending the Land Management Code § 15-6.1-3, Zoning Districts and Uses; § 15-6.1-6, Density; § 15-6.1-7, Setbacks; § 15-6.1-8, Building Height and Facades; § 15-6.1-9, Parking - to Allow Affordable Master Planned Developments (AMPD) in the Historic Commercial Business and Historic Recreation Commercial Zoning Districts
(A) Public Hearing (B) Action
[Affordable Master Planned Development Staff Report](#)
[Exhibit A: Ordinance and Land Management Code Redlines](#)
[Exhibit B: Affordable Master Planned Development Background](#)
5. Consideration to Approve Ordinance 2021-19, an Ordinance Approving the Northstar Subdivision Lot 2 & 3 Lot Line Adjustment, Located at 1049 and 1025 Lowell Avenue, Park City, Utah
(A) Public Hearing (B) Action
[1049 Lowell Ave Plat Amendment Staff Report](#)
[Exhibit A: Draft Ordinance and Proposed Plat](#)
[Exhibit B: Record of Survey](#)
[Exhibit C: Existing Northstar Subdivision Plat](#)
[Exhibit D: Applicant Submittal](#)
[Exhibit E: Site Pictures](#)
[Exhibit F: Revised Plat](#)
[Exhibit G: Streetscape](#)
[Exhibit H: Public Comment](#)
6. Consideration to Approve Ordinance 2021-20, an Ordinance Approving the Lot 2 Willow Ranch Replat, First Amended, Located at 2750 Meadow Creek Drive, Park City, Utah
(A) Public Hearing (B) Action
[2750 Meadow Creek Drive Plat Amendment Staff Report](#)
[Exhibit A: Ordinance 2021-20](#)
[Exhibit B: 1993 Recorded Subdivision](#)
[Exhibit C: 1999 Lot 2 Replat](#)
[Exhibit D: Survey](#)
[Exhibit E: Applicant's Letter of Intent and HOA Approval Letter](#)

X. ADJOURNMENT

XI. PARK CITY HOUSING AUTHORITY MEETING

I. ROLL CALL

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

III. NEW BUSINESS

1. Consideration to Approve the PEG Development Affordable Housing Mitigation Plan in Fulfillment of the Affordable Housing Obligation Generated by the Park City Mountain Base Area Development Project
(A) Public Hearing (B) Action
[PEG Housing Mitigation Plan Staff Report](#)
[Exhibit A: Housing Mitigation Plan Proposal](#)
[Exhibit B: PEG Housing Mitigation Plan Action Letter](#)

IV. ADJOURNMENT

XII. PARK CITY REDEVELOPMENT AGENCY MEETING

I. ROLL CALL

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

III. NEW BUSINESS

1. Consideration to Approve an Economic Development Grant Contract for \$20,000 for Offset Bier LLC in a Form Approved by the City Attorney
(A) Public Hearing (B) Action
[Offset Bier Grant](#)
[Exhibit A: Draft Grant Contract](#)
[Exhibit B: Offset Bier Grant Study](#)
[Exhibit C: Application](#)
[Exhibit D: Business Plan](#)
[Exhibit E: Previous Grant Recipients](#)

IV. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See: www.parkcity.org

***Parking validations will be provided for Council meeting attendees that park in the China Bridge parking structure.**

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Jenny Diersen

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

3:30 p.m. - Fourth of July Update

Suggested Action:

Attachments:

[Fourth of July Staff Report](#)



City Council Staff Report

Subject: Fourth of July Update
Author: Jenny Diersen
Department: Special Events & Economic Development
Date: April 29, 2021
Type of Item: Work Session

Recommendation

Provide direction to staff regarding the Fourth of July Celebration.

Executive Summary

As the event applicant, promoter and regulator, Park City is responsible for a series of Fourth of July community activities, which are produced via a contract with an event planner. Because of event fatigue broadly and now pandemic-related crowding concerns, the City Council may wish to consider options on the scope and scale of the event for this year.

Background

Economic Development accepted the role of producing the Fourth of July Celebration in 2016 after the Park City Chamber Ambassadors dissolved. Since then, the City has consolidated the programs under one event planner resulting in a more coordinated, efficient, and cohesive event. The event typically includes a parade, City sponsored and managed activities at City Park, and culminates with a Fireworks show at the base of Park City Resort.

In 2020 the bulk of programming, including the parade and fireworks were cancelled, along with most of the summer event calendar due to COVID-19. Some light programming including non-amplified music, air force flyover, virtual 5K run did happen.

On [March 18, 2021, the City Council approved the Service Provider contract for a Fourth of July Event Planner.](#)

On [April 15](#), Council agreed with staff's focus to reduce the scale of events and encouraging applicants to continue COVID-19 mitigation even if not required by the State. With the just 8 weeks away, Staff is proceeding with planning and requests Council confirm their support or direct staff to head in a different direction.

Analysis

The Governor's Health Order requiring masking or social distancing for gatherings of over 50 when social distancing cannot be maintained expires on May 22, 2021. We anticipate current guidelines to be relaxed across the State. According to the Utah

League of Cities and Towns survey, many jurisdictions are moving forward with traditional fireworks displays and scaled-back events.

Alternatives – These are not intended to be finite but are being considered to spread out programming. Instead of the entire event on one day, July 4, the programs could extend throughout the weekend, possibly spreading crowds:

Parade Options - If Council would like to host a parade on an alternative day, staff has contemplated moving the event to Friday, July 2, in the morning. While speculative, this approach may result in the following:

- Reducing drive traffic from SLC and focusing on local attendance.
- Some community members will not have the Friday off work.
- Increased weeknight overnight lodging.
- Reduced cost of City Services (estimated \$20,000) with no holiday labor rates.

Council could, as part of this option:

- Prohibit staging of chairs/blankets, challenging and unpopular with the public.
- Require masks during the parade when social distancing cannot be maintained.
- Reopen Main Street and Park Ave after the parade and no City Park activities.

Firework Options – Fireworks are permitted in accordance with the Park City Building Official/Fire Marshall and staffed by PC Fire District. If hazardous conditions arise, fireworks would be cancelled. Park City's fireworks are held at PCMR.

Council could consider:

- Date Coordination - Coordinate fireworks on same night as Canyons Village (historically July 3) to spread crowds between locations. The City's position regarding fireworks may influence Canyon's Village decision to proceed.
- Location Changes - Consider changing location of City fireworks to the Mine road runaway truck ramp (same location as World Cup events). If held on Saturday, July 3, the street would not be closed and would remain open for traffic and normal parking on Main Street.
 - Staff believes this may reduce traffic congestion around PCMR, City Park and Golf course, and neighborhoods. However, this change may create crowds impacts around Main Street.
- Professional permitted shows may help decrease personal firework use.

Other Events -

- Friday, July 2 - Deer Valley has a special event permit application for the DV Music Festival. They intend to host concerts at approximately 50% reduced capacity (2,500 instead of 5,000) on Friday, July 2. A concert is not scheduled on Saturday.
- Sunday, July 4 - Staff recommends eliminating all additional programming except for the annual Volleyball Tournament at City Park and Treasure Mountain Fields. Staff is working with Park City Ski Team annual 5K (in person attendance estimated at 1,000 participants).

- Sunday, July 4 - Car Free Sunday and PSSM held on Sunday. The City would support these events with light programming as usual.
- July 1, 2, 3 and 5 - Oakley Rodeo and parade are planned with fireworks nightly. No programming is planned for Sunday, July 4.

Currently, staff does not anticipate any City-funded marketing. Staff has not yet preformed public outreach regarding these options.

Funding

Total cost to the City for the event is estimated at \$130,000.

Event Organizer Service Provider Contract - \$20,000. This service contract is funded by a Restaurant Tax Grant. If the grant does not get funded, the project can be funded from existing funds within the current Economic Development budget. If scope of event is reduced, we will pay event organizer accordingly.

City Service Fees - \$55,000. The City has completed a Special Event Fee Reduction (SEFR) Application for other City Service costs associated. Staff will return to review SEFR requests over \$25,000 which are City Council's authority at a subsequent meeting. Alternatives proposed by reduce such fees if pursued.

Programming and Hard Costs - \$52,000. This includes Fireworks, Family and cultural programming (for items such as parade entertainment, non-amplified music, etc.), and hired security for fireworks and residential management. Alternatives proposed may reduce such costs.

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Jenny Diersen

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

3:50 p.m. - Song Summit Event Update

Suggested Action:

Attachments:

[Song Summit Work Session](#)



City Council Staff Report

Subject: Song Summit Event Update
Author: Jenny Diersen
Department: Special Events & Economic Development
Date: April 29, 2021
Type of Item: Work Session

Recommendation

Provide direction regarding proposed changes for Song Summit, a new Level Four event, including:

- Event held during quiet weekend September 8 to 12, 2021;
- Use of City Property at Jim Santy Auditorium and additional private venues within Park City; and
- The Applicant requests to begin marketing and ticket sales before action on the permit application, understanding that doing so before final approvals is at the applicant's own risk.

The event will require a public hearing and approval/denial for compliance with standards of approval at a subsequent meeting.

Executive Summary

Council adopted the current policy and section [4A of the municipal code](#) regarding events in 2018 to create balance and predictability of the overall Special Event Calendar. While not formally codified, Council's policy regarding events, reflects a desire for staff to administratively balance quieter times between June and September to allow residents respite and balance with quality of life. City Council discussed this on [June 7](#) ([audio](#) 1:42 to 1:51), [September 13](#) ([audio](#) 49:49) and [September 27](#), 2018 ([audio](#) 1:39) Council meetings, ultimately requesting staff to administratively balance quiet times.

For 2021, Song Summit proposes dates on a quiet weekend, using City property. The applicant seeks permission to begin marketing and ticket sales for this event before final approvals. Staff has not had time to evaluate the application in totality. Per section [4A-2-4\(H\)\(4\)](#), staff determined that based on the requested changes, the event is a renewal and now qualifies a new Level Four event, requiring City Council review. The event will require a public hearing and approval/denial for compliance with standards of approval at a subsequent meeting.

In the future, Song Summit is interested in pursuing a long-term contract and plans to seek City Council consideration after the 2021 event.

Background

Song Summit began as a retreat for songwriters and artists to meet and create music. The event began in 2019 with four private venues and was canceled in 2020 due to the

pandemic. During this time, the applicant focused on its mission of creating an atmosphere for songwriters and artists to share their stories with the community and visitors.

In initial planning meetings in spring of 2019, the applicant described their vision to ultimately grow the event. Staff advised the applicant that finding appropriate venues and placement within the Special Event Calendar in the context of Council direction regarding peak and quiet times may be a challenge, particularly with regard to the Miner's Day and Autumn Aloft Peak Time Periods and balancing quieter times. Ultimately, the applicant is requesting to be held during a quiet time.

The applicant submitted a Pre-Event Application and was given preliminary approval to move forward with a Level Two event during a quiet weekend. After receiving such documents, the applicant requested substantial changes that upon initial review meet the definition as a Level Four event based on expanding the number of venues (from four to 12) and increasing the number of event days from two to five. The new schedule will combine lab-style classes at indoor and private outdoor venues with music, big stage concerts, and surprise performances. Total estimated attendance for the five-day event is between 10,000 and 15,000 people, compared to 1,000 in 2019 when the event was held on the same weekend as Autumn Aloft.

Proposed venues include:

- City Property: Jim Santy Auditorium and has been coordinating with Park City Film Series regarding potential event collaborations.
- City Jurisdiction Private Venues: Op Rockwell's, Listening Room, Cabin, Downstairs, Kimball Terrace, Spur, Treasure Mountain Inn Ballroom, Deer Valley Snow Park Amphitheatre, Eccles Center, and Montage
- County Private Venues: Blue Sky Ranch

Analysis

The event is organized by PC Song Summit, a local business that has hired Summit Events, a local destination management company, to manage the event. While it is not a nonprofit organization, the event is unique to Park City. It has a strong alignment with mental health, sobriety, community priorities in sustainability, and unique arts and culture experiences. Additionally, the event gives back to national organizations, including Send Me A Friend and Musicares with Grammys, and anticipates partnering with additional local organizations this coming year to support them financially.

According to section [4A-1-1.7\(A\)](#) of the municipal code, the activity proposed is a Special Event. It is a unique cultural and entertainment activity, produced by a for profit entity, occurring for a limited duration of time that impacts the City by having use of, or having impacts on, City Property and requiring licensing and services beyond the scope of normal business and/or liquor regulations as defined by title 4A. The proposed event creates public impacts through:

- Interruption of the safe and efficient flow of transportation in Park City, including streets and public rights of way, which may include temporary closures or impacts

on streets or sidewalks necessary for the safe and efficient flow of transportation and pedestrian movement in Park City;

- Use of Public property, and facilities;
- Use of City parking facilities;
- Use of amplified sound that is above Title 6 of the municipal code; and
- Need for public safety beyond their normal scope of operations.

According to section [4A-1-1.7\(B\)\(4\)](#), upon initial review, the Special Event Manager has determined the event is a Level Four Event due to:

- The attendance throughout the duration of the event time period is estimated between 500 and 5,000 people and the event has multiple days in consecutive occurrence;
- Has moderate impact to surrounding areas;
- Has moderate to major transportation needs including removal of parking, requires a transportation mitigation plan and minor to moderate residential transportation mitigation and may require increased service from Park City Transit outside of existing transit; and
- Requires public safety staffing needs beyond their normal operations including moderate to major support in the venues and minor to moderate traffic control.

The proposed scope of the event is likely to require additional traffic mitigation that is consistent with other concerts at Deer Valley at full capacity including increased transit, additional police staffing to manage traffic and requirement for the applicant to hire a contractor to manage parking flow during egress of the event. Additionally, staff believes there will be parking removal for crowd management and deliveries to venues. Staff is working to evaluate if existing transit services provide adequate service to the venues or if additional transit or transportation services are necessary. There are currently no road closures requested for this event.

Based on current pending applications under review, Staff anticipates staying within the cap for Level Four events per [Event Level Limits 4A-2-3\(F\)\(3\)](#) (10 allowed annually). Holding the proposed event on the requested dates would result in three busy weekends in a row in September. Other pending applications for Special Events September 8 to 12 include Park City Farmers Market at Park City Resort, PC Recreation Dirt Jump Jam at Creekside Park, Park City Trail Series Half Marathon at Quinn's Junction, Car Free Sundays, Park Silly Sunday Market and Virtual Tour De Suds.

Funding

Staff needs time to evaluate the event application and estimate City Service Fees for this event with the changes and understand if the applicant will request Special Event Fee Reduction (SEFR).

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: John Robertson

Submitting Department: Engineering

Item Type: Work Session

Agenda Section:

Subject:

4:30 p.m. - Discuss the Request by Fairway Village Homeowners Association for Park City to Accept its Private Streets into the Public Road System

Suggested Action:

This a work session to receive input from Council regarding acceptance of private roads into the City's public system and associated costs with taking on this infrastructure.

Attachments:

[Fairway Village HOA Request Staff Report](#)

[Exhibit A: Site Map](#)

[Exhibit B: 2019 Dedication Map](#)

[Exhibit C: Resolution No. 6-91](#)

[Exhibit D: Plat Map Fairway Village No. 1](#)

[Exhibit E: Plat Map Fairway Village No. 2 \(First Amended\)](#)

[Exhibit F: July 1991 City Letter](#)

[Exhibit G: August 2014 City Letter](#)

[Exhibit H: Letter Fairway Village HOA Road Dedication for 4.29 CC](#)



City Council Staff Report

Subject: Fairway Village Homeowners Association Request to Accept Private Roads as Public Streets
Author: John Robertson, City Engineer
Department: Engineering
Date: April 29, 2021
Type of Item: Work Session

Recommendation

Staff does not support the Fairway Village Homeowners Association (HOA) request to convert these privately maintained roads into the public road system due to the fact that the current proposal of streets does not meet the Section 1 requirements of Resolution No. 6-91 (See Attachment C) that requires a proposed private street for dedication to the public system “must be a through street connecting to an already dedicated City Street.” Additionally, accepting private roads with similar conditions could potentially set a precedent with the potential to significantly increase maintenance and replacement costs.

Background

Fairway Village No. 1 subdivision was platted in 1979 (See Attachment D) with Plat No. 2 being recorded in 1988 (See Attachment E). At the time of Plat No. 2 recordation, Fairway Village Drive, Sunny Slopes Drive and Sunny Slopes Court were identified as private roadways and maintained by the HOA since that time.

In 1987, the City received an inquiry from the HOA to explore the topic of road dedication into the City’s public street system. The subject roads included those that were ultimately created with Plat No. 2 listed above and included Broken Spoke Way, Duck Hook Drive and all of Sunny Slopes Drive to the gate entrance into the golf course. It should be noted that Broken Spoke Way, Duck Hook Drive, and the sections of Sunny Slopes Drive adjacent to them are managed by two separate homeowners’ associations. The response from the City at that time stated that City had not been presented with “substantial reasons” to accept these private roads into the public system.

In June of 1991, Resolution No. 6-91 was approved by Council. This new resolution outlines the process and requirements that will need to be met and satisfied prior to Council consideration of a request for acceptance of private roads into the City’s system. The resolution contains two sections. Section one (1) provides three criteria that private roadways must meet to be considered for acceptance as a City street. If the private drive meets the criteria, section two (2) then provides two conditions that must be fulfilled. The conditions state that the road must be brought up to current City standards and that the acceptance “must not create any undue financial burden on the City”.

Upon receiving another request from the HOA to consider dedication of these private roads, the City in July of 1991 (See Attachment E) issued a letter to the HOA stating that

Section 1 of the resolution had been met with the exception that Sunny Slopes Court would not be considered due to its unique configuration as a dead-end road. The letter also listed several infrastructure improvements to be performed on the roadways before acceptance into the City's system. The required improvements were not completed, and the streets remained private roadways.

On August 4, 2014 (See Attachment F), in response to another request for acceptance of all of the roadways listed above, the City issued another letter stating that Section 1 of the resolution was satisfied and outlined several required improvements that would need to occur before acceptance. One of the conditions was to perform an engineering evaluation of the pavement prior to further discussions regarding acceptance. The required evaluation was received for the City's consideration and review in the spring of 2019. It should be noted that the roadways that were analyzed by the HOA's engineer for consideration had been reduced to Fairway Village Drive, Sunny Slopes Court, and a reduced section of Sunny Slopes Drive (See Attachment B 2019 Dedication Map). These roads are those that Plat Map No. 2 had dedicated as private roadways and are maintained by the HOA.

The City issued a response to this analysis dated January 2020 to the HOA's engineer, which generally mirrored the requirements from previous city engineers and letters but did provide specific requirements regarding the proposed roadway improvements suggested by the HOA's engineer. Since January of 2020, the City and HOA have been negotiating details regarding the level of improvement required of the various roadways that would need to be performed by the HOA before acceptance. As a result of these negotiations, an additional pavement evaluation was performed by the HOA and received in January of 2021. Based on these discussions, we have come to an understanding for the majority of the improvements the HOA would be required to perform in order to provide the City with a pavement that would have a 20-year design life. The required improvements include milling or replacing sections of the asphalt, cement treating the base, or fixing and sealing cracks in conjunction with a slurry seal coat.

In general, the required improvements to bring the roads up to current standards and a 20-year design life are listed below and are estimated to cost approximately \$200,000:

- Removal/replacement of asphalt and treatment of base material on Upper Fairway Village Dr and Sunny Slopes Dr.
- Fix cracks and perform slurry seal on Lower Fairway Village Drive.
- Updated storm drainage inlets as required.
- Removal of all speed bumps.
- Dedicate right of way 50 feet in width as street right of way.
- All driveways, if required, to be brought up to current standards.
- Provide a hammerhead type turnaround for snow plows to turnaround.
- Traffic signs and markings brought up to current MUTCD standards.
- Install fire hydrants at 150 foot intervals.

- Comply with the City's Complete Street Resolution by installing a sidewalk on one side of the roadway and inclusion of a bike lane or allow for sharrows in the roadway prism.

In addition to the physical roadway improvements, it will be necessary to formally dedicate these private roads to the City. Therefore, the HOA will be required to replat the roads and adjacent properties, which would entail the submittal of a new plat map to the Planning Department for review and recommendation by the Planning Commission and approval by the City Council. Because the expanded right of way includes privately owned property on each existing lot, a new plat will require that every lot owner within the subdivision execute [sign] the owner's dedication on the approved plat.

Once the roadways are dedicated as public roads, the costs to maintain the infrastructure and remove snow would become the responsibility of the City. Public Works has estimated that the annual costs to the City to accept these roads into the system for yearly maintenance activities to be approximately:

- Snow removal - \$17,000.
- Sweeping - \$2,415

Over a twenty-year life the annual cost contribution to perform typical pavement maintenance efforts (slurry seals, crack seals, 2" mill and overlay) would be approximately:

- Slurry seal - \$2,200
- Crack seal - \$1,850
- 2" mill & overlay - \$8,224

Therefore, the annual costs to the City to accept these roads into the City maintenance efforts and pavement management plan would be \$31,711. Over twenty years this would equal capital and operational costs of approximately \$634,220. Typical pavement maintenance efforts help to extend the life of the pavement but ultimately a reconstruction of the roadway is required. This cost to the City over twenty years does not include the costs to replace or fix the concrete curb and gutter, which could be another \$7,400 dollars annually depending on the life and condition of the concrete.

The costs to the HOA to bring these roads to a condition that the City would accept is substantial. Therefore, this request is coming before Council as a workshop to discuss the potential cost impacts to the City and obtain input about the viability of this request from the HOA.

There are two reasons staff does not support the request. First, upon further review of roadway limits proposed for dedication at this time, they do not meet the intent of Section 1 of the Resolution No. 6-91. Specifically, No. 1 of Section 1 states that "the road must be a through street connecting to an already dedicated City street." Given its proximity to Meadows Drive, Fairway Village Drive does not act as a connector road for through

traffic but is strictly for use by residents of the HOA. Additionally, the removal of the Sunny Slopes Dr. connection to Meadows Drive through the golf course also removes the condition of a connecting road. The gate between the Gleneagles homeowner's association boundary and the Park Meadows Country Club only allows for an exit towards Meadows Drive and limits this acting as a public road access.

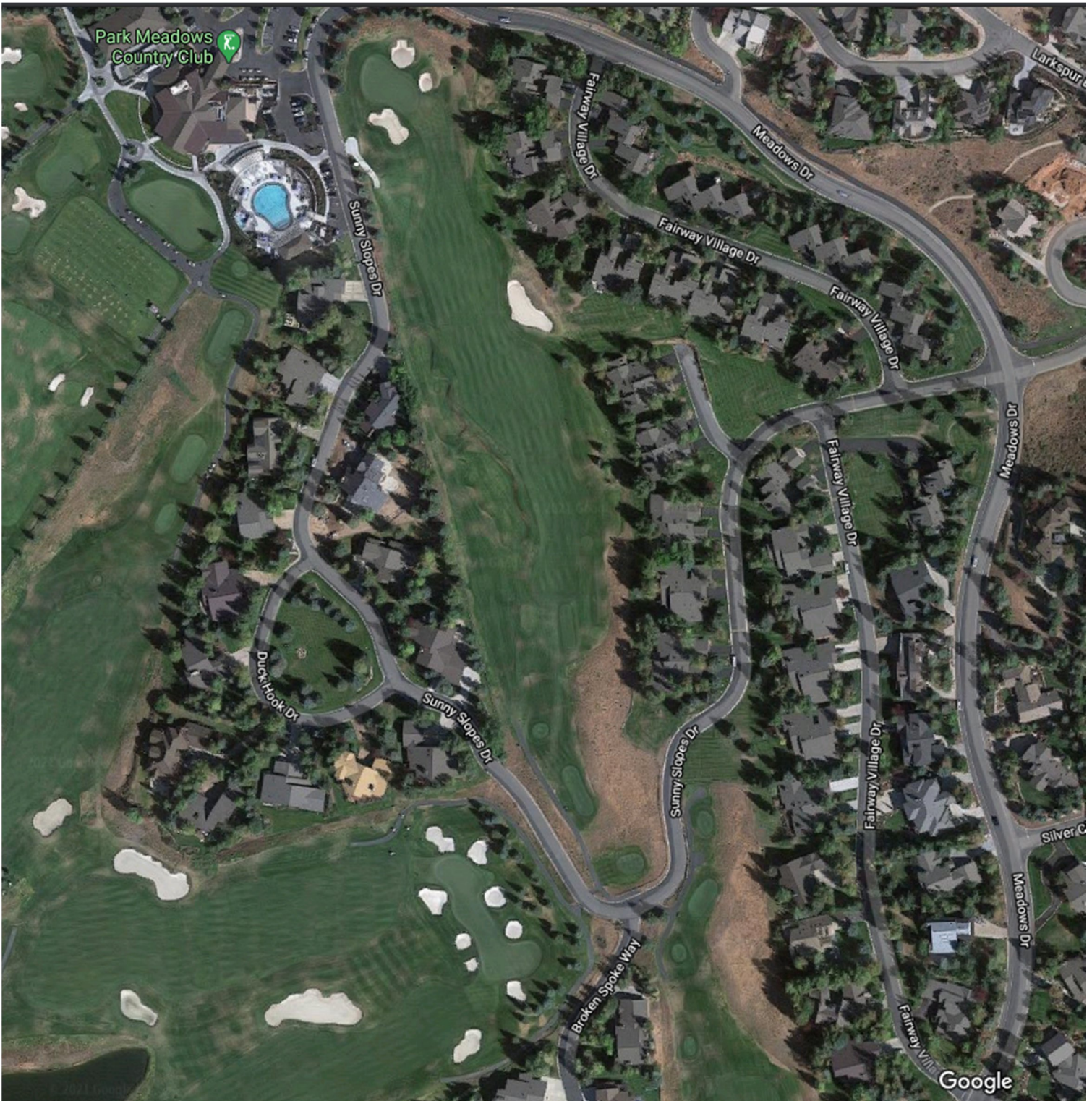
Second, the potential to set a precedent to accept private roads as public may encourage other homeowners' associations with roadways under similar conditions to seek relief of their maintenance and capital costs by approaching the City and make a similar request. The potential costs to the City could be significant, putting a strain on Public Works roadway maintenance costs and our annual budget.

Should Council consider this request, it would be recommended that in addition to bringing the roadways up to an acceptable 20-year design life, the HOA pay fees for one to two years of maintenance costs not previously budgeted by Public Works to maintain these now private roadways.

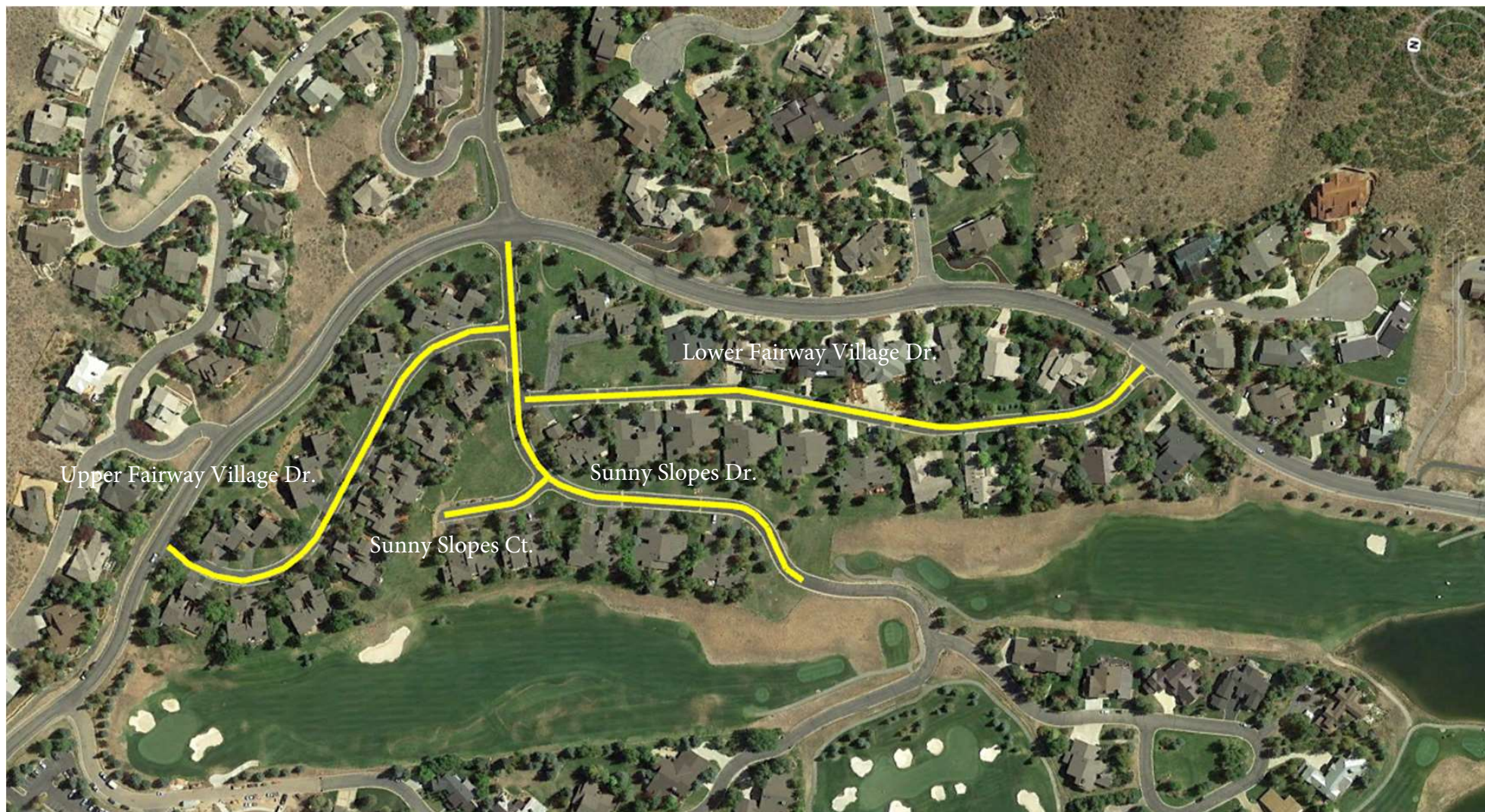
Attachments

- A Site Map
- B 2019 Dedication Map
- C Resolution No. 6-91
- D Plat Map Fairway Village No. 1
- E Plat Map Fairway Village No. 2 (First Amend)
- F July 1991 City Letter
- G August 2014 City Letter
- H Fairway Village Road Dedication Letter to Council for 4.29.21 Council meeting

Attachment A – SITE MAP



ATTACHMENT B - 2019 Dedication Map



RESOLUTION NO. 6-91

A RESOLUTION ON ACCEPTANCE
BY PARK CITY OF PRIVATE ROADS WITHIN PARK CITY

WHEREAS, the City Council of Park City desires to apply consistent criteria to proposed acceptances of currently-private roads, and

WHEREAS, the City Council desires to protect and enhance the safety and welfare of residents and taxpayers, and

WHEREAS, the City Council recognizes the legitimate concerns of those property owners abutting private roads who had inadequate knowledge of the cost and responsibility associated with the maintenance of their private roads, and

WHEREAS, the City Council desires to maintain responsible budgets and revenues in the City's General Fund and Capital Improvements Program.

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

SECTION 1

Prior to being considered for acceptance as a City street, a private road must meet the following criteria:

1. The road must be a through street connecting to an already dedicated City street. Private dead-end streets or cul-de-sacs generally would not be considered for dedication as public streets.
2. The road must serve single-family areas or facilities frequented by the general public; and
3. At least sixty-six (66) percent of the residential development density allowed by Park City's Land Management Code for all abutting properties, shall have been constructed and be available for occupancy.

SECTION 2

When the Community Development Department has determined that the Section 1 criteria are met, an applicant requesting City acceptance of a private street must fulfill the following two conditions:

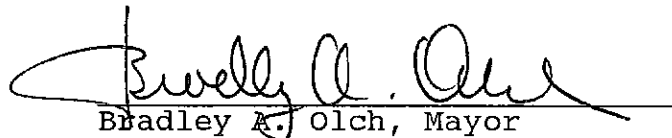
1. The road (this includes adjacent or parallel sidewalks, pedestrian trails, and bicycle paths, if any are shown on

the Park City Trails Master Plan as may be amended by the City Council from time to time) must have been constructed to or be brought up to current City standards, as defined in Section 200 of the Park City Design Standards, Construction Specifications, and Standard Designs, latest edition.

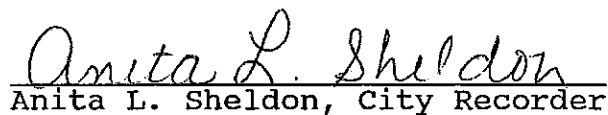
2. The acceptance must not create any undue financial burden on the City including costs for transfer to the City, such as engineering, subdivision, surveying, legal, or title work. In all cases except those specifically waived by the Community Development Director, an initial cash non-interest bearing deposit of \$5,000 shall be paid to Park City Municipal Corporation. The City shall draw against these funds to pay for any research or engineering work which, in the sole opinion of the Community Development Director, is necessary to reach a determination relating to the criteria and conditions specified in this document. The costs to the applicant are not limited to the \$5,000 deposit. Should the costs of research or engineering exceed the initial deposit, the Community Development Director may require additional cash deposits. Upon receiving the deposit, the City Engineer shall provide a written outline of the scope of anticipated research and engineering services.

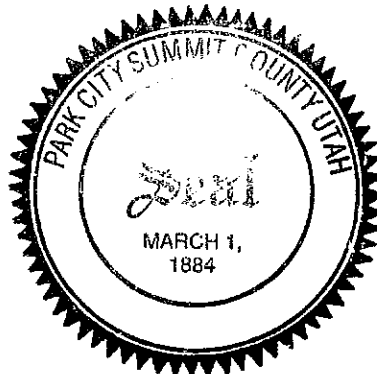
PASSED AND ADOPTED this 25th day of April, 1991.

PARK CITY MUNICIPAL CORPORATION


Bradley A. Olch, Mayor

Attest:


Anita L. Sheldon, City Recorder



SURVEYOR'S CERTIFICATE

I, James G. West, do hereby certify that I am a Registered Land Surveyor and that I hold certificate No. 3082 as presented under the Laws of the State of Utah. I further certify that by authority of the owners I have made a survey of the tract of land shown on this plat and described below and subdivided said tract of land into lots and streets, hereafter to be known as Fairway Village No. 1 and that same has been correctly surveyed and staked on the ground as shown on this plat.

Beginning at the Northwest corner of Park Meadows Subdivision No. 6A as recorded, said point also being N. 0° 01' 43" E. 1775.15 feet along a section line and East 152.25 feet from the East Quarter corner of Section 4, T.2S., R.4E., S.L.B. & M., said point being on a 367.00 foot radius curve to the right, the radius point of which bears S. 74° 35' 39" W. 367.00 feet; thence Southeasterly along the arc of said curve 40.02 feet; thence S. 78° 30' W. 313.99 feet; thence N. 11° 30' W. 30.00 feet; thence N. 40° 25' W. 80.62 feet; thence N. 69° 20' W. 418.16 feet; thence N. 22° 00' W. 355.00 feet; thence North 95.23 feet to a point on a 665.76 foot radius curve to the left, the radius point of which bears N. 8° 09' 25" E. 665.76 feet; thence Southeasterly along the arc of said curve 54.11 feet to a point of a 447.00 foot radius reverse curve to the right, the radius point of which bears S. 3° 30' W. 447.00 feet; thence Southeasterly along the arc of said curve 154.08 feet to a point of tangency; thence S. 66° 45' E. 162.00 feet to a point of a 367.00 foot radius curve to the right, the radius point of which bears S. 23° 15' W. 367.00 feet; thence Southeasterly along the arc of said curve 158.53 feet to a point of a 433.00 foot radius reverse curve to the left, the radius point of which bears N. 48° 00' E. 433.00 feet; thence Southeasterly along the arc of said curve 211.60 feet to a point of a 367.00 foot radius reverse curve to the right, the radius point of which bears S. 20° 00' W. 367.00 feet; thence Southeasterly along the arc of said curve 349.70 feet to a point of beginning.

Contains 6.55 acres.

Sep 20, 1979
Date

James G. West
James G. West

OWNER'S DEDICATION

Know all men by these presents that we the undersigned owners of the herein described tract of land having caused same to be subdivided into lots and streets to be hereafter known as Fairway Village No. 1 do hereby dedicate for perpetual use of the lot owners all common areas shown on this plat. Reserving unto the undersigned for the granting to adjacent properties a non-exclusive easement of ingress and egress and for vehicular and pedestrian traffic over those portions of property graded and surfaced as roadways in the manner set forth in the Declaration of Covenants, conditions and restrictions recorded here with we have hereunto set our hands this 17th Day of October A.D. 1979

Enoch R. Smith, Partner
Victor R. Ayers, Partner

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF SUMMIT

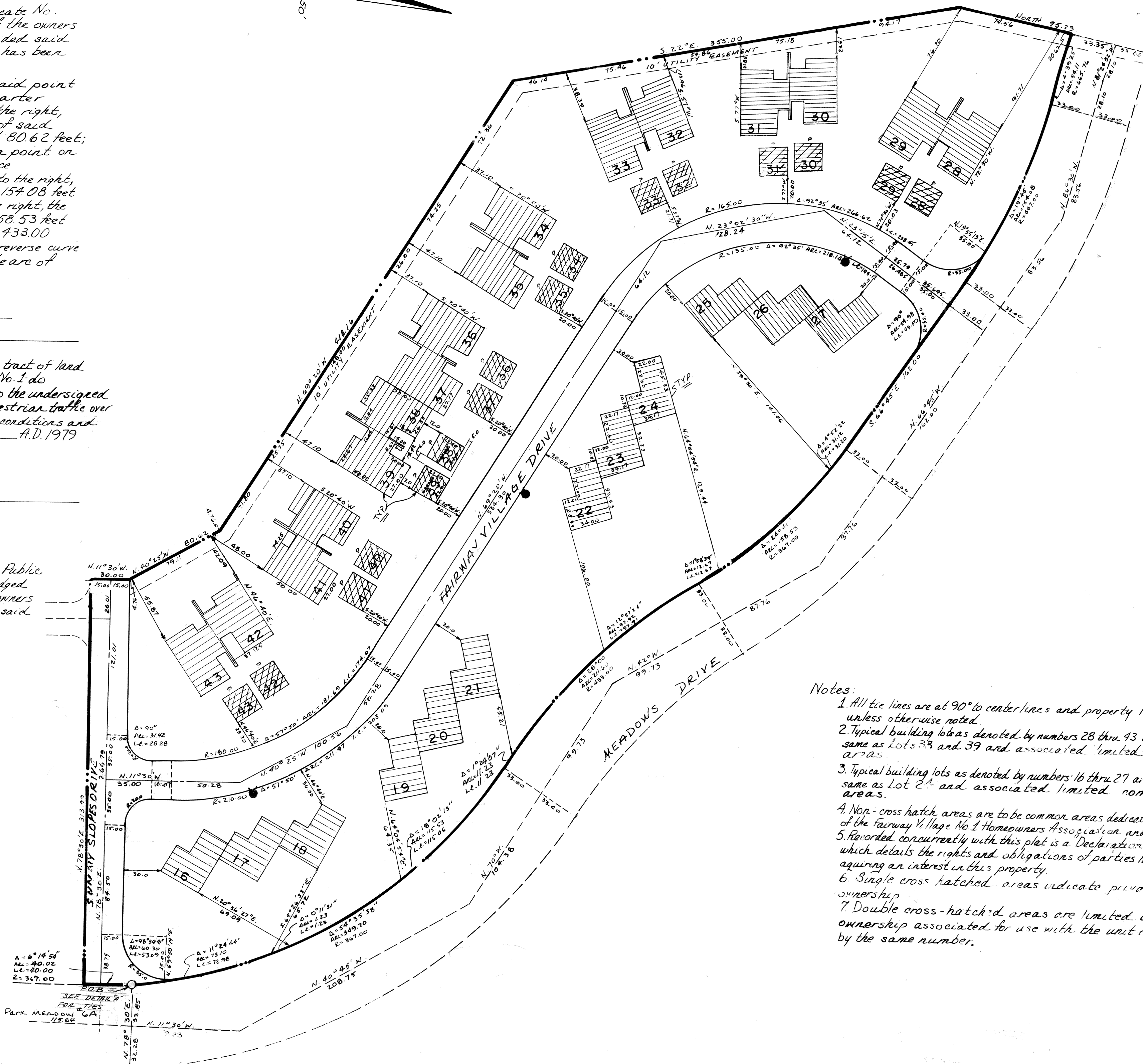
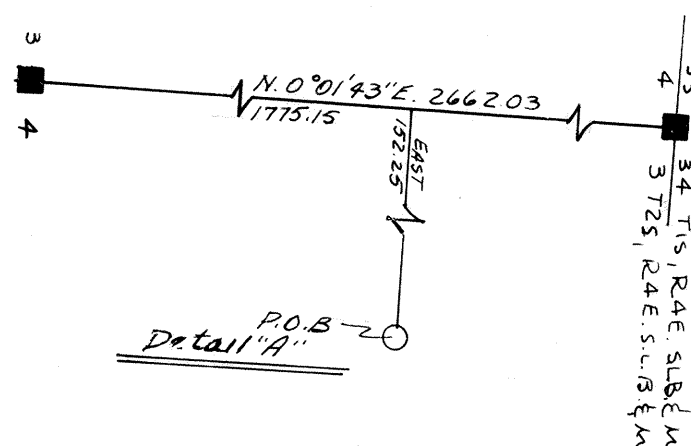
On this 17th day of October A.D. 1979 personally appeared before me, the undersigned Notary Public in and for said State and County, Enoch R. Smith and Victor R. Ayers who after being duly sworn, acknowledged to me that they are partners of Park Meadows Development Company, a Utah partnership, that they signed the owners dedication freely and voluntarily for and in behalf of said company for the purposes therein mentioned and said company executed the same.

My Commission Expires January 26, 1981
Residing in Salt Lake County, Utah

Carl Spencer
Notary Public

Legend:

● Fire Hydrants



Notes:

1. All tie lines are at 90° to center lines and property lines unless otherwise noted.
2. Typical building lots as denoted by numbers 28 thru 43 are measured same as lots 33 and 39 and associated limited common areas.
3. Typical building lots as denoted by numbers 16 thru 27 are measured same as Lot 2 and associated limited common areas.
4. Non-cross hatch areas are to be common areas dedicated to the use of the Fairway Village No. 1 Homeowners Association and its members.
5. Recorded concurrently with this plat is a Declaration of Covenants which details the rights and obligations of parties having or acquiring an interest in this property.
6. Single cross-hatched areas indicate private ownership.
7. Double cross-hatched areas are limited common ownership associated for use with the unit designated by the same number.

Prepared By:

J.J. Johnson & Associates

Civil Engineering Planning Surveying
1700 Park Avenue P.O. Box 1661
Park City, Utah 84060

City Planning Commission

Approved & Accepted by the Park City Planning Commission this 10th Day of Oct A.D. 1979

Bernie Shatto
Chairman

FAIRWAY VILLAGE No. 1 **A PLANNED UNIT DEVELOPMENT**

Located in N.E. Quarter of Section 4, T.2S., R.4E., S.L.B. & M.

Certificate of Attest

Attest this 22th Day of Dec A.D. 1979

Amos W. Leatham
Park City Recorder

Council Approval & Acceptance

Approved & Accepted by the Park City Council this 12 Day of Dec A.D. 1979

John A. Brown
Mayor

No. 162226

Recorded

State of Utah, County of Summit, Recorded and Filed at the request of:

SUMMIT COUNTY TITLE

Date 12-17-79 Time 4:45

14.50
Fee

Wanda Y. Spriggs
Summit County Recorder

SURVEYORS CERTIFICATE

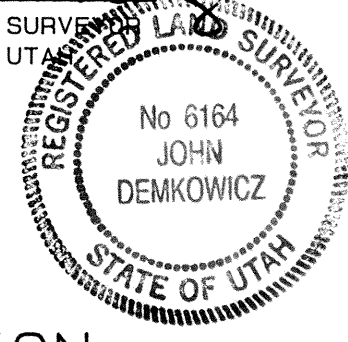
I, John Demkowicz, do hereby certify that I am a registered Land Surveyor and that I hold Certificate No. 6164 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner I have made a survey of the tract of land shown on this plat and described below and subdivided said tract of land into lots, buildings, and streets, hereafter to be known as FAIRWAY VILLAGE NO. 2 (FIRST AMENDED) and that same has been correctly surveyed and staked on the ground as shown on this plat.

DATE: 4-20-88

JOHN DEMKOWICZ, LAND SURVEYOR

REGISTERED NO. 6164, UTAH

STATE OF UTAH



OWNERS DEDICATION

The undersigned, JSSL Corporation, a Utah corporation, is the owner of all of the Lots modified or affected by this First Amended Fairway Village No. 2 Plat, sub-divided into Lots to be hereafter known as Fairway Village No. 2 (First Amended) a Planned Unit Development, as changed by this First Amended Plat, the Original Plat of Fairway Village No. 2, a Planned Unit Development, recorded on June 17, 1981 as Entry No. 180617 in the Official Records of Summit County constitutes the subdivision arrangement for the property.

JSSL CORPORATION

[Signature]
Jerry Shane, President

ACKNOWLEDGEMENT

STATE OF UTAH) ss.
COUNTY OF SUMMIT)

On this 21 day, of April 1988, personally appeared before me, the undersigned Notary Public, in and for said State and County, Jerry Shane, who after being duly sworn, acknowledged to me that he is the President of JSSL Corporation, a Utah Corporation, that he signed the foregoing Owners Dedication on behalf of that corporation with full authority of its bylaws.

NOTARY PUBLIC Residing at: My Commission Expires: Nov. 30, 1990

OWNERS DEDICATION

The undersigned Park Meadows Fairway Village Homeowners Association, a Utah non-profit corporation, is the owner of all of the common areas shown on this Plat. The undersigned certifies through its president, *[Signature]*, that the Amendment to the Fairway Village No. 2 Subdivision, as shown on this First Amended Plat, was approved and is approved, by Park Meadows Fairway Village Homeowners Association and that the consent for such amendment from the required number of Owners pursuant to Article X of the Covenants, Conditions, and Restrictions of Fairway Village Number 2 was received at a duly noticed meeting held Saturday, March 19, 1988. The signature of the President of the Association on this Amended Plat signifies and attests to the propriety of that meeting and the receipt of the appropriately required number of votes for the execution and recordation of this amended plat.

PARK MEADOWS FAIRWAY VILLAGE VILLAGE HOMEOWNERS ASSOCIATION

[Signature]
President

ACKNOWLEDGEMENT

STATE OF UTAH) ss.
COUNTY OF SUMMIT)

On this 21 day, of April 1988, personally appeared before me, the undersigned Notary Public, in and for said State and County, *[Signature]*, who being by me duly sworn, did say that he is the President of Park Meadows Fairway Village Homeowners Association, a corporation, and that the foregoing instrument was signed on behalf of said corporation by authority of its Bylaws or a resolution of its Board of Directors, and said *[Signature]* acknowledged to me that said corporation executed the same.

NOTARY PUBLIC Residing at: My Commission Expires: Nov. 30, 1990

LINE	BEARING	DISTANCE
L1	S 14°00'00" W	29.89
L2	S 11°30'00" E	15.00
L3	N 2°32'29" E	15.81
L4	N 11°30'00" W	14.14
L5	N 11°30'00" W	15.00
L6	N 78°30'00" E	15.00
L7	N 87°27'31" E	15.00
L8	S 87°27'31" E	15.00
L9	S 87°27'31" E	15.00
L10	S 78°55'41" E	15.00
L11	N 78°55'41" E	15.00
L12	N 78°55'38" E	15.00
L13	N 78°55'38" E	15.00
L14	S 27°55'10" W	14.99
L15	N 28°24'44" E	15.04
L16	N 87°27'31" W	15.00
L17	S 77°30'00" W	49.47
L18	S 76°30'00" W	54.43
L19	N 90°00'00" E	47.89
L20	S 2°32'29" W	3.00
L21	N 14°04'18" W	19.92

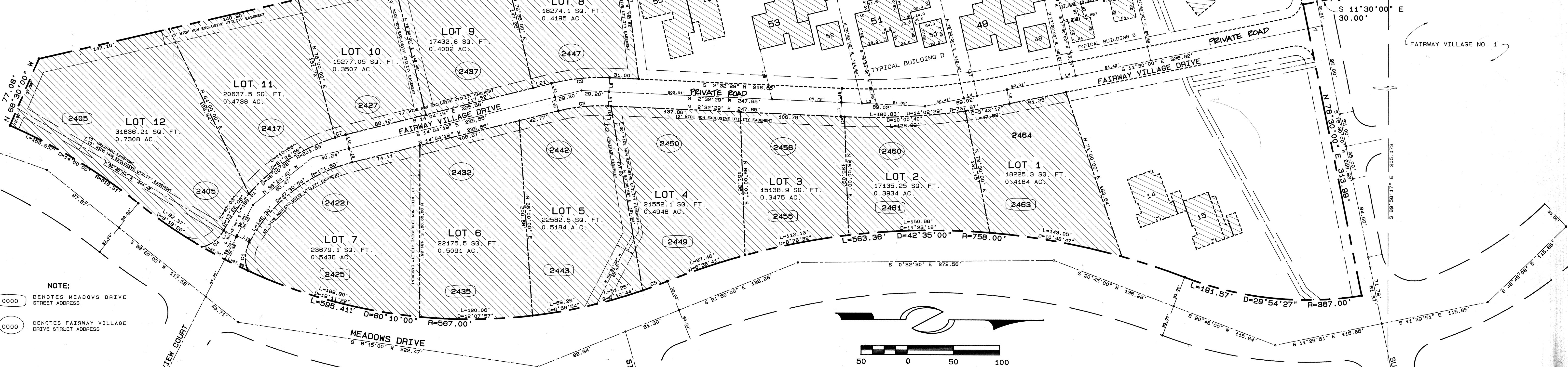
CURVE	ARC	DELTA	RADIUS
C1	31.01	50°49'48"	35.00
C2	53.64	16°36'48"	185.00
C3	82.34	16°36'48"	215.00
C4	29.89	48°59'32"	35.00
C5	27.90	2°49'11"	567.00
C6	4.21	0°19'38"	737.87
C7	11.34	3°13'26"	201.59

BOUNDARY DESCRIPTION

Beginning at a point S 0°01'43" W 897.892 feet along Section line and N 89°58'17" W 205.173 feet from the Northeast corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running thence S 40°25'00" E 80.62 feet; thence S 11°30'00" E 30.00 feet; thence N 78°30'00" E 34.33 feet to a point on the westerly right-of-way line of Meadows Drive as dedicated, said point being on the arc of a 367.00 foot radius curve to the right, center bears S 80°50'33" W 367.00 feet, central angle equals 29°54'27"; thence along said right-of-way line of Park Meadows Drive the next 4 courses 1) southwesterly along the arc of said 367.00 foot radius curve 191.57 feet to a point of a 758.00 foot radius reverse curve to the left, center bears S 69°15'00" E 758.00 feet, central angle equals 42°35'00"; thence 2) southeasterly along the arc of said curve 563.36 feet to a point of a 567.00 foot radius reverse curve to the right, center bears S 68°10'00" W 567.00 feet, central angle equals 60°10'00"; thence 3) southwesterly along the arc of said curve 595.411 feet to a point of a 616.31 foot radius reverse curve to the left, center bears S 51°40'00" E 616.31 feet, central angle equals 14°50'00"; thence 4) southwesterly along the arc of said curve 159.557 feet; thence N 66°30'00" W 77.08 feet; thence N 13°00'00" W 818.42 feet; thence S 75°00'00" W 102.49 feet; thence N 53°30'00" W 100.57 feet; thence due North 392.56 feet; thence N 22°00'00" W 387.91 feet; thence S 69°20'00" E 418.16 feet to the point of beginning. CONTAINS 14.536 ACRES

See Declaration of Covenants, Conditions, and Restrictions of Fairway Village No. 2 Subdivision a Planned Unit Development dated May 24, 1981, Recorded *[Signature]* as Entry No. 180618 in Book 180, beginning at Page 52, of the Summit County Official Records as Amended by the First Amendment thereto recorded concurrently herewith.

DEDICATION OF COMMON AREAS
All common areas are hereby dedicated by the owners hereof as utility easement to Snyderville Basin Sewer Improvement District and Summit County for perpetual use in the installation, operation, and maintenance of any and all utilities necessary to serve this area or adjoining areas.



NOTE:
0000 DENOTES MEADOWS DRIVE STREET ADDRESS
0000 DENOTES FAIRWAY VILLAGE DRIVE STREET ADDRESS

NOTES:

- Refer to FAIRWAY VILLAGE NO. 2 Record of Survey Plat, Recorded June 17, 1981 as Entry No. 180617 for complete description of Lots 14, 15, 44, 45, 46, 47, 54, 55, 64, 65, 68, 69, 70, 71, 72, and 73 and other portions of the property shown in dashed line and not directly affected by this First Amended Plat.
- Cross-hatched areas indicate private ownership.
- Non-cross-hatched areas indicate common ownership and are dedicated to the Park Meadows Fairway Village Homeowners Association and its members.
- All non-exclusive utility easements along property boundary and throughout interior are 10.0' wide.
- A 50.00' wide utility easement 25.00' each side of the centerline is provided as shown.
- A 30.00' wide private roadway easement 15.00' each side of the centerline is provided as shown.

NOTE:

FAIRWAY VILLAGE DRIVE, SUNNY SLOPES DRIVE, AND SUNNY SLOPES COURT ARE PRIVATE ROADWAYS AND COMMON AREAS TO THE PLANNED UNIT DEVELOPMENT. THEY ARE NOT PUBLICLY DEDICATED. ALL MAINTENANCE AND REPAIR OF THE PRIVATE ROADWAY IS THE SOLE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION. AS OF THE DATE OF THIS PLAT IT IS ASSIGNED BY ALL PARTIES HERETO THAT PARK CITY MUNICIPAL CORPORATION WILL NOT ACCEPT THESE ROADWAYS FOR MAINTENANCE AT ANY TIME.

FAIRWAY VILLAGE NO. 2 (FIRST AMENDED)

A PLANNED UNIT DEVELOPMENT
LOCATED IN THE NORTH EAST QUARTER OF SECTION 4,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN



ALLIANCE ENGINEERING INC.

P.O. BOX 2664
323 MAIN STREET
PARK CITY, UTAH 84060
(801) 649-9467

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS

21 DAY OF April 1988 A.D.
BY *[Signature]*
CHAIRMAN

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS

25TH DAY OF APRIL 1988 A.D.
BY *[Signature]* P.E.
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 22 DAY

OF April 1988 A.D.
BY *[Signature]*
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

APPROVED AS TO FORM THIS 22 DAY

OF April 1988 A.D.
BY *[Signature]*
PARK CITY RECORDER

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL

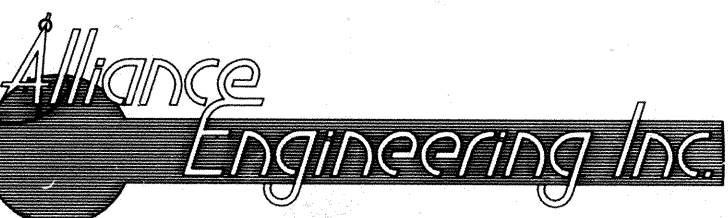
THIS 22 DAY OF April 1988 A.D.

BY *[Signature]*
MAYOR

RECORDED

STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF Associated Title Co.

DATE 5-8-88 TIME 2:32 BOOK 35
FEE *[Signature]* RECORDER



Call me with your
SUGGESTED DATE & Time
to DISCUSS this AS A
GROUP

July 25, 1991

CLAY

649-5336



Department of Community Development
Engineering • Building Inspection • Planning

Circulate TO:

Judy _____
Mike _____
ERIC _____

Mr. Clay Stuard
Fairway Village Homeowners Association
2417 Fairway Village Drive
Park City, Utah 84060

Re: Dedication of Sunny Slopes Drive, Fairway Village Drive,
Broken Spoke Way, and Duck Hook Drive

Dear Clay:

Park City has reviewed the buildout figures for Fairway Village, Broken Spoke, and Gleneagles. We have determined that all three subdivisions, if grouped together as a sensible maintenance area, meet the buildout requirement stipulated in Resolution No. 6-91, titled "A Resolution on Acceptance by Park City of Private Roads Within Park City" (copy attached).

The language within that resolution does not prohibit the acceptance of cul-de-sacs because the ultimate dedication of Broken Spoke Way was contemplated by the City Council in their consideration of your request.

The Community Development Department has determined that Section 1 criteria have been met. Subject to the Section 2 criteria, our department recommends acceptance of all roads referenced above. Please note that Sunny Slopes Court is not included in this recommendation due to its unique configuration in a multi-family project.

Section 2 requires improvements to be brought up to City standards prior to our acceptance. Although we haven't prepared an exhaustive list of necessary improvements, we assume that the following general improvements will be required:

1. Asphalt patching in localized spots throughout.
2. Removal of speed bumps.
3. Asphalt overlay on Sunny Slopes in front of the Park Meadows Golf Course Clubhouse parcel, which stands to see substantial building construction.

Mr. Clay Stuard
July 25, 1991
Page Two

4. Street lights and street name signs at all "City" intersections where such lights and signs do not now exist.
5. A safety path installed as indicated on one of the alternative trail plans (attached). Selection of any of the plans would meet the Trails Master Plan requirements.

As you know, Section 2 of the resolution provides for a \$5,000 deposit against which our research and engineering work will be charged.

Please let us know if you wish to proceed with dedication given the above list of required public improvements.

Respectfully submitted,



Richard E. Lewis
Director of Community Development

RESOLUTION NO. 6-91

A RESOLUTION ON ACCEPTANCE
BY PARK CITY OF PRIVATE ROADS WITHIN PARK CITY

WHEREAS, the City Council of Park City desires to apply consistent criteria to proposed acceptances of currently-private roads, and

WHEREAS, the City Council desires to protect and enhance the safety and welfare of residents and taxpayers, and

WHEREAS, the City Council recognizes the legitimate concerns of those property owners abutting private roads who had inadequate knowledge of the cost and responsibility associated with the maintenance of their private roads, and

WHEREAS, the City Council desires to maintain responsible budgets and revenues in the City's General Fund and Capital Improvements Program.

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

SECTION 1

Prior to being considered for acceptance as a City street, a private road must meet the following criteria:

1. The road must be a through street connecting to an already dedicated City street. Private dead-end streets or cul-de-sacs generally would not be considered for dedication as public streets.
2. The road must serve single-family areas or facilities frequented by the general public; and
3. At least sixty-six (66) percent of the residential development density allowed by Park City's Land Management Code for all abutting properties, shall have been constructed and be available for occupancy.

SECTION 2

When the Community Development Department has determined that the Section 1 criteria are met, an applicant requesting City acceptance of a private street must fulfill the following two conditions:

1. The road (this includes adjacent or parallel sidewalks, pedestrian trails, and bicycle paths, if any are shown on

the Park City Trails Master Plan as may be amended by the City Council from time to time) must have been constructed to or be brought up to current City standards, as defined in Section 200 of the Park City Design Standards, Construction Specifications, and Standard Designs, latest edition.

2. The acceptance must not create any undue financial burden on the City including costs for transfer to the City, such as engineering, subdivision, surveying, legal, or title work. In all cases except those specifically waived by the Community Development Director, an initial cash non-interest bearing deposit of \$5,000 shall be paid to Park City Municipal Corporation. The City shall draw against these funds to pay for any research or engineering work which, in the sole opinion of the Community Development Director, is necessary to reach a determination relating to the criteria and conditions specified in this document. The costs to the applicant are not limited to the \$5,000 deposit. Should the costs of research or engineering exceed the initial deposit, the Community Development Director may require additional cash deposits. Upon receiving the deposit, the City Engineer shall provide a written outline of the scope of anticipated research and engineering services.

PASSED AND ADOPTED this 25th day of April, 1991.

PARK CITY MUNICIPAL CORPORATION


Bradley A. Olch, Mayor

Attest:


Anita L. Sheldon, City Recorder



WESTRIDGE SUBDIVISION (1990)

521-757
N1E6-543 #7
510-757
543-399

PORTION OF SUNNY
SLOPES BUILT
(PROPERTY
OWNED BY
MR. MEADOWS
DEVELOPMENT
CORP. SUCCESSOR
INTEREST)

FAIRWAY VILLAGE
NO. 1 A

6.55 AC. TOTAL
5.44 COMMON AREA

SUNNY SLOPES
CONTAINED IN
FAIRWAY VILLAGE
NO. 1

(AMENDED 1988)

SUNNY SLOPES
CONTAINED IN
FAIRWAY VILLAGE
NO. 2

FAIRWAY VILLAGE
DRIVE CONTAINED
IN FAIRWAY VILLAGE
NO. 2 (FAIRWAY
NO. 2)

LENEAGLES SUB.
(1983)

CH ANNEX PRIVATE ROAD SYSTEM
REFER TO AS SHEET
#2-6 BACKED SLOPE
PLAT

BROKEN
SPOKE
OPEN SPACE

SUB. (1983)

(PCA-2-2100-1)
M254-37

STREETS TO
BE DEDICATED

WEST WIDGE SUBDIVISION
(1990)

521-755
521-757
M166-543 #7
510-77
543-399

ATION of SUNNY
ares built
PROPERTY
used by
26 MEADOWS
welcomed
EP SUCCESS
INTEREST

FAIRWAY VILLAGE
CONTAINED IN
FAIRWAY VILLAGE NO

FAIRWAY VILLAGE

LOT NO. 1 A

6.55 AC. TOTAL
5.44 COMMON

SUNNY SLOPES
CONTAINED IN
FAIRWAY VILLAGE
NO. 1

(AMENDED 1988)

SUNNY SLOPES
CONTAINED IN
FAIRWAY VILLAGE
NO. 2

4' P.O.D.

4' P.O.D.

4' P.O.D.

LENEAGLES SUB.
(1983)

CH ANNEX PRIVATE ROAD SYSTEM
REFER TO AS SHEET
#2 of BACKED SPOKE
PLAN

OPEN
SPACE

BROKEN

SPOKE

OPEN
SPACE

SUB. (1983)

(PCA-2-2100-1)
M1254-37

MEADOWS DRIVE

STREETS TO
BE DEDICATED

0661

ME-543 #7
510-77
543-399

ation of such
uses built
property
used by
St. Mary's
'Welcome'
to service
"Interest"

FAIRWAY VILLAGE PARK
CONTAINED IN
FAIRWAY VILLAGE NO

FAIRWAY STELLAGE

10-1-A

6.53 Ac. Total

S. 44 Common

Sunny Super
Computers Inc
801-18-1414

6' path -

PCA-2-
2100-4

2023/24

॥ ॐ नमो भगवते वासुदेवाय ॥

LENEAGLES SUB.

300

ANNEX PRIVATE ROAD SYSTEM

KNIFE FOR
DRESSING SHEET

2-24-85 Back to

PLA

2000

SPOKE

செப்டம்பர் 1954

SUB. 1983)

7(PCA-2-2100-1)

M 254-37

REC-4
31

OPTION 3



August 4, 2014

Mr. Robert Pruitt
2548 Fairway Village Drive
Park City, Utah 84060

RE: Dedication of Sunny Slopes Drive, Fairway Village Drive, Broken Spoke Way and Duck Hook Drive

Dear Mr. Pruitt:

This letter is in response to your request to the City to dedicate the above listed private drives as public ROWs. This request was previously brought forward to the City in 1987 and again in 1990/1991. The information collected and analyzed pursuant to these prior requests has been used as a basis for this current request.

On April 25, 1991 Park City adopted Resolution 6-91 regarding acceptance of private roads within Park City by Park City Municipal Corporation. The resolution contains two sections. Section one (1) provides a three point criteria outline that private drives must meet to be considered for acceptance as a City street. If the private drive meets these criteria, section two (2) then provides two conditions that must be fulfilled.

In the July 25, 1991 correspondence from the City, it was determined that the criteria contained in Section 1 of the Resolution were met with the exception of Sunny Slopes Court; it did not meet all necessary criteria as analyzed at that time.

Section 2 of Resolution No. 6-91 required improvements to be brought up to City Standards prior to City acceptance. A list of the standards and improvements can be found in Section 200.7 of the Park City Design Standards: Construction Specifications and Standard Drawings. Although we haven't prepared an exhaustive list of necessary improvements, we assume that the following general improvements will be required:

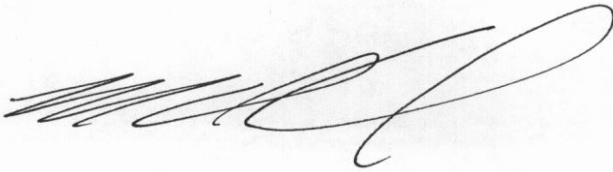
- Non-draining, deteriorated and/or settling curb and gutter, culverts, inlet boxes and other drainage improvements must be repaired/replaced,
- Improvements to the drainage system, if found to be deficient, must be made,
- Drainage easements must be established for drainage courses crossing private property,
- Asphalt condition must be evaluated by a transportation engineer and deficient areas are to be repaired/replaced,
- Permanent survey controls such as brass cap monuments must be installed, or if existing, must be verified to their accuracy,

- Traffic signs, traffic markers, street signs must be brought up to City standards,
- Fire hydrants are required at 150 foot intervals with eight (8") inch diameter service lines and an isolation gate valve,
- Identification of snow storage areas and public snow storage easements,
- The removal of existing speed bumps,
- Expansion of the ROW from existing conditions to 50 feet in width (this would require a Subdivision application if changes are made to the property lines),
- All driveways sections within the ROW will need to meet standard driveway approaches,
- Significant encroachments in the proposed ROW will either need to be removed or an encroachment agreement created,
- Removal of the gate and gate structure located on Sunny Slope Drive just south of the golf club,
- All of the subdivisions affected by the change to public ROWs must be re-platted to reflect the changes.

Section 2 of Resolution No. 6-91 provides for a \$5,000 deposit against which our research and engineering work will be charged. Please let us know if you wish to proceed with the dedication given the above list of required public improvements.

If you have any questions or concerns, please e-mail me at matt.cassel@parkcity.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Cassel', with a large, stylized loop at the end.

Matthew Cassel, P.E.
City Engineer

Cc: Mark Harrington, City Attorney,
Thomas Eddington Jr., AICP, LLA, Planning Director



Polly Samuels McLean, Esq.

April 23, 2021

City Engineer John Robertson
Park City Mayor and Council
Park City Municipal Corporation
Via email: John Robertson <john.robertson@parkcity.org>

Re: Acceptance of Private Roadways in Fairway Village

Dear Mayor and Council,

Fairway Village No. 1 was recorded in December 1979, and Fairway Village No. 2 was recorded May 1988. Fairway Village consists of 12 single family homes and 52 town homes for a total of 64 properties. The Fairway Village HOA (Fairway Village) is offering for acceptance Fairway Village Drive, the non-public portion of Sunny Slopes Drive within Fairway Village and Sunny Slopes Court. (Note that the Fairway Village No. 1 plat does not indicate that Fairway Village it is a private street, however it has always been maintained by the HOA.) Fairway Village is comprised of approximately half primary residents and half secondary residents. Those property owners have been paying taxes to the same degree as all other taxpayers within the City without the benefit of certain City services such as road maintenance or plowing. The residents have been part of the fabric of the Park City community for almost 40 years.

The Fairway Village HOA has been talking with the City since as far back as 1987 regarding dedicating the roads in Fairway Village to Park City. However, the most recent effort began in about 2018 without the inclusion of Broken Spoke Way or Duck Hook Drive. For the last three years, Fairway Village has diligently been pursuing having its roads dedicated but was stymied by a combination of (i) repeated turnover in the City Engineer's Office (they have worked with four different City Engineers), (ii) issues with repeated water leaks in the road which needed to be repaired, and (iii) COVID-19. Based on the feedback from the City, Fairway Village has done extensive work to assure the City that the roads in Fairway Village can meet City standards. In 2019, Fairway Village hired an engineer and provided an extensive report to the City showing how the roadways can meet all the standards regarding road quality, turnarounds and other requirements. Fairway Village met on site with City Staff in 2019 and discussed that the other HOAs were not joining in the application, and instead, Fairway Village could put in a hammerhead for snowplow turnaround. Most recently, the City Engineer provided a letter to Fairway Village dated January 17, 2020 which outlines the remaining steps (including putting in a hammerhead) in order to meet standards and the Engineer in consultation with Public Works has indicated that Fairway Village can meet City Standards. (See Park City Website <https://www.parkcity.org/departments/engineering-division/private-to-public-street-process>). Fairway Village is willing to comply with those steps.

The overall policy of the City is to own the roads within its jurisdiction. Over the years, there have been many issues in Park City because existing roads were not dedicated to the City. Roads are a municipal function. It is important for emergency access and ensuring uniform quality to



Polly Samuels McLean, Esq.

accept roads, especially, as is the case here, where the roads serve to other single-family residences and are used by the public. The roads in Fairway Village are through roads. In addition, City waterlines and other utilities are in the roadway. This dedication will increase State funding for the City with B/C road funds. Furthermore, the roadway has been subject to public use for over 10 years as a thoroughfare, and therefore under State Code is considered dedicated. (See Utah Code 72-5-104).

Park City Resolution 6-91 outlines the standards for acceptance by the City of private roads within the City. The roads being offered meet these criteria and by the terms of the Resolution should be accepted for dedication. The intent of the Resolution makes it clear that **the City wishes to protect and enhance the welfare of residents and taxpayers and recognizes the legitimate concerns of property owners abutting private roads who had inadequate knowledge of the cost and responsibility associated with the maintenance of their private roads:**

1. The streets are through streets. **MEETS.** Except for Sunny Slopes Court, the streets are not cul-de-sacs or dead-end streets. The public can easily take Fairway Village Drive as they would Meadows Drive to get to Park Meadows County Club, Round Valley, or to the North 40/High School. Fairway Village roadways are used as through streets consistently by the neighboring residents in Broken Spur and Glen Eagle. In fact, that is their access to areas south of them in Park City (Schools, Old Town, Bonanza Park, 248, etc.). Surrounding roads are public including Meadows Drive, the east part of Sunny Slopes Drive, Silver Cloud Drive and cul-de-sacs off of Silver Cloud, Fairway Hills Court, Larkspur Drive, and Lupine Lane. Note that Sunny Slopes Drive in Fairway Village is private, but immediately to the east it is a public street.

It has been suggested that Sunny Slopes Drive is a dead-end because it continues as a private road through Broken Spur and Glen Eagle. It is unfair to hold Fairway Village hostage based on whether two other HOAs want to dedicate their streets. Broken Spur indicated an interest but has not taken the steps to move forward and has expressed support of Fairway Village's request. To deny this dedication because the neighboring HOAs are not part of the application goes against the intent of the Resolutions which acknowledges the "legitimate concerns of property owners abutting private roads who had inadequate knowledge of the cost and responsibility associated with the maintenance of their private roads." The owners could have no way of knowing that they could be denied dedication based on the road status of neighboring HOAs, especially when 85% of the subdivision is directly connected to public streets (only 10 units in the subdivision are on the private western portion of Sunny Slopes Drive). Sunny Slopes Drive is a public road adjacent and directly to the east of Fairway Village. The Resolution clarifies that private dead-end streets or cul-de-sacs are generally not considered for dedication. To create a legal fiction that this is a "dead-end street" because it continues as a private road doesn't meet the intent of the resolution and isn't reasonable to the citizens living in Fairway Village. To base a decision for Fairway Village on what other HOAs choose, and which Fairway has no control, goes against the intent of the Resolution.



Polly Samuels McLean, Esq.

The City acknowledged that Fairway Village cannot control the other HOAs and in the most recent discussions over the last few years, has always indicated that in lieu of the other HOAs joining in, Fairway Village could do a turnaround for the snowplows where Sunny Slopes leaves the subdivision. Fire trucks can continue through the existing road. We are willing to put in that hammerhead as reflected in the January 2020 letter, and therefore meet the criteria.

2. The roads serve single family areas or facilities frequented by the general public. **MEETS.** The surrounding area includes other single-family areas which are on public streets as well as the Park Meadows County Club. Residents of Glen Eagle and Broken Spur exclusively use the Fairway Village roadways for ingress and egress of their subdivisions. Moreover, the mailboxes for Glen Eagle and Broken Spur are on the Fairway Village Drive. The roadways are also frequently used by neighboring pedestrians as well as those in vehicles. It should be noted that Fairway Village is not gated and the signage of subdivision does not suggest that it is private or that the public is not welcome.
3. Over 66% of the density is built out. **MEETS.** Fairway Village is 100% built out.

Resolution 6-91 states, that once it is determined that 3 above criteria are met, two more conditions must be met for acceptance:

1. The Road must be at current City standards. WILL MEET.
2. The acceptance must not cause a financial burden on the City. WILL MEET. Fairway Village has, at its own expense, done all the requisite work. However, it is willing to give a deposit of \$5,000 in case there are additional reports or work the City needs to perform to finalize the acceptance.

If the Resolution 6-91 criteria and conditions are met, Park City should accept the private roads. Here, they are all met or can be met and should be accepted. Therefore, we respectfully request that the Council direct staff to move forward in accepting the dedication of these roads. That direction will allow Fairway Village to come back before Council with a Plat and an ordinance so that the City can formally accept the dedications.

Sincerely,

PEAK LAW

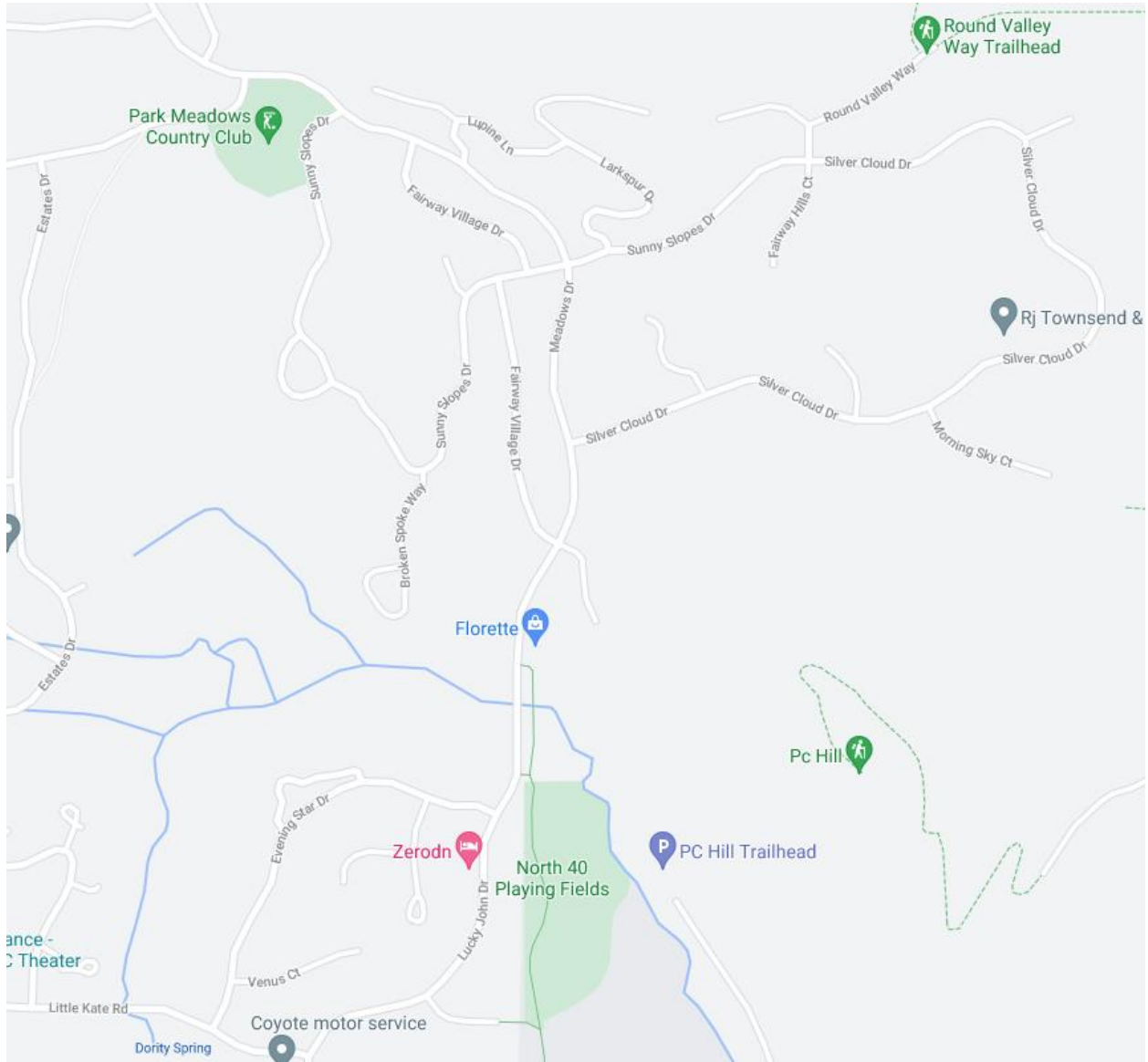
Polly Samuels McLean

Exhibit 1 – Map of Vicinity



Polly Samuels McLean, Esq.

Exhibit 1 – Map of Vicinity



Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: David Everitt

Submitting Department: Executive

Item Type: Work Session

Agenda Section:

Subject:

4:50 p.m. - Park City Arts and Culture District Follow Up Discussion: Scope and Plan of Finance

Suggested Action:

Attachments:

[Arts and Culture District Staff Report](#)

[Exhibit A: Sources and Uses Spreadsheet](#)



Subject: Park City Arts and Culture District Follow Up Discussion: Scope and Plan of Finance
Author: David Everitt
Department: Executive
Date: April 29, 2021
Type of Item: Work Session

Recommendation

Review scope and budget options for Park City's portion of the proposed Arts and Culture District and provide direction to ensure we have identified the correct areas to direct our ongoing focus and attention.

Background

For the past six months, Council and staff have conducted an extensive public review of the proposed Park City Arts and Cultural District ("District"). This part of the creative process identified several aspects to refine and revise so that we may best deliver a project reflective of the feedback and desires of our residents, partners, businesses, and stakeholders.

The project team listened closely during those work sessions and public hearings and returns now with options that we believe reflect that feedback and respond to areas of consistent concern. We took from the Council's latest discussions the following direction:

1. Reduce project costs overall through broad value engineering/materials/design changes – especially with regard to the housing component to decrease the cost per unit;
2. Prepare options for a scope and/or phasing approach where on-site housing is optional and/or reduced in to free up housing resources for other potential projects;
3. Prepare a sources-of-funds plan that does not rely on Park City's ("City") additional resort city sales tax revenues ("ARCST");
4. Consider more aggressively leveraging the City's transient room tax ("TRT") for construction of the District; and
5. Identify a process and deliverables in coordination with Sundance Institute and Kimball Art Center ("Partners") that would secure more tangible commitments from the City and the Partners. Both Partners have expressed a desire and commitment to continue District planning.

Analysis

The City's initial approach to developing the District was entirely design and programming-based: what should happen in the District, how should it function, and what should it look like? This approach, while true to Park City's ethos of valuing quality and enduring design, did not also capture budget realities. As the project team advanced over the last 16 months through design schematics, revised cost estimating, and analysis of available funds, we have prepared budget options that match up development costs with funding sources more appropriately.

Value Engineering

To address rising construction costs, the project team aggressively went to work to value engineer materials, spaces, and, for the housing component, the configuration of units. This approach contemplates using more economical construction materials while still constructing housing of a quality that is consistent with recent City-funded affordable housing projects.

Simultaneously, for the creative/cultural facilities, we took a shell-and-fitout approach to reduce costs. This has an added benefit of providing maximum flexibility for any future tenants by not pre-installing specific finishes or equipment. This does, however, mean that tenant improvements would be an added cost that is to be borne by either the City, the tenants, or a combination thereof.

Housing Costs

Council and the public have expressed particular concern about how expensive the housing units at the District appear to be, and we as the design team have been challenged over the last year as to how to appropriately assess the cost of housing units as part of the District. Initial designs and cost estimates reflected a quality of construction which, while certainly desirable, is less critical to both the housing element of the District and the District overall. In other words, initial cost estimates created a financial challenge as a result of a purposeful emphasis on quality of both design and materials. The scenarios presented below all assume a more cost-conscious layout and economical materials, thereby reducing the overall per-unit cost.

However, a question remains: to what degree should the housing portion of the project pay a share of the larger site costs, particularly the underground parking? Initially the project team, following the original estimated budgeting approach, included the full cost of a parking stall per unit plus a pro rata share of the rest of the site costs, which resulted in a very high per-unit cost for housing – “the fully-loaded” cost.

An alternative approach is to consider that the Base Site Elements will be built whether there is housing on-site or not. Therefore, the housing element could be viewed as a standalone expense that takes advantage of already-built infrastructure. In that case, the housing costs are much lower because they don't include any additional expenses beyond the walls of the units themselves that would typically be part of a housing development.

A third approach assigns a share of the Base Site Elements to the housing portion of the project in line with what a comparable housing development would require – but not for what could be called the “premium” cost associated with being part of the District. By doing so, funds available for housing would contribute to the Base Site Elements as they would have to if part of any other housing project but not to such a degree that would make the housing costs prohibitive. This way, funds available for housing are not disproportionately funding other District elements, nor are non-housing funds being used for expenses traditionally associated with an affordable housing development.

This middle ground approach would result in a per unit cost of approximately \$405,000 for 60 units. (The per unit cost increases if less units are built; 28 units, for example, results in a per unit cost of \$464,000.) This is in contrast to the initial estimates of nearly \$600,000 per unit.

Funding and Scope Scenarios

With those guiderails in mind and the significant cost reductions achieved by taking a shell/fit-out approach, value engineering, and housing design changes, below are scenarios for consideration. All scenarios assume the following:

- No use of ARCST;
- Plan for a shell/fit-out approach for the non-residential parts of the District and contemplate not using mass timber construction to capture overall cost savings;
- Move the artist-in-residence units to Building 1, for total full-buildout potential of 60 housing units in Building 1, and utilize a more economical design and materials;
- Any allowance for tenant improvements would be negotiated depending on policy direction and availability of funds;
- Use 75% of anticipated TRT revenues for debt service – a \$25 million bond paid back over 20 years;
- Housing funds contribute \$100,000 per unit for Base Site Elements (including parking) for a total per-unit cost of approximately \$405,000 for 60 units;
- \$5 million from Transportation Fund (an increase of \$900,000 from previous versions);
- \$1.25 million from WALC bond proceeds (an increase of \$750,000 from previous versions); and
- \$5.55 million from repurposing/recapturing capital project funds (an increase of \$4.55 million from previous versions).

Scenario 1 (Recommended): Eliminate Building 2 (transit/acoustic performance space); build 28 housing units initially

- Cost: \$57.3 million.
- Extend Building 3 to south and redesign the corner space to fully embrace a transit center/depot that better integrates with the Bonanza/Munchkin corner.
- Add outdoor interactive features instead of a building here – sculpture space, play area, and a place for recreation to merge with art space.

- Uses \$13 million of housing funds initially; preserves ability to add housing later (affordable or artist in residence or market rate).
- No funding gap; some funds available for tenant improvements and other enhancements.

Scenario 2: Delay all housing; delay co-op spaces; no Building 2.

- Cost: \$42.4 million.
- Extend Building 3 to south and redesign the corner space to embrace transit along Bonanza more directly.
- Add outdoor interactive features instead of a building here – sculpture space, play area, a place for recreation to merge with art space.
- Buildable pads for future determination potentially allows for a more organic approach to the District's buildout over time.
- Move co-op studio uses into Building 3.
- No funding gap; substantial funds available for tenant improvements and other enhancements.

Scenario 3: Full buildout – Construct 60 housing units, all cultural/artist facilities.

- Total project construction cost: \$73.9 million.
- Uses \$24.3 million of housing funds.
- No funding gap; but minimal funds available for tenant improvements and other enhancements.

The Project Team's recommendation

Given the feedback from the public and Council, the continued desire to provide more affordable housing, and the original intent of the District, we recommend strong consideration of Scenario 1.

Scenario 1 builds the main creative spaces and takes advantage of “sunk costs” to support the affordable housing units. At the same time, significant housing funds are preserved for the next affordable housing development (here or elsewhere). And holding off on Building 2 provides space and time to decide what should happen at that location. (Building 2 is the least significant structure in terms of arts and culture facilities.)

Transit-related amenities would be redesigned to integrate the District more effectively with the Bonanza Dr. transit stops by reimagining the south side of Building 3 and connections with the public plaza. This would include a covered plaza cojoined with Building 3 that provides for sheltered and prioritized transit rider amenities and transit-rider support commercial services.

Finally, Scenario 1 only uses funds already anticipated for the District and does not require the use of ARCST or another revenue source.

Partner Purchase-Sale Agreements

The Council's liaisons and Staff are working closely with the Partners to identify deliverables and a timeline to provide assurances that the funds anticipated from the sale of parcels to the Partners will be available to the City in a timely manner. At the same time, the Partners are seeking assurances that the City will proceed with its portion of the District in a manner consistent with the outlined arts and cultural goals for the project. Staff believe that an endorsement of Scenario 1 would provide those assurances and accelerate the ability to develop those timelines and deliverables.

Previous Council Meetings – 2020-present

- July 9, 2020 - The first Council meeting about the District after the March COVID-19 shutdown was July 2020 ([Staff report link](#)) and included preliminary construction cost estimates along with a cash flow model that reflected COVID-related tax revenue impacts. Council directed staff to continue pre-construction work and return with updated cost estimates, and additional analysis on the affordable housing component.
- December 15, 2020 - The Council reviewed cost estimates and a proposed phasing plan for City-owned District elements that focused on historically identified funding sources ([Staff report link](#)). At that time, Council directed staff to prepare a plan to fund the entire District buildout and facilitate additional work sessions on transportation and housing. This was followed by a public hearing on December 17.
- January 7, 2021 – Follow up discussion on housing, transportation, and costs - [Staff report](#) and [minutes](#)
- January 21, 2021 – Focused on transportation – [Staff Report](#) and [minutes](#)
- February 4, 2021 – Focused on housing – [Staff Report](#) and [minutes](#)
- February 25, 2021 – Focused on the latest plan of finance and project scope. [Staff report](#)
- March 31, 2021 – Public hearing. [Meeting agenda](#), [staff report](#), and [minutes](#) (includes presentation at end).
- April 1 – Follow up discussion to public hearing. [Staff report](#) and [minutes](#).

Exhibits

- A. Sources and Uses Spreadsheet

Exhibit A: Sources and Uses Spreadsheet

Scenario -->	3										1		2
USES	Full Buildout	No Bldg 3	No Bldg 4	No Housing	No Housing B/C	No Housing C	No Housing B/C; No Bldg 4	No Housing; No Bldg 4	No Housing; No Bldg 3	No Building 2	No Bldg 2; No Housing B/C	No Bldg 2; No Housing	No Housing; No Co-op; No Bldg 2
Subtotal Site	\$ 28,176,562	\$ 28,176,562	\$ 28,176,562	\$ 28,176,562	\$ 28,176,562	\$ 28,176,562	\$ 28,176,562	\$ 28,176,562	\$ 28,176,562	\$ 28,176,562	\$ 28,176,562	\$ 28,176,562	\$ 28,176,562
Housing Phase II (28 units)	\$ 8,907,424	\$ 8,907,424	\$ 8,907,424	\$ -	\$ 8,907,424	\$ 8,907,424	\$ 8,907,424	\$ -	\$ -	\$ 8,907,424	\$ 8,907,424	\$ -	\$ -
Housing Phase III (16 units)	\$ 3,898,451	\$ 3,898,451	\$ 3,898,451	\$ -	\$ -	\$ 3,898,451	\$ -	\$ -	\$ -	\$ 3,898,451	\$ -	\$ -	\$ -
Housing Phase IV (16 units)	\$ 4,184,868	\$ 4,184,868	\$ 4,184,868	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,184,868	\$ -	\$ -	\$ -
Building 1 Balcony/Housing common	\$ 1,281,464	\$ 1,281,464	\$ 1,281,464	\$ 640,732	\$ 1,281,464	\$ 1,281,464	\$ 1,281,464	\$ 640,732	\$ 640,732	\$ 1,281,464	\$ 1,281,464	\$ 640,732	\$ -
Building 1 Coop Core & Shell	\$ 4,707,664	\$ 4,707,664	\$ 4,707,664	\$ 4,707,664	\$ 4,707,664	\$ 4,707,664	\$ 4,707,664	\$ 4,707,664	\$ 4,707,664	\$ 4,707,664	\$ 4,707,664	\$ 4,707,664	\$ -
Building 4 Food Hall/Event Core & Shell	\$ 6,555,022	\$ 6,555,022		\$ 6,555,022	\$ 6,555,022	\$ 6,555,022			\$ 6,555,022	\$ 6,555,022	\$ 6,555,022	\$ 6,555,022	\$ 6,555,022
Building 2 Transit Center/Acoustic performance	\$ 8,504,463	\$ 8,504,463	\$ 8,504,463	\$ 8,504,463	\$ 8,504,463	\$ 8,504,463	\$ 8,504,463	\$ 8,504,463	\$ 8,504,463	\$ -	\$ -	\$ -	\$ -
Building 3 Programmable Arts Space Core & Shell	\$ 7,622,046	\$ -	\$ 7,622,046	\$ 7,622,046	\$ 7,622,046	\$ 7,622,046	\$ 7,622,046	\$ 7,622,046	\$ -	\$ 7,622,046	\$ 7,622,046	\$ 7,622,046	\$ 7,622,046
Total	\$ 73,837,963	\$ 66,215,917	\$ 67,282,941	\$ 56,206,488	\$ 65,754,644	\$ 69,653,095	\$ 59,199,622	\$ 49,651,466	\$ 48,584,442	\$ 65,333,500	\$ 57,250,181	\$ 47,702,025	\$ 42,353,629
SOURCES													
Housing funds	\$ 24,272,207	\$ 24,272,207	\$ 24,272,207	\$ -	\$ 12,988,888	\$ 18,487,339	\$ 12,988,888	\$ -	\$ -	\$ 24,272,207	\$ 12,988,888	\$ -	\$ -
Transportation Fund	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000
WALC Bond proceeds	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000
TRT Bond	\$ 25,200,000	\$ 25,200,000	\$ 25,200,000	\$ 25,200,000	\$ 25,200,000	\$ 25,200,000	\$ 25,200,000	\$ 25,200,000	\$ 25,200,000	\$ 25,200,000	\$ 25,200,000	\$ 25,200,000	\$ 25,200,000
TRT cash on hand	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000
Capital repurpose	\$ 5,550,000	\$ 5,550,000	\$ 5,550,000	\$ 5,550,000	\$ 5,550,000	\$ 5,550,000	\$ 5,550,000	\$ 5,550,000	\$ 5,550,000	\$ 5,550,000	\$ 5,550,000	\$ 5,550,000	\$ 5,550,000
Sale of land	\$ 6,825,000	\$ 6,825,000	\$ 6,825,000	\$ 6,825,000	\$ 6,825,000	\$ 6,825,000	\$ 6,825,000	\$ 6,825,000	\$ 6,825,000	\$ 6,825,000	\$ 6,825,000	\$ 6,825,000	\$ 6,825,000
Total	\$ 74,097,207	\$ 74,097,207	\$ 74,097,207	\$ 49,825,000	\$ 62,813,888	\$ 68,312,339	\$ 62,813,888	\$ 49,825,000	\$ 49,825,000	\$ 74,097,207	\$ 62,813,888	\$ 49,825,000	\$ 49,825,000
delta	\$ 259,244	\$ 7,881,290	\$ 6,814,266	\$ (6,381,488)	\$ (2,940,756)	\$ (1,340,756)	\$ 3,614,266	\$ 173,534	\$ 1,240,558	\$ 8,763,707	\$ 5,563,707	\$ 2,122,975	\$ 7,471,371

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Michelle Downard

Submitting Department: Executive

Item Type: Resolution

Agenda Section:

Subject:

Consideration to Adopt Resolution 07-2021, a Resolution Acknowledging the Legacy of Adolph's Restaurant - A Ski Town's Host
(A) Public Input (B) Action

Suggested Action:

Attachments:

[Adolph's Staff Report](#)

[Exhibit A: Adolph's Resolution](#)

City Council Staff Report



Subject: Adolph's Restaurant
Author: Michelle Downard, Resident Advocate
Department: Executive
Date: April 29, 2021
Type of Item: Administrative

Summary Recommendation

Approve a resolution recognizing founding chef/owner Adolph Imboden and Adolph's Restaurant, which has hosted locals and visitors for decades and provided the location and atmosphere to make Park City a more enriched and connected community.

Background

Adolph Imboden arrived in Park City, Utah in 1971 from Interlaken, Switzerland via Canada, Bermuda and Vermont to work at Park City Ski Area. In 1974, Adolph opened Adolph's White Haus and then in 1977 Adolph's Restaurant when he moved to the Park City Golf Course, where Adolph built a massive following among locals and visitors for over twenty years. After moving to Kearns Blvd., Adolph's Restaurant continued its unprecedented run as a popular destination for locals, celebrity guests and visitors seeking high-quality food including veal, bratwurst, and fondue, reflecting Adolph's Swiss upbringing. Well before Park City welcomed the world for the 2002 Winter Olympics, Adolph has long led local hospitality in hosting international visitors, teams and athletes at his tables.

The atmosphere in Adolph's blends classic fine dining with ski mountain hospitality under the ever-present care and supervision of Adolph himself. Known for its Swiss/Austrian menu and shared fondue pots, Adolph's also is the local gathering spot for those seeking a more intimate bar or table away from Main Street. The memorabilia and photographs on the restaurant walls reflect the strong following of skiers and Olympians who have enjoyed visiting Adolph's for decades.

After 47 years, Adolph's Restaurant is closing this month, which will also close a chapter in Park City's culinary history. This resolution recognizes Park City's appreciation for Adolph's Restaurant, and the fond memories it has created within our community.

Department Review

The Legal and Executive Department have reviewed this report.

Exhibit

A Adolph's Restaurant Proclamation

**RESOLUTION ACKNOWLEDGING THE LEGACY OF ADOLPH'S RESTAURANT-
A SKI TOWN'S HOST**

WHEREAS, Park City, Utah is a community which acknowledges the impact that individuals have through engagement; and

WHEREAS, Park City, Utah is a community which encourages its citizens to maximize their personal contribution to the community through the implementation of personal ideas and culture; and

WHEREAS, in 1977, Adolph Imboden successfully launched Adolph's Restaurant which hosted locals and visitors for 47 years; and

WHEREAS, Adolph's Restaurant provided the location and atmosphere to making Park City a more enriched and connected community; and

WHEREAS, the loyal staff at Adolph's Restaurant included animated bartenders, hard-working servers, and skilled chefs; and

WHEREAS, the grace, respect and courtesy of personally hosting the traveler is a fading but not lost tradition, Adolph and his namesake restaurant has embodied our community's welcoming tradition longer than any other establishment in Park City,; and

WHEREAS, while Adolph's raclette and bananas Foster are but two examples of the singular and memorable culinary offerings available, it was the experience of the place and the people that created lasting memories for visitors and locals alike for nearly half a century.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council hereby deem it appropriate to acknowledge Adolph Imboden for hosting our community and visitors and being a part of Park City's charm since 1977.

PASSED AND ADOPTED this 29th day of April, 2021.

PARK CITY MUNICIPAL CORPORATION

Mayor Andy Beerman

Attest:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

City Attorney's Office

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Michelle Downard

Submitting Department: Executive

Item Type: Staff Report

Agenda Section:

Subject:

Reappointment of Sarah Hall and the Appointment of William Johnson to the Planning Commission with Terms Expiring July 2024

Suggested Action:

Attachments:

[Planning Commission Appointments Staff Report](#)



City Council Staff Report

Subject: Planning Commission Appointments
Author: Michelle Downard
Department: Executive
Date: April 29, 2021
Type of Item: Legislative

Recommendation

Consideration of a request to confirm the Mayor's reappointment of Sarah Hall and the appointment William (Bill) Johnson to the Planning Commission with terms beginning immediately upon the date of appointment until July 2024.

Background

The Park City Planning Commission consists of seven (7) members. Members shall be appointed by the Mayor with advice and consent of Council pursuant to [Park City Municipal Code 15-12](#). Members serve four (4) year staggered terms, which expire on the second Wednesday in July. Members shall continue to serve until their successors are appointed and qualified. Members shall be residents of Park City and have resided within the City for at least ninety (90) days prior to being appointed.

Analysis

Two (2) Planning Commissioner Terms' (Mark Sletten and Sarah Hall) ended in July 2020. The vacancies were advertised within the Park Record, Park City Website, Park City Newsletter, and social media. These efforts resulted in a strong response from thirteen (13) highly qualified candidates. Council conducted interviews on March 31, 2021. The Mayor subsequently recommends the appointment of Sarah Hall and William (Bill) Johnson for confirmation by the Council.

Department Review

The Planning, Legal and Executive Department have reviewed this report.

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Jenny Diersen

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

Public Art Update

Suggested Action:

Attachments:

[Public Art Staff Report](#)



City Council Staff Communications Report

Subject: Public Art Update
Author: Jenny Diersen
Department: Economic Development
Date: April 29, 2021

Per the [Public Art Policies](#), the Park City Public Art Advisory Board (“PAAB”) makes recommendations through the Staff Liaison to the City Manager and City Council regarding strategic planning, acquisition, expenditures, funding and budgetary requests, project identification, donations, proposals or qualifications, maintenance, repair, re-site, or deaccession of public art as well as policy refinements. All decisions regarding public art shall be made final by the City Council.

In July 2020, the Council adopted [Resolution 18-2020](#) updating PAAB’s policies to allow for up to 8 board members. PAAB’s [mission, vision and goals and strategies](#) were updated by the Council in 2017. The [Strategic Plan](#) serves as a roadmap for project and spending priorities in alignment with community goals and priorities. It is reviewed annually with community input and approved by City Council.

2020 Accomplishments

The Park City Public Art Advisory Board (PAAB) completed or approved three projects in 2020 that were in progress before the pandemic as the PAAB capital budget was on hold due to pandemic and budget uncertainties.

1. Inventory Completion

As PAAB’s top priority project in 2020, we have [updated the Art Map](#). In addition, all signage on artwork will be updated this summer so it is consistent and easily identifiable within the community. Since 1984, the City has acquired more than 100 pieces of art into the collection by local, regional and national artists.

2. [Re-cycled Daily 20/20: The Works of Water, Making Another Run](#), by Dana B. Kuglin
Located at Creekside Park, this collaborative sculpture is more than 95% upcycled from old water meters and pipes that would have otherwise gone into the landfill. This collaborative project highlights Park City’s water system, sustainability goals and celebrates arts and culture.

3. [Yesterday and Today](#), by Chuck Landvatter

Located in the tunnel that connects the Old Town Transit Center to Poison Creek/Lower Main Street on Deer Valley Drive, Park City’s newest mural depicts Park City’s mining era history and today’s ski and sport legacy.

2021 Goals and Priorities

Looking into the future, PAAB is focused on updating the [2019 Public Art Strategic Plan](#) and will return for their annual update and review of the recommended projects after the City Council's retreat and visioning process.

At its April 15, 2021 meeting, PAAB recommended moving forward with several community focused projects in 2021, as they would like to see progress on some projects this summer. They asked that staff work to release Requests for Proposals (RFPs) on the two City projects as soon as possible so that projects can be completed this summer. Staff will return to City Council for final approval of agreements and design/artwork selection before projects are implemented. Current budgets for projects are estimated at \$60,000. The existing Public Art fund has a balance of \$360,000.

Utility Box Art Project: Phase 2 – City Project

Given the success of the “EmPOWERment” project in 2019, PAAB recommends releasing an RFP this spring to execute phase two of this project. PAAB will work with Rocky Mountain Power and the community to select up to 15 new utility boxes and have the community submit designs for wrapping the boxes.

- The Phase 2 project theme will incorporate all community priorities – Housing, Transportation, Sustainability and Social Equity. Phase 1 Theme was EmPOWERment, and focused on Sustainability.
- Estimated total project budget is \$30,000.

Gas Station Art Transformation & Installation of Art Fencing – City Project

PAAB recommends moving forward with an artistic up-cycling of the Maverick Gas Station until it is demolished. The old gas station will be used as a contractor's offices and may host some small community meetings. As [demonstrated by work in other communities](#), an RFP will be released to begin a transformative and creative process using art to create engagement and sense of community at the space. In addition, art fencing is anticipated to be installed on fencing this summer.

- PAAB has prioritized community participation in this project. It is important that partners such as Sundance, Kimball Art Center, Park City Summit County Arts Council, other nonprofit organizations and community members, businesses and artists will have opportunities to help promote, participate in and collaborate on this project.
- Estimated total project budget is \$30,000, with completion this summer after community and City Council discussions on next steps for this project as staff anticipates the project will last several years during construction phase.

Chalk of the Town – HPCA Project

The Historic Park City Alliance (HPCA) presented this [temporary art concept](#) at the April 12 PAAB meeting, and requests to use six areas that are City property for temporary art murals in May and September. According to Section 15-4-15 of the Park City Municipal Code, [Outdoor Display of Works of Art on City Owned Property](#), City Council has final

review/take action on such requests; Council may ask the Planning Commission or PAAB for their recommendation before taking final action. The City shall make all necessary agreements/permits prior to installation.

- PAAB unanimously recommended allowing HPCA to use City Property as outlined for this temporary chalk art installation under the condition that PAAB will be able to review the designs and forward a positive recommendation to City Council before installation
- HPCA anticipates providing final designs for review to PAAB at the May 10 meeting, and PAAB anticipates forwarding recommendations at the May 13 City Council meeting. The City will promote these public input opportunities before final approval.
- No funding from the City is requested at this time., This project is funded by the HPCA, which will oversee the selection and installation process and is working to involve local artists. This is a temporary project with minimal maintenance anticipated.

Asphalt Art Grant – Summer 2022 - City Project

Transportation Planning Department identified the [Asphalt Art Initiative grant through Bloomberg Philanthropies](#). PAAB recommends moving forward with this collaborative grant opportunity focusing on crosswalks and/or pathways. The grant awards up to \$25,000 to support projects using art as an effective and low-cost strategy to reactivate streets. Specifically, the aims to improve street safety, revitalizing and activating underutilized public space and promote collaboration and civic engagement in local communities. [This project](#) has been completed in more than three cities across the nation, with 13 more to be completed this summer.

- Grant deadline is April 30, 2021. If awarded, completion is required by summer 2022.
- As a requirement of the grant, the project team must include:
 - The primary government agency with oversight of the project.
 - Fiscal Agent: An organization with 501(c)3 nonprofit status that can receive grant funds and be responsible for managing the distribution of funds.
 - The Park City Summit County Arts Council has agreed to be the fiscal agent of this project.
- Staff is coordinating with other arts and cultural organizations, residential neighborhoods and business districts to determine locations, themes and participation details. Staff has provided a high level-summary of this opportunity to various groups and will follow up if we are a recipient of the grant.
- Staff will return to PAAB for public engagement/input and to City Council for final approval of art agreements and artwork/design on City Property before work begins.

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Penny Frates

Submitting Department: Budget, Debt & Grants

Item Type: Staff Report

Agenda Section:

Subject:

FY2021 Distinguished Budget Award and March 2021 Budget Report

Suggested Action:

Attachments:

[Budget Award Staff Report](#)

[Exhibit A: Fitch Ratings](#)

[Exhibit B: GFOA Certificate FY21](#)

[Exhibit C: Monthly Budget Report-March 2021](#)



City Council Staff Communications Report

Subject: Fitch Ratings and GFOA Distinguished Budget Award
Author: Penny Frates & Jed Briggs
Department: Budget
Date: April 12, 2021
Type of Item: Informational

Summary

Park City Municipal recently received outstanding recognition for its budget and financial management by the Government Finance Officers Association (GFOA), a pioneer in advancing excellence in public finance, as well as Fitch Ratings, a leading provider of Credit Ratings, Research and Analysis for the global financial markets.

Fitch Ratings

Periodically, rating agencies will reassess a city's financial position. On April 01, Fitch Ratings affirmed the following ratings for Park City, Utah:

- GO and refunding bonds, series 2020 at 'AA+'
- GO refunding bonds, series 2019 at 'AA+'
- GO bonds, series 2013A at 'AA+'
- GO Bonds, series 2017 at 'AA+'
- Issuer Default Rating (IDR) at 'AA+'

The Rating Outlook is Stable.

In the attached report, Fitch also noted that “The 'AA+' IDR and GO bond ratings reflect the city's superior level of gap-closing capacity, the result of the city's high level of revenue control, solid expenditure flexibility and robust reserves and a low long-term liability burden. The ratings also reflect the city's strong financial management practices and planning, which help mitigate concerns about a concentrated economy supported by the volatile tourism sector” and commended our efforts of budgeting conservatively and maintaining numerous plans to swiftly respond to economic downturns.

Distinguished Budget Award

The Budget department is pleased to announce Park City Municipal Corporation has been awarded the Distinguished Budget Presentation Award for our FY21 Budget. In order to receive this award, a government unit must publish a budget document that

meets program criteria as a policy document, a financial plan, an operations guide, and a communications device. The City had to satisfy nationally recognized guidelines for effective budget presentation. The award represents a significant achievement as it reflects the commitment by the City in meeting the highest principles of governmental budgeting.

Our budget documents were submitted to GFOA and evaluated by three independent reviewers, earning outstanding marks in several categories including Strategic Goals, Financial Policies and Performance Measures.

Who is GFOA?

The Government Finance Officers Association (GFOA), founded in 1906, represents public finance officials throughout the United States and Canada. The association's more than 20,000 members are federal, state/provincial, and local finance officials deeply involved in planning, financing, and implementing thousands of governmental operations in each of their jurisdictions. GFOA's mission is to advance excellence in public finance.

Distinguished Budget Award

Established in 1984, the Distinguished Budget Presentation Award recognizes state and local governments that prepare budget documents of the very highest quality, reflecting both the guidelines established by the National Advisory Council on State and Local Budgeting and the GFOA's best practices on budgeting.

RATING ACTION COMMENTARY

Fitch Affirms Park City, UT's IDR at 'AA+'; Outlook Stable

Thu 01 Apr, 2021 - 3:50 PM ET

Fitch Ratings - San Francisco - 01 Apr 2021: Fitch Ratings has affirmed the following ratings for Park City, Utah (the city):

--GO and refunding bonds, series 2020 at 'AA+';

--GO refunding bonds, series 2019 at 'AA+';

--GO bonds, series 2013A at 'AA+';

--GO Bonds, series 2017 at 'AA+';

--Issuer Default Rating (IDR) at 'AA+'.

The Rating Outlook is Stable.

SECURITY

The GO bonds are general obligations of the city, payable from an unlimited ad valorem tax on all taxable property within the city.

ANALYTICAL CONCLUSION

The 'AA+' IDR and GO bond ratings reflect the city's superior level of gap-closing capacity, the result of the city's high level of revenue control, solid expenditure flexibility and robust reserves and a low long-term liability burden. The ratings also reflect the city's strong financial management practices and planning, which help mitigate concerns about a concentrated economy supported by the volatile tourism sector.

ECONOMIC RESOURCE BASE

The city's population is relatively small (about 8,500 permanent residents) and its economy is highly concentrated in winter sports-related tourism and leisure activities, including the Sundance Film Festival. Nevertheless, the city benefits from high wealth levels among both its permanent residents and second homeowners, consistently large numbers of visitors and temporary residents, and proximity to Salt Lake City, which is only 30 miles away. Peak ski season weekends can attract up to 40,000 visitors to the city, according to city officials.

KEY RATING DRIVERS

Revenue Framework: 'aa'

Fitch believes the revenue growth on average will be in line with inflation. Recent policy changes have boosted revenues but the natural growth will be dependent on development in the city that is limited with space and volatile sales taxes driven by tourism. The city has the independent legal ability to raise revenues substantially if it chooses to do so.

Expenditure Framework: 'aa'

Based on the city's current spending practices, Fitch expects the natural pace of general fund expenditure growth to be in line with, to marginally above, general fund revenue growth. The city has solid expenditure flexibility, which is bolstered by a very flexible labor environment.

Long-Term Liability Burden: 'aaa'

Fitch expects the city's long-term debt and pension liabilities to remain low relative to the city's market valuation.

Operating Performance: 'aaa'

Strong control over revenues, solid control over spending and exceptionally high reserve levels contribute to the highest level of gap-closing capacity that Fitch expects the city to maintain through the current recovery and normal economic cycles.

RATING SENSITIVITIES

Factors that could, individually or collectively, lead to positive rating action/upgrade on the IDR:

--Sustained growth in revenues above GDP.

Factors that could, individually or collectively, lead to negative rating action/downgrade on the IDR:

--Failure to implement available policy measures that offset risks associated with a return to economic contraction consistent with Fitch's coronavirus downside scenario, resulting in an erosion of the city's gap-closing capacity;

--More severe economic weakness than envisioned in Fitch's coronavirus downside scenario, without evidence that available measures are adequate to counteract associated budgetary risks;

--Prolonged mitigation efforts that fundamentally affect future ski seasons, causing material impacts on the city's reserves or extended local economic distress.

BEST/WORST CASE RATING SCENARIO

International scale credit ratings of Sovereigns, Public Finance and Infrastructure issuers have a best-case rating upgrade scenario (defined as the 99th percentile of rating transitions, measured in a positive direction) of three notches over a three-year rating horizon; and a worst-case rating downgrade scenario (defined as the 99th percentile of rating transitions, measured in a negative direction) of three notches over three years. The complete span of best- and worst-case scenario credit ratings for all rating categories ranges from 'AAA' to 'D'. Best- and worst-case scenario credit ratings are based on historical performance. For more information about the methodology used to determine sector-specific best- and worst-case scenario credit ratings, visit [<https://www.fitchratings.com/site/re/10111579>].

CURRENT DEVELOPMENTS

Park City relies heavily on tourism with ski season being the main economic driver which peaks between the months of December and April. Budget documents indicate nearly 60% of annual sales tax revenues occur during the four-month ski season. The onset of the pandemic occurred at the very end of ski season in Fiscal 2020, which lessened the overall impact on the city's finances. General fund revenues were down nearly 6% between Fiscal 2020 and Fiscal 2019, due to the shortened ski season. The city used approximately \$900,000 of general fund reserves to offset some revenue losses, resulting in an unrestricted year end fund balance of \$7.8 million (21% of general fund spending and transfers out).

For Fiscal 2021, the city projected an overall general fund revenue decline of approximately 21% (\$8.6 million) between Fiscal 2020 and Fiscal 2021 budgeted amounts, with sales tax accounting for about \$5.4 million of this decline. In order to address this revenue decline, the city budgeted nearly \$3 million in service cuts, delayed approximately \$1.7 million in capital projects, and planned using \$1.7 million and \$2.1 million of its general fund and capital improvement reserves, respectively.

Current Fiscal 2021 actual figures indicate better than budgeted amounts. July through November Fiscal 2021 revenues are performing on par to slightly above Fiscal 2020 actuals. As was to be expected, the Fiscal 2021 ski season months are currently below Fiscal 2020 levels. December sales tax revenues are down nearly 9% yoy and January is down 27% from Fiscal 2020, but still above budgeted figures. The city currently projects year-end Fiscal 2021 sales tax revenues down 10%, compared with the 36% loss budgeted. Fiscal 2021 transient room tax between July and January are approximately 25% below Fiscal 2020 results. These hotel taxes, which support the city's capital improvements plan,

totalled \$2.7 million at year end Fiscal 2020 (approximately 13% of revenues in the capital improvements fund).

While the pandemic has introduced tremendous uncertainty in the city's tourism economy, Fitch believes Park City is well positioned to address the downturn. The city has considerable revenue raising capabilities (albeit politically challenging during a downturn) along with solid expenditure flexibility to respond accordingly. The city also benefits from a Capital Improvements Fund that holds a robust \$53 million at year-end Fiscal 2020 that could be used for general purposes if needed. The Stable Rating Outlook reflects Fitch's expectation that the city will use its available tools, to maintain financial flexibility with the 'AA+' rating.

CREDIT PROFILE

The city bills itself as a world-renown ski destination filled with high-end restaurants and shops, which are mainly targeted toward winter sports. The permanent population is approximately 8,500 with high wealth levels and a considerable number of second homeowners. Proximity to Salt Lake City allows visitors all year, but visitation in the summer pales in comparison with winter. In the winter, the population swells with both domestic and international visitors, along with seasonal workers.

City finances are dominated by both sales and property taxes. State law allows the city to levy various sales tax rates, dependent on the point of sale. Sales conducted at the numerous ski resorts are levied at a higher resort sales tax rate, making the city highly dependent on visitor spending.

Following a steep 27% taxable assessed valuation (TAV) drop in fiscal years 2010 and 2011, the city's tax base has recovered by nearly 58% through fiscal 2020, reflecting both new residential and commercial development, remodeling and expansion of existing properties and rebounding prices. However, Fitch notes that the tax base is inherently vulnerable to recessions given approximately two-thirds of the city's housing units are secondary residences (accounting for 71% of taxable assessed valuation, according to city budgets) and there is overnight rental capacity sufficient for about 22,000 individuals. All of the city's top 10 taxpayers participate in the tourism sector, although their combined fiscal 2020 taxable value represents less than 5% of the city's total tax base.

REVENUE FRAMEWORK

Taxes account for nearly three-quarters of the city's general fund revenues with property taxes accounting for approximately 30% of general fund revenues. The city benefits from numerous sales and use tax rates that vary depending on whether the point of sale is at a ski resort or within the city. These sales taxes account for approximately 34% of general fund receipts. The sales and use tax volatility for the citywide tax is partially mitigated by the statutory allocation of half of revenues collected statewide based on population, though the city's population is not growing as quickly as the state. The voter-approved 0.5% increase in the resort communities sales tax as of April 2013, which is not subject to the state redistribution formula, allows for greater capture of local economic activity and provides a dedicated funding source for capital projects.

The city's revenues have grown significantly in recent years due to various new revenue sources. The natural growth of the city's revenues is largely dependent a combination of new development adding new property tax revenue and tourism spending for sales tax. The city is primarily built out, limiting development to infill and upgrades. The sales tax growth is vulnerable to volatility based on tourism spending. Given the limited development opportunities and sales tax volatility, Fitch believes the city's natural revenue growth will be in line with inflation.

The city's property tax rate adjusts with TAV fluctuations to produce a stable levy, plus an allowance for new construction. While this automatic adjustment limits the city's ability to benefit from appreciation in the tax base automatically, it provides valuable downside property tax revenue protection.

The city has independent legal ability to raise property tax rates following a mandatory truth-in-taxation hearing. The city's property tax rate is well below the statutory maximum for Utah cities. Consequently, the city could access over \$65 million in additional property tax revenues if it chose to tax at the maximum allowable rate (six times the city's fiscal 2020 general fund property tax revenues). However, the city council has been very reluctant to adjust the property tax rate so has not held a truth-in-taxation hearing for decades. In recent years, the city has instead focused on raising revenues through the additional resort communities sales tax, service fee increases and project-specific GO bond issuances. A new transient occupancy tax enacted by the city council in January 2018 provides additional

support to the city's various sales tax revenue bonds (not rated by Fitch) and toward the Arts and Culture District.

Despite ongoing revenue growth from underlying economic activity and new commercial development, the new development comes onto the tax roll at a very low property tax rate which limits growth-potential without policy action.

EXPENDITURE FRAMEWORK

The city's general fund expenditures are dominated by personnel. The relatively high cost of living within the area drives personnel costs each year. The city's ability to manage its personnel expenditures relative to available resources is facilitated by the very flexible labor environment within which it operates, due to the absence of collective bargaining.

The city experienced small operating deficits in fiscal years 2015 to 2017 that were largely offset by increased transfers into the general fund. In light of that pattern, and the city's manageable population growth, Fitch expects future general fund expenditure growth to remain in line with, to marginally above, general fund revenue growth.

The city has solid general fund expenditure flexibility. Its fixed costs related to debt service and pensions are typically moderate at below 20% of governmental spending although carrying costs in FY 2020 were approximately 27%. This calculation has fluctuated annually in recent years due to bond refundings, property purchases, and changes in capital spending. The city has a track record of adjusting its capital expenditures in order to adjust accordingly to diminished revenues, providing an additional level of flexibility.

The city typically only spends about 93% of budgeted amounts each year for personnel due to vacant positions and salaries below budget allocation, resulting in solid expenditure flexibility built into the baseline budget. Additionally, the city has a formal 'recession/revenue shortfall plan' which specifies how management would respond to varying levels of revenue reduction. Whereas minor declines would require delaying or reducing certain costs and a soft hiring freeze to ensure current service levels could be maintained, moderate declines would trigger greater expenditure and hiring scrutiny, and

10% departmental operating budget cuts. The city would also defer capital spending and reduce lower priority services.

LONG-TERM LIABILITY BURDEN

The city's long-term liability burden is low at 2% of market value, which Fitch uses to measure the economic resource base when personal income does not capture a large portion of the economy. The city has no current plans for another GO bond election. The city may issue sales tax bonds over the medium term to help fund a new arts and culture campus in conjunction with the Sundance Institute, but the size and timing is dependent on the economic recovery.

The city participates in several state-sponsored pension plans with an estimated funding level of 83% based on Fitch's assumption of 6% investment earnings. The city makes its annual actuarially required contributions, which have stabilized in recent years after significant increases to offset investment losses. The city does not offer other post-employment benefits.

In light of the city's manageable debt issuance plans and stabilized pension contributions, Fitch expects the city's future debt and pension liability burden to remain low relative to its market valuation.

OPERATING PERFORMANCE

The Fitch Analytical Stress Test (FAST) scenario analysis tool, which relates historical tax revenue volatility to GDP to support the assessment of operating performance under Fitch's criteria, has now been adjusted to reflect GDP parameters consistent with Fitch's global coronavirus forecast assumptions. The FAST is not a forecast, but it represents Fitch's estimate of possible revenue behavior in a downturn, based on historical revenue performance. Hence, actual revenue declines will vary from FAST results and Fitch expects the county will implement decisive corrective actions to offset them. The FAST does provide a relative sense of the risk exposure of a particular local government entity compared to other local government entities.

The city's FY 2020 year-end unrestricted general fund reserve was \$7.8 million (21% of general fund expenditures and transfers out). Fitch's baseline and downside scenarios, which assume no policy action, produce nearly 13% and 15% drops in general fund revenues, respectively. Fitch anticipates the city would absorb the budgetary effects of Fitch's coronavirus baseline and downside scenarios by using a combination of reserves, expenditure cuts and revenue-raising, leaving the city well positioned to rebuild its financial resilience through the eventual recovery period. Furthermore, the city has nearly \$53 million of unrestricted serves in the Capital Improvements Fund that could be used for general fund purposes to mitigate the impacts of the current downturn.

The city budgets conservatively with numerous plans in place that enable it to respond to changes within the tourism sector. The general fund has remained consistently high throughout the recent recovery, along with robust reserves in the city's other funds that support the city's other needs. These budget management practices throughout the recovery have provided the city with the necessary flexibility to the anticipated revenue declines.

In addition to the sources of information identified in Fitch's applicable criteria specified below, this action was informed by information from Lumesis.

REFERENCES FOR SUBSTANTIALLY MATERIAL SOURCE CITED AS KEY DRIVER OF RATING

The principal sources of information used in the analysis are described in the Applicable Criteria.

ESG CONSIDERATIONS

Unless otherwise disclosed in this section, the highest level of ESG credit relevance is a score of '3'. This means ESG issues are credit-neutral or have only a minimal credit impact on the entity, either due to their nature or the way in which they are being managed by the entity. For more information on Fitch's ESG Relevance Scores, visit www.fitchratings.com/esg.

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APPLICABLE CRITERIA

[U.S. Public Finance Tax-Supported Rating Criteria \(pub. 27 Mar 2020\) \(including rating assumption sensitivity\)](#)

APPLICABLE MODELS

Numbers in parentheses accompanying applicable model(s) contain hyperlinks to criteria providing description of model(s).

FAST States & Locals - Fitch Analytical Stress Test Model, v2.4.0 ([1](#))

ADDITIONAL DISCLOSURES

[Dodd-Frank Rating Information Disclosure Form](#)

[Solicitation Status](#)

[Endorsement Policy](#)

ENDORSEMENT STATUS

Park City (UT)

EU Endorsed, UK Endorsed

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US Public Finance Infrastructure and Project Finance North America United States



**The Government Finance Officers Association
of the United States and Canada**

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CERTIFICATE OF RECOGNITION FOR BUDGET PREPARATION

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**Budget, Debt and Grants Department
Park City Municipal Corporation, Utah**



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Executive Director

Christopher P. Morill

Date: **March 15, 2021**



Staff Communication

Subject: Monthly Budget Reporting for March 2021
Author: Budget Team
Department: Budget, Debt, & Grants
Date: April 29, 2021
Type of Item: Informational

State Compliance Monthly Budget Reporting for March 2021

The attachments within this report consist of monthly revenue and expenditure reports detailed by Fund and Major Object Type. The format of these reports follows the audit procedure from the State Compliance Audit Guide, the Utah statute, and sample summary reports found in the Utah Uniform Accounting Manual. These summary reports should be reviewed monthly by Council for all funds.

Notable Observations:

Expenditures

- Overall, operating expenditures for FY21 are in line with expectations and down slightly compared to FY19 and FY20, once the CARES Act Funding (\$2M) is accounted for.

Revenues

- Sales tax revenues in February were strong compared to the past few months as we're seeing the economic recovery play out. February numbers were down (-1.6%) from last year. Overall, regular sales taxes for the year (Jul-Feb) are down (-7.4%) from last fiscal year.
- In the Capital Improvement Fund, Transient Room Taxes (TRT) are tracking considerably lower than previous fiscal years (-22.5%). This is due to less lodging business during this time.
- Property taxes came in above budget and are tracking higher than FY19 and FY20.
- BPE fees are down significantly because of less building activity stemming from the COVID-19 pandemic. However, these are in-line with budget projections.
- 'Transit Charges for Services' shows a large decrease due the new method in which we credit county transit revenue.

Exhibit A: Expenditure & Revenue Summary by Object and Type

Expenditures by Object Type- 8th Month of FY21 (March 2021)

April 29, 2021

	Actuals FY 2019	Actuals FY 2020	Actuals FY 2021	Budget FY 2021	% of Budget FY 2021
011 GENERAL FUND					
PERSONNEL SERVICES	15,607,943	16,507,057	16,084,039	21,961,047	73.2%
MATERIALS, SUPPLIES AND SERVICES	868,279	761,055	558,576	1,072,776	52.1%
UTILITIES	581,828	541,296	517,633	1,551,940	33.4%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	2,025,520	2,514,460	2,856,465	4,386,604	65.1%
PARTS/MAINTENANCE SUPPLIES	851,267	773,407	525,903	1,046,665	50.2%
SPECIAL SERV CONTRACT/MISC CHARGES	585,458	602,309	2,583,983	3,830,464	67.5%
CAPITAL OUTLAY	218,816	226,522	203,002	335,320	60.5%
INTERFUND TRANSFER	3,676,036	2,229,876	2,034,606	2,834,061	71.8%
Total 011 GENERAL FUND	24,415,147	24,155,981	25,364,207	37,018,878	68.5%
012 QUINNS RECREATION COMPLEX					
PERSONNEL SERVICES	648,000	546,289	575,981	909,979	63.3%
MATERIALS, SUPPLIES AND SERVICES	38,219	27,307	33,763	63,345	53.3%
UTILITIES	98,539	87,486	90,806	157,200	57.8%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	37,419	49,292	32,182	70,740	45.5%
PARTS/MAINTENANCE SUPPLIES	38,396	29,620	30,261	43,200	70.0%
SPECIAL SERV CONTRACT/MISC CHARGES	16,744	20,481	14,788	21,000	70.4%
CAPITAL OUTLAY				1,000	0.0%
Total 012 QUINNS RECREATION COMPLEX	877,317	760,475	777,780	1,266,464	61.4%
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND					
PERSONNEL SERVICES	17,111	16,979	4,230	31,958	13.2%
MATERIALS, SUPPLIES AND SERVICES	11,950	9,757	18,854	20,000	94.3%
UTILITIES	30,642	14,318	1,313	34,300	3.8%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	4,560	3,215	13,269	70,000	19.0%
SPECIAL SERV CONTRACT/MISC CHARGES				568,000	0.0%
INTERFUND TRANSFER	1,215,174	1,569,402	2,319,399	3,092,532	75.0%
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	1,279,437	1,613,671	2,357,065	3,816,790	61.8%
024 MAIN STREET RDA SPECIAL REVENUE FUND					
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	921	2,222	10,903	50,000	21.8%
SPECIAL SERV CONTRACT/MISC CHARGES				405,000	0.0%
INTERFUND TRANSFER	564,003	517,500	524,997	700,000	75.0%
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND	564,924	519,722	535,900	1,155,000	46.4%
031 CAPITAL IMPROVEMENT FUND					
CAPITAL OUTLAY	66,282,994	11,832,437	4,504,158	37,536,158	12.0%

**represents Actuals from July 1st to December 31st of the specified FY*

Expenditures by Object Type- 8th Month of FY21 (March 2021)

April 29, 2021

	Actuals FY 2019	Actuals FY 2020	Actuals FY 2021	Budget FY 2021	% of Budget FY 2021
INTERFUND TRANSFER	2,410,266	4,308,840	2,685,240	3,580,329	75.0%
Total 031 CAPITAL IMPROVEMENT FUND	68,693,260	16,141,277	7,189,398	41,116,487	17.5%
033 REDEVELOPMENT AGENCY-LOWER PRK					
CAPITAL OUTLAY	92,488	17,912	199,006	255,000	78.0%
INTERFUND TRANSFER	531,162	530,037	2,087,127	2,782,840	75.0%
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	623,650	547,949	2,286,133	3,037,840	75.3%
034 REDEVELOPMENT AGENCY-MAIN ST					
INTERFUND TRANSFER	603,873	603,756	785,079	1,046,777	75.0%
Total 034 REDEVELOPMENT AGENCY-MAIN ST	603,873	603,756	785,079	1,046,777	75.0%
038 EQUIPMENT REPLACEMENT CIP					
CAPITAL OUTLAY	1,016,558	1,664,341	191,109	1,460,138	13.1%
Total 038 EQUIPMENT REPLACEMENT CIP	1,016,558	1,664,341	191,109	1,460,138	13.1%
051 WATER FUND					
PERSONNEL SERVICES	2,014,513	2,282,922	2,177,700	3,258,424	66.8%
MATERIALS, SUPPLIES AND SERVICES	175,227	249,131	309,161	305,962	101.0%
UTILITIES	665,167	655,725	620,885	1,224,066	50.7%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	784,236	1,017,075	1,071,399	1,115,183	96.1%
PARTS/MAINTENANCE SUPPLIES	577,770	931,515	910,057	891,927	102.0%
SPECIAL SERV CONTRACT/MISC CHARGES	64,079	69,820	92,886	52,000	178.6%
CAPITAL OUTLAY	4,433,745	15,721,731	25,808,774	40,896,797	63.1%
DEBT SERVICE	1,774,753	1,756,514	3,760,235	1,028,266	365.7%
INTERFUND TRANSFER	754,876	788,625	793,313	1,773,085	44.7%
Total 051 WATER FUND	11,244,367	23,473,059	35,544,409	50,545,710	70.3%
052 STORM WATER FUND					
PERSONNEL SERVICES	603,848	637,575	465,665	607,137	76.7%
MATERIALS, SUPPLIES AND SERVICES	13,657	13,523	14,795	63,000	23.5%
UTILITIES	39,034	25,730	25,465	37,200	68.5%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	23,141	54,451	74,534	149,625	49.8%
PARTS/MAINTENANCE SUPPLIES	9,502	35,504	21,047	40,200	52.4%
CAPITAL OUTLAY	6,414	2,492	40,669	1,221,500	3.3%
INTERFUND TRANSFER	78,003	84,753	90,757	127,425	71.2%
Total 052 STORM WATER FUND	773,600	854,029	732,932	2,246,087	32.6%
055 GOLF COURSE FUND					
PERSONNEL SERVICES	556,703	553,404	525,245	899,687	58.4%

**represents Actuals from July 1st to December 31st of the specified FY*

Expenditures by Object Type- 8th Month of FY21 (March 2021)

April 29, 2021

	Actuals FY 2019	Actuals FY 2020	Actuals FY 2021	Budget FY 2021	% of Budget FY 2021
MATERIALS, SUPPLIES AND SERVICES	56,440	44,198	47,881	66,200	72.3%
UTILITIES	25,181	20,800	45,853	68,400	67.0%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	28,836	51,806	51,351	85,535	60.0%
PARTS/MAINTENANCE SUPPLIES	132,706	109,482	152,322	235,800	64.6%
SPECIAL SERV CONTRACT/MISC CHARGES	25,272	25,722	31,398	30,500	102.9%
CAPITAL OUTLAY	-8,507	117,967	51,315	114,565	44.8%
DEBT SERVICE				24,283	0.0%
INTERFUND TRANSFER	104,537	105,822	116,684	134,913	86.5%
Total 055 GOLF COURSE FUND	921,167	1,029,201	1,022,050	1,659,883	61.6%
057 TRANSPORTATION & PARKING FUND					
PERSONNEL SERVICES	7,371,817	7,471,306	5,711,196	8,909,323	64.1%
MATERIALS, SUPPLIES AND SERVICES	750,922	193,692	222,278	290,822	76.4%
UTILITIES	253,404	288,396	249,978	360,100	69.4%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	808,094	721,987	638,117	1,572,750	40.6%
PARTS/MAINTENANCE SUPPLIES	59,425	11,608	50,584	25,000	202.3%
SPECIAL SERV CONTRACT/MISC CHARGES	119,609	17,205	16,389	20,000	81.9%
CAPITAL OUTLAY	4,070,508	926,907	1,607,636	8,281,094	19.4%
INTERFUND TRANSFER	2,271,813	2,569,509	2,295,125	3,334,501	68.8%
Total 057 TRANSPORTATION & PARKING FUND	15,705,592	12,200,610	10,791,303	22,793,590	47.3%
058 PARKING FUND					
PERSONNEL SERVICES		637,680	545,011	849,924	64.1%
MATERIALS, SUPPLIES AND SERVICES		278,266	139,037	430,500	32.3%
UTILITIES		6,920	4,442	10,400	42.7%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC		64,684	54,854	148,000	37.1%
PARTS/MAINTENANCE SUPPLIES		23,384	11,761	54,000	21.8%
SPECIAL SERV CONTRACT/MISC CHARGES		99,090	22,820	65,000	35.1%
CAPITAL OUTLAY				125,000	0.0%
INTERFUND TRANSFER		4,500	18,500	8,000	231.3%
Total 058 PARKING FUND		1,114,524	796,424	1,690,824	47.1%
062 FLEET SERVICES FUND					
PERSONNEL SERVICES	742,067	736,059	672,970	995,989	67.6%
MATERIALS, SUPPLIES AND SERVICES	58,984	52,296	46,264	77,355	59.8%
UTILITIES	845,654	761,826	417,000	1,001,800	41.6%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	2,008	4,179	5,110	3,800	134.5%

**represents Actuals from July 1st to December 31st of the specified FY*

Expenditures by Object Type- 8th Month of FY21 (March 2021)

April 29, 2021

	Actuals FY 2019	Actuals FY 2020	Actuals FY 2021	Budget FY 2021	% of Budget FY 2021
PARTS/MAINTENANCE SUPPLIES	497,603	584,256	487,146	770,200	63.2%
Total 062 FLEET SERVICES FUND	2,146,316	2,138,615	1,628,490	2,849,144	57.2%
064 SELF INSURANCE FUND					
MATERIALS, SUPPLIES AND SERVICES	21,703	30,275	25,789	50,500	51.1%
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	273,004	637,599	462,479	872,560	53.0%
SPECIAL SERV CONTRACT/MISC CHARGES	584,428	644,646	724,007	810,000	89.4%
Total 064 SELF INSURANCE FUND	879,135	1,312,519	1,212,275	1,733,060	69.6%
070 SALES TAX REV BOND - DEBT SVS FUND					
DEBT SERVICE	895,104	2,667,695	2,635,952	5,040,066	52.3%
Total 070 SALES TAX REV BOND - DEBT SVS FUND	895,104	2,667,695	2,635,952	5,040,066	52.3%
071 DEBT SERVICE FUND					
DEBT SERVICE	7,337,543	7,339,252	7,381,616	7,699,000	95.9%
Total 071 DEBT SERVICE FUND	7,337,543	7,339,252	7,381,616	7,699,000	95.9%
TOTAL	137,976,990	98,136,676	101,232,124	186,175,739	54.4%

*represents Actuals from July 1st to December 31st of the specified FY

April 29, 2021

GLOSSARY OF FUNDS

1) General Fund

The General Fund is the principal fund of the City. The General Fund accounts for the normal recurring activities of the City (i.e., police, public works, community development, library, recreation, and general government). These activities are funded principally by user fees, and property, sales, and franchise taxes. Accounting records and budgets for governmental fund types are prepared and maintained on a modified accrual basis. Revenues are recorded when available and measurable. Expenditures are prepared and recorded when services or goods are received and the liabilities are incurred. Funds included are the following:

- **General Fund**
- **Quinn's Recreation Complex Fund**

2) Special Revenue Funds

The Special Revenue Funds are used to account for specific revenue sources that are restricted, committed or assigned to expenditures for particular purposes. These special revenue funds account for the agencies' redevelopment activities which are supported by property tax increment revenue.

- **Lower Park Avenue RDA Special Revenue Fund**
- **Main Street RDA Special Revenue Fund**
- *Police Special Revenue Fund*
- *Drug Confiscations (Criminal Forfeiture Restricted Account)*

3) Capital Project Funds

Accounting records and budgets for all capital project funds are prepared and maintained on a modified accrual basis. The capital project funds are used to account for the construction of major capital projects not included in the proprietary funds. The City has undertaken a major prioritization process for its CIP projects. This budget reflects that prioritization.

- **Capital Improvement Fund** - is used to account for capital projects of the City's general government.
- **Redevelopment Agency- Lower Park Fund** - Accounts for the acquisition or construction of capital projects in the Lower Park Avenue RDA area.
- **Redevelopment Agency- Main Street Fund** - Accounts for capital projects in the Main Street RDA area.

**represents Actuals from July 1st to December 31st of the specified FY*

April 29, 2021

- **Equipment Replacement CIP Fund** - Accounts for the accumulation of resources for the future replacement of fixed assets such as computers, vehicles, heavy equipment.
- *Building Authority*
- *Park City Housing Authority*

4) Enterprise Funds

The Enterprise Funds are used to account for operations that are financed and operated in a manner similar to private businesses. Accounting records for proprietary fund types are maintained on an accrual basis. Budgets for all enterprise funds are prepared on a modified accrual basis. Depreciation is not budgeted for in the City's enterprise funds. Included are the following:

- **Water Fund** - Accounts for the operation of the City's water utilities, including debt service on associated water revenue bonds.
- **Transportation Fund** - Accounts for the operation of the City's public transportation (bus and trolley) system.
- **Parking Fund** - Accounts for the operation of the City's parking programs.
- **Golf Course Fund** - Accounts for the operation of the City's golf course.
- **Storm Water Fund** – Accounts for the operations and capital of the City's storm water utilities, including debt service on associated storm water revenue bonds.
- *Recreation Fund*

5) Debt Service Funds

Accounting records and budgets for all debt service funds are prepared on a modified accrual basis.

- **Park City General Long-Term Debt Service Fund** - The fund accounts for the accumulation of money for the repayment of the 1988, 1993 and 1999 A, 2000, 2005, and 2008 General Obligation Bonds and the 1992 Excise Tax Revenue Bond (Class "C"). The sources of revenue are property and fuel tax.
- **Sales Tax Revenue Debt Service Fund** - This fund accounts for the accumulation of money for the repayment of the 2005 Series A & B Sales Tax Revenue Bonds. The sources of revenue are sales tax, some RDA proceeds, and Parks and Public Safety impact fees.

6) Internal Service Funds

**represents Actuals from July 1st to December 31st of the specified FY*

Expenditures by Object Type- 8th Month of FY21 (March 2021)

April 29, 2021

The internal service funds are used to account for the financing and operation of services provided to various City departments and other governments on a cost-reimbursement basis. Accounting records for all internal service funds are prepared on an accrual basis. Budgets for all internal service funds are prepared on a modified accrual basis. Depreciation is not budgeted for in the City's internal service funds. Included are the following:

- **Fleet Fund** - Accounts for the cost of storage, repair, and maintenance of City-owned vehicles.
- **Self-Insurance Fund** - Accounts for the establishment of self-insured programs including Workers' Compensation, Unemployment Compensation, and liability insurance.
- *Equipment Replacement Fund*
- *Circuit Court Fund*

GLOSSARY OF OBJECT TYPES

An **object type** is used to classify types of expenditures within a fund.

Personnel Services: associated with personnel costs such as full-time positions, part-time positions, contract positions, benefits, overtime, and vacancy factor.

Materials, Supplies, & Services: associated with various department costs such as meetings, conference travel, recruitment & training, office supplies, uniforms & clothing, and printing.

Utilities: associated with utility costs such as electricity, natural gas, telephone, cellular, waste collection, water, sewer, gasoline, and other fuels.

Contract Services/Consulting/Software Licenses: associated with third-party contract, consulting, and software license costs.

Parts/Maintenance Supplies: associated with parts and supplies to maintain the City's assets, such as buildings, equipment, and vehicles.

Special Service Contract/Miscellaneous Charges: As part of the budget process, the City Council allocates funds to contract with nonprofit organizations offering services consistent with the needs and goals of the City. Miscellaneous charges include but are not limited to bank charges and insurance/surety bonds.

**represents Actuals from July 1st to December 31st of the specified FY*

Expenditures by Object Type- 8th Month of FY21 (March 2021)

April 29, 2021

Capital Outlay: Major equipment and facilities that have a useful life of more than one year, and a cost in excess of \$1,000.

Debt Service: The annual payments (*principal & interest*) made by the City against its outstanding debt.

Inter-fund Transfer: Financial transactions between City funds.

**represents Actuals from July 1st to December 31st of the specified FY*

Revenues by Object Type- 9th Month of FY21 (March 2021)

April 29, 2021

	Actuals FY 2019	Actuals FY 2020	Actuals FY 2021	Budget FY 2021	% of Budget FY 2021
011 GENERAL FUND					
Property Taxes	10,809,420	10,693,803	12,025,931	10,412,892	115.5%
Sales Tax	8,353,681	9,552,109	6,912,775	8,728,066	79.2%
Franchise Tax	2,054,504	2,083,444	2,090,077	3,229,380	64.7%
Licenses	419,869	362,999	286,505	323,501	88.6%
Planning Building & Engineering Fees	2,587,152	4,135,922	2,151,770	2,107,887	102.1%
Special Event Fees	73,475	112,718	8,081	127,595	6.3%
Federal Revenue	6,250	7,226	8,005	56,953	14.1%
State Revenue	82,399	56,026	57,285	80,182	71.4%
County/SP District Revenue	5,000		24,635	25,705	95.8%
Cemetery Charges for Services	12,562	17,412	15,204	95,465	15.9%
Recreation	1,282,030	1,333,196	1,565,663	1,415,701	110.6%
Other Service Revenue	30,418	43,828	33,209	151,702	21.9%
Library Fees	15,265	13,777	8,459	18,645	45.4%
Misc. Revenues	675,413	627,779	203,137	717,185	28.3%
Interfund Transactions (Admin)	1,468,998	1,507,383	1,507,383	2,724,847	55.3%
Special Revenues & Resources	62,451	74,854	3,217,255	2,938,857	109.5%
Total 011 GENERAL FUND	27,938,887	30,622,474	30,115,373	33,154,563	90.8%
012 QUINNS RECREATION COMPLEX					
County/SP District Revenue			10,300	10,300	100.0%
Recreation	5,310	1,554	409	3,359	12.2%
Ice	657,575	635,347	453,519	612,867	74.0%
Misc. Revenues	-71	3,648	86	847	10.1%
Total 012 QUINNS RECREATION COMPLEX	662,814	640,550	464,315	627,373	74.0%
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND					
Property Taxes	2,855,894	4,140,555	3,572,977	4,252,000	84.0%
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	2,855,894	4,140,555	3,572,977	4,252,000	84.0%
024 MAIN STREET RDA SPECIAL REVENUE FUND					
Property Taxes	1,113,400	1,173,722	1,254,689	1,195,000	105.0%
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND	1,113,400	1,173,722	1,254,689	1,195,000	105.0%
031 CAPITAL IMPROVEMENT FUND					
Sales Tax	4,376,167	5,139,635	3,358,370	6,569,128	51.1%
Planning Building & Engineering Fees	510,706	349,360	258,513	355,000	72.8%
State Revenue	297,966	392,243	242,231	421,005	57.5%

Revenues by Object Type- 9th Month of FY21 (March 2021)

April 29, 2021

	Actuals FY 2019	Actuals FY 2020	Actuals FY 2021	Budget FY 2021	% of Budget FY 2021
County/SP District Revenue	106,252	2,754,127	801,027	2,030,000	39.5%
Transit Charges for Services				3,500,000	0.0%
Misc. Revenues	403,957	5,405,109	1,650,718	14,420,502	11.4%
Special Revenues & Resources	145,021	160,715	219,302	231,125	94.9%
Bond Proceeds				9,000,000	0.0%
Total 031 CAPITAL IMPROVEMENT FUND	5,840,070	14,201,187	6,530,162	36,526,760	17.9%
033 REDEVELOPMENT AGENCY-LOWER PRK					
Interfund Transactions (CIP/Debt)	1,215,174	1,569,402	2,319,399	3,092,532	75.0%
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	1,215,174	1,569,402	2,319,399	3,092,532	75.0%
034 REDEVELOPMENT AGENCY-MAIN ST					
Interfund Transactions (CIP/Debt)	564,003	517,500	524,997	700,000	75.0%
Total 034 REDEVELOPMENT AGENCY-MAIN ST	564,003	517,500	524,997	700,000	75.0%
038 EQUIPMENT REPLACEMENT CIP					
Interfund Transactions (CIP/Debt)	805,275	964,197	986,697	1,315,600	75.0%
Total 038 EQUIPMENT REPLACEMENT CIP	805,275	964,197	986,697	1,315,600	75.0%
051 WATER FUND					
Planning Building & Engineering Fees	1,509,819	1,303,458	1,078,024	1,183,938	91.1%
Water Charges for Services	13,369,875	12,831,722	14,999,588	19,889,201	75.4%
Total 051 WATER FUND	14,879,693	14,135,181	16,077,612	21,073,139	76.3%
052 STORM WATER FUND					
Water Charges for Services	1,044,397	1,093,210	910,599	2,000,000	45.5%
Total 052 STORM WATER FUND	1,044,397	1,093,210	910,599	2,000,000	45.5%
055 GOLF COURSE FUND					
Recreation	1,039,880	1,037,075	1,298,326	1,337,137	97.1%
Misc. Revenues	7,246	15,787	23,252	40,748	57.1%
Interfund Transactions (CIP/Debt)	18,747	18,747	18,747	25,000	75.0%
Total 055 GOLF COURSE FUND	1,065,873	1,071,609	1,340,326	1,402,885	95.5%
057 TRANSPORTATION & PARKING FUND					
Sales Tax	3,365,454	4,841,864	3,465,433	4,566,595	75.9%
Licenses	933,209	943,157	900,369	656,289	137.2%
Federal Revenue		1,403,962	4,811,261	3,585,800	134.2%
Transit Charges for Services	3,667,019	3,809,791	786,483	5,866,000	13.4%
Misc. Revenues	77,610	100,238	136,567	288,410	47.4%
Special Revenues & Resources	238,785	210,046	241,971	402,002	60.2%

Revenues by Object Type- 9th Month of FY21 (March 2021)

April 29, 2021

	Actuals FY 2019	Actuals FY 2020	Actuals FY 2021	Budget FY 2021	% of Budget FY 2021
Total 057 TRANSPORTATION & PARKING FUND	8,282,076	11,309,057	10,342,083	15,365,096	67.3%
058 PARKING FUND					
Fines & Forfeitures		1,947,269	676,461	2,603,364	26.0%
Total 058 PARKING FUND		1,947,269	676,461	2,603,364	26.0%
062 FLEET SERVICES FUND					
Interfund Transactions (Admin)	1,923,761	2,211,750	1,770,000	2,725,000	65.0%
Total 062 FLEET SERVICES FUND	1,923,761	2,211,750	1,770,000	2,725,000	65.0%
064 SELF INSURANCE FUND					
Interfund Transactions (Admin)	779,429	959,148	1,049,283	1,399,043	75.0%
Total 064 SELF INSURANCE FUND	779,429	959,148	1,049,283	1,399,043	75.0%
070 SALES TAX REV BOND - DEBT SVS FUND					
Interfund Transactions (Admin)	121,275	121,860	16,875	22,495	75.0%
Interfund Transactions (CIP/Debt)	3,545,301	5,442,633	5,557,446	7,409,946	75.0%
Total 070 SALES TAX REV BOND - DEBT SVS FUND	3,666,576	5,564,493	5,574,321	7,432,441	75.0%
071 DEBT SERVICE FUND					
Property Taxes	6,036,374	9,281,384	9,506,281	9,518,281	99.9%
Misc. Revenues	25,834	24,954	768	39,366	2.0%
Total 071 DEBT SERVICE FUND	6,062,208	9,306,338	9,507,049	9,557,647	101.8%
TOTAL	78,699,532	101,427,643	93,016,343	144,422,443	64.4%

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Jason Glidden

Submitting Department: Community Development

Item Type: Staff Report

Agenda Section:

Subject:

Affordable Housing Projects Update

Suggested Action:

This report is an informational update of projects in the Housing Department

Attachments:

[Affordable Housing Projects Staff Report](#)



City Council Staff Communications Report

Subject: Update on Affordable Housing Projects
Author: Jason Glidden
Department: Affordable Housing
Date: April 29, 2021

Despite the difficulty of working throughout the pandemic, the City's Housing team has made considerable progress in accelerating the Critical Community Priority – Housing. This update provides a brief progress report on the various initiatives accomplished and those initiatives that are currently underway. Staff plans to return to Council in the future work sessions with comprehensive reports on many of these projects.

Recently Completed Projects

Housing Resolution Update

Council and staff recently completed a major overhaul to the City's Housing Resolution. In fact, the Housing Resolution was updated twice in three months. The updates included additional language to clarify housing building standards, occupancy requirements, and Homeowners Association fees. The update resolution refined the definition of a qualified applicant and increased the inclusionary requirements for new master-planned developments from 15% to 20% affordable. As a result, Park City now has the most aggressive Housing Resolution in the State of Utah.

Land Management Code

A new section of the land management code was added to incentivize the private sector to develop affordable housing. The new Affordable Master Planned Development section of our Land Management Code strategically reduced setbacks, open space, and parking requirements if affordable housing is constructed. These factors were all identified as significant impediments to the private sector's ability to develop affordable housing. The code updates also allow for increased building heights, which, paired with the reductions mentioned above, provides the opportunity to increase total unit density. Taken together, staff believes these improvements will create more affordable units that are constructed by entities other than PCMC.

New Housing Specialist Position

In January, the Housing Department welcomed Elyse Kats to the team as the new Affordable Housing Specialist. She has hit the ground running, assisting with calculating housing obligations for proposed master-planned developments in Park City and providing research and analysis on potential new housing policies and programs. The addition of this position has helped the Housing department speed up the timeline of several housing initiatives that will further the City's efforts to reach its housing goals.

Sales/Resales

Over the last year, the City has assisted in the sale/resale of 22 affordable housing units. In many cases, the City has been able to update deed restrictions to comply with our new housing resolution.

Current Projects

Public/Private Partnership Taskforce

The development of affordable housing needs to come from various sources, as the City alone cannot build its way out of the housing crisis. Public/Private Partnerships are effective in other communities for the production of affordable housing. This winter, a Public/Private Partnership Taskforce was formed to obtain the input of housing and development professionals, including developers, housing experts, realtors, and financial professionals. Valuable information and feedback was exchanged to help shape future public-private partnership opportunities.

Homestake Lot Request for Qualifications

With feedback from the Public/Private Partnership Taskforce, staff created a Request for Qualifications (RFQ) for a private developer to build affordable housing on the Homestake Lot. The goal is to develop a list of qualified developers that the City may partner with to create affordable housing. The RFQ should be advertised this week, and developers will respond by the end of May. A sub-set of the Taskforce will function as a selection committee and make a recommendation to Council.

City-Owned Land Evaluation

Staff has worked with a subset of the Taskforce to identify and investigate possible locations for in-fill affordable housing development. Analysis of various City-owned properties is underway, including zoning, easements, access, environmental issues, and neighborhood compatibility. Council had previously provided staff with a list of properties to prioritize in this process, including Clark Ranch, Mine Bench, and the Sommers property. Staff has completed its analysis on the Clark Ranch acreage and Mine Bench property. Staff is presenting a report to Council at their next meeting.

Lite Deed Restrictions Program

Staff is researching a "lite" deed-restriction program to encourage full-time residents looking to age in place within Park City city limits. Several Colorado ski towns have similar programs in place, with varied success. Staff is targeting a May work session for Council to present and discuss the program.

Woodside Park Phase 2

At Council direction, staff has redesigned options for the Woodside Park Phase 2 housing project. Staff worked with Method Studio to create designs that maintain the existing senior center and respond to some of the complaints voiced during the previous design process. Despite our best efforts, creating affordable housing in an existing residential community will always have challenges. The staff is targeting a May presentation to Council and is excited by the idea of developing affordable housing in Old Town – or partnering with a private entity.

Economic Development Study

The Housing Team is partnering with the Economic Development Team, the Park City Chamber, and Summit County to conduct an economic impact study that depicts the benefits of resident occupied and affordable housing in Park City. The study will quantify factors such as the economic and community benefits of investing in affordable housing and discuss the associated opportunity costs and direct/ indirect impacts on employee recruitment and retention, as well as level of service. Staff plans to use this data to help to educate the community on the economic benefits of affordable housing.

Housing Funding Options

This past winter, City Council requested that staff begin to look at what opportunities are there to look for long-term funding for affordable housing. Other funding sources, from grants to tax opportunities, can help fund affordable housing in Park City. Staff is researching the possibilities of utilizing a tax source as a continuous funding source for affordable housing. Other sources such as existing grants, private funding sources like impact investing funds, and incentives for energy efficiency projects could assist in funding affordable housing in the future. The next step is better understanding our potential funding sources through a work session with Council in May to better understand funding priorities regarding housing.

Housing Need Assessment Update

As part of the annual housing plan required by the State, a housing needs assessment must be conducted every five years. The last needs assessment completed by the City was in 2016. Staff will return in May with a proposed scope of service for Council consideration.

Housing Software

The Housing team investigated software options to help manage the growing management responsibilities of the City's deed-restricted affordable Housing inventory and program. Working with the IT Department, staff evaluated numerous options and is working to finalize a recommendation for a provider. The software will be a valuable tool to assist staff with reviewing compliance, managing waitlists, and most importantly, increasing efficiency of the level of service provided to residents looking for affordable housing.

Accessory Dwelling Unit (ADUs)

Accessory Dwelling Units (ADUs) have been mentioned as a possible tool to combat the housing shortage in Park City. Staff evaluated the current Land Management Code as it relates to ADUs, and as it related to the recently passed H.B. 82. As you know, this bill allows for Internal Accessory Dwelling Units in most primarily residential zones beginning in October 2021. Staff will bring this issue to the Planning Commission to a work session on April 28 to evaluate the City's Accessory Apartment regulations (Accessory Dwelling Units that are attached to a single-family dwelling or garage) and potential Land Management Code amendments to incentivize the development of Accessory Apartments and Accessory Dwelling Units to increase the City's affordable housing rentals.

Rental Assistance

Federal rental assistance programs during Covid-19 have been funded through the state and administrated through specific regional organizations dictated by the state. The Community Action Food Bank out of Provo is the organization overseeing requests from Summit County. The funding can be applied for through an online portal, which is in English only. Staff created a pilot program to help Spanish-speaking residents in Aspen Villas apply for rental assistance. Based on the program's success, staff is looking to expand this aid to other communities in Park City. Staff felt that while the City does not have direct access to these funds, it is crucial to assist those in a housing crisis as part of the community's Social Equity and Housing goals.

Energy Saving Guide

Staff is working with sustainability to create an energy-saving guide for affordable residential housing to reduce the costs of homeownership. This information will be disseminated to the entire inventory of deed-restricted affordable units within Park City and to all new residents moving forward.

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Jason Christensen

Submitting Department: Public Utilities

Item Type: Staff Report

Agenda Section:

Subject:

Water Conservation and Drought Update

Suggested Action:

Attachments:

[Water Conservation Staff Report](#)

[Exhibit A: Water Conservation Program](#)



City Council Staff Communications Report

Subject: Water Conservation Approach 2021
Author: Jason Christensen, Water Resources Manager
Department: Public Utilities
Date: April 29, 2021
Type of Item: Informational

Park City has experienced a below average winter in terms of precipitation, as has most of the State. This, on top of a dry preceding summer, has increased the likelihood of drought restrictions in many parts of the State. Governor Cox has declared a [State of Emergency](#) in response to these conditions.

The City has proactively prepared for periods of drought both through our physical infrastructure and through our conservation program.

Our physical infrastructure includes seven different water sources the community can draw on to meet water demands. During the construction of the 3Kings Water Treatment Plant investments have been made in the Creekside and Quinn's Junction Water Treatment Plant to mitigate the impact of the demolition of the Spiro Water Treatment plant. Once 3Kings is operational, our water system will be even more diversified and resilient with this new state of the art facility.

Our Conservation program continues to be robust and among the most progressive in the State of Utah. A summary of the active elements of this program is attached to this staff communications report. Since the year 2000, residential, multi-family, and irrigation account water usage has decreased by approximately 50% per connection.

Drought restrictions are governed by Park City Municipal [PCMC 13-1-26](#) "Water Use During Periods of Drought." That code contains three stages of drought. The first stage is triggered when demand exceeds 85% of water supply. Assuming all water sources remain online the chance of a drought declaration is low, although it remains a valuable tool and available if needed. In Park City's system, the ratio of supply to demand is typically highest August and early September making this the most likely period for a drought declaration.

While a drought declaration remains available, the investments in physical infrastructure and the ongoing conservation ethic of Park City reduce the chances of such a declaration. Typically, this calculation is predictable when we see back to back below average snowpack years, which predictably reduces source water capacity.

Public Utilities staff is partnering with the Community Engagement team to enhance our comprehensive outreach campaign targeting residents, HOAs, and other key stakeholders. This outreach plan includes a series of water conservation public service announcements to be featured on the City's social media and other communication

platforms, including local media, the City's newsletter, billing inserts, and a monthly water conservation email campaign. Messaging will be available in English and Spanish. Staff will also participate in virtual programming opportunities, including Coffee with Council, Mensaje a La Comunidad Hispana de Park City, and offer to speak at community and HOA meetings.

As we approach this irrigation season, we plan to actively remind and encourage the community to conserve:

- Log onto parkcity.watersmart.org to monitor your water usage, ensure you receive leak alerts, and set bill alerts if you are using more water.
- In the May 1st bill all customers will receive a billing insert referencing the State's drought declaration, our snowpack levels, and the construction of the 3 Kings Water Treatment Plant. This insert will ask residents to be mindful of their water consumption this year.
- Outdoor irrigation is only allowed between the hours of 7:00 p.m. and 10:00 a.m. between May 1–September 30 and, at most, every other day. It's easy to find out when to plan outside watering. For example, if you live or work at an even-numbered address, water on even-numbered days. If your home or business is at an odd-numbered address, water on odd-numbered days. The Park City Water Manager may make exceptions for new landscaping.
- In June, July, and August all customers will receive a water report, by mail or email, with individualized recommendations on actions that they can take to conserve water. These reports will reference the State's drought declaration.

Exhibits

Exhibit A: Water Conservation Program

Park City Water Conservation Projects or Programs

Active Onetime Projects

1. City Rain Barrel Distribution
 - a. The City has partnered with Utah Rivers Council
 - b. Advertised on Nextdoor App, Press Release, This Green Earth & City Newsletter.
 - c. Occurring May 2, 2021.
2. State Drought Declaration
 - a. Added Park City specific tips to City Newsletter
3. May 1, Mailer
 - a. Will be included in Water Bill on May 1, 2021.

Active Ongoing Projects

1. Park City Water Rater structure
 - a. Water pricing designed to discourage excessive water use
2. Park City's water loss reduction program
 - a. A defined target of less than 20% system loss by 2030.
3. WaterSmart Mailer
 - a. Goes out to all customers 6 times a year. Provides two recommended actions they can take to reduce water usage. Also cycles through a library of other communications to keep the information fresh and provides data that breaks down usage, provides facts on the impact outdoor irrigation has on their bill, educates on every other day, provides information on rebates and encourages use of the WaterSmart Portal.
 - b. Will go out on/around June 1, July1, and August 1 this Summer
4. WaterSmart Website
 - a. Hourly Consumption data
 - b. Library of 140 Conservation Activities.
 - i. These are filter and displayed only if relevant to the user. Also the users actual data is used to calculate a dollar and gallons per month value for each of the conservation action. The user can let us know when they begin a conservation action and when they complete it.
 - c. Leak Alerts
 - i. Single Family and Irrigation Accounts
 1. Alerts automatically (email) sent when hourly usage occurs that we define as a likely leak
 - a. Opt Out
 - d. Usage Alerts
 - i. All Amount Types
 - ii. User set thresholds and alerts (email, text, IVR) to help manage water usage. Sends weekly reminders if ontrack/under, or over a user's goal.
 - e. Library of Conservation Suggestions customized for user and displaying anticipated savings calculated for that user in both gallons per day and dollars.
5. Rebates/Incentives
 - a. Smart Irrigation Controller
 - i. \$75.
 - b. Toilets
 - i. \$100 per toilet.

- c. Rain Barrels (Through the end of the month)
 - i. \$25 per barrel
 - d. Water audits
 - 6. Ongoing Restrictions
 - a. Watering prohibited from 10 am – 7 pm.
 - b. Water restricted to every other day at most.
 - i. Optional Water every third day program available.
 - c. Water Waste is prohibited.
 - 7. Partnership with Weber Basin Water Conservancy District
 - a. Conservation Garden
 - b. Classes
 - 8. Memberships
 - a. Utah Water Conservation Forum
 - b. Alliance for Water Efficiency

Prepare for Drought Declaration

- 1. Park City Municipal Code 13-1-26 Water Use During Periods Of Drought, governs drought declarations for the City. There is no preemptory Drought Declaration under this code. A Stage 1 Drought is declared when the Public Utilities Director Determines that demand has exceeded 85% of Supply.
- 2. Staff have prepared a set of template for executive actions, emergency declarations, newspapers notices, etc contemplated by the code.

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Lynn Ware Peek

Submitting Department: Community & Public Affairs

Item Type: Staff Report

Agenda Section:

Subject:

Social Equity Quarterly Update

Suggested Action:

Attachments:

[Social Equity Staff Report](#)



City Council Staff Report

Subject: Social Equity Quarterly Update
Author: Lynn Ware Peek, Community Engagement Liaison
Jolene Weston, Organizational Development Manager
Department: Community Engagement, Human Resources
Date: April 29, 2021
Type of Item: Informational

Summary

Park City staff continues to work on advancing our social equity initiatives. Unlike other critical community priorities, such as transportation and housing, Social Equity is not something easily measured. Instead, this report focuses on several programs and projects being implemented across the organization and in partnership with residents, businesses, non-profits, and other important community stakeholders.

As you can see, a tremendous amount of energy and focus is being directed towards equity initiatives by PCMC staff, Council, and our Boards and Commissions. For example, since Social Equity was created as a critical community priority, and reaffirmed during the Park City Vision 2020 process, we have developed and implemented a host of programs and initiatives. Most of these efforts may be unknown to the greater community.

Recent activity includes:

- Participation in the [Park City Community Cohort](#). This year-long program launched in March with a 3-day immersive training and was attended by Mayor Andy Beerman, Council Member Nann Worel, Matt Dias, Sarah Pearce, and Jolene Weston.
- [Human Rights Campaign MEI Scorecard](#) – working to ensure Park City Municipal's score is reflective of our work.
- Jolene Weston, Minda Stockdale and Michelle Downard are providing resources to encourage diversity on Boards and Commissions, including alternative recruitment tactics and providing child-friendly meetings and food so that volunteering is not a burden.
- The upcoming Running for Office Workshop, which will include information regarding current boards and commissions vacancies, will be presented in Spanish during the Mensaje a la Comunidad program on our Spanish Facebook page.

LGBTQIA+ Task Force

The LGBTQIA+ Task Force officially launched in February 2021 with monthly meetings. The most recent meeting had 16 invitations and 11 attendees, with the majority from the LGBTQIA+ community. Highlights from discussions and activity so far include:

- Meeting between committee chairs and Councilmember Tim Henney to discuss the Council Liaison role
- Sending out a survey to the community members to ascertain how to best meet some of the needs.
- Holding an event this summer to celebrate the local LGBTQIA+ community
- Considering how to move from task force to a sustainable entity
- Including organization partners in the task force such as Sundance Institute, who has expressed interest
- Updated the City's webpage with a quote from the Mayor and established a dedicated email address: LGBTQIA@parkcity.org
- Transgender Day of Visibility was held on March 31
- Pride Month Street Banners will go up in June

Park City Transit

Park City Transit provides free and essential bus service throughout our community. Highlights this month include:

- Providing free on-demand rides to vaccination sites.
- Transit supervisor Jose Melendez and Diego Zegarra of the Park City Community Foundation partnered with Latinos in Action at Park City High School to test the Spanish version of the Rider's Guide to see if it was well understood and user-friendly. Students provided valuable feedback that will be incorporated.
- Jose Melendez appeared on KPCW's Cada Domingo to inform listeners about the April 11 service changes and the traffic mitigation/transportation survey.

Community Engagement

The Community Engagement team continues to work on providing communication to our LatinX community. They are also working with Summit County on a variety of projects to promote the vaccine, including:

- Initiated campaign on Municipio de Park City Facebook page in April, "Vacúnate PC," to showcase why various people in the Spanish-speaking community got vaccinated.
- Collaborated with People's Health Clinic and Christian Center on March 29, 30, & 31 to register and provide information on the Covid vaccine for 122 members of the LatinX community during the Christian Center annual three-day Easter Basket event.
- Provide a monthly guest to KPCW's Cada Domingo to highlight important information and upcoming events.
- Live Spanish interpretation/translation at strategic, critical, or essential public or community meetings.

Human Resources

The Human Resources Department continues to focus on inclusive recruitment, including:

- Translating and posting job announcements on the Municipio Park City Facebook page, the LGTBQ+ web page, and the Pride Facebook page

- Implementing an ESL (English as a Second Language) program
- *DiversityJobs* initiated to post positions to a broader audience
- Current Internships:
 - o Bright Futures interns - Michelle Centeno and Emily Garcia – started in November 2020 and will continue throughout the school year. They are currently working on a Transit project where they are compiling driver data.
 - o Municipio de Park City intern - Heidy Onofre, a Park City High School graduate and student at the University of Utah, joined the City as a social equity intern in October 2020; and will continue throughout the school year
 - o Neurodiverse community interns - Kyra Cassel at the MARC and Mark Gustafson in Library

Housing

Affordable housing initiatives continue to be a focus in our social equity program.

Highlights this month include:

- Staff members Elyse Kats, Heidy Onofre, and Lynn Ware Peek visited Aspen Villas to help over 25 residents fill out rental assistance applications and will take this model to other apartment complexes
- Researching an update to our housing resolution to include a means to monitor and control HOA fees for affordable and attainable units
- Researching funding sources like low-income housing tax credits to include in future developments. These sources could be city-developed or through public/private partnerships to target lower AMI's (area median incomes) in our future housing projects
- Lite Deed Restrictions - Researching and learning from peer communities with resident-occupancy deed restriction programs to see if a similar program could be successful in Park City. A program like this would help properties stay locally owned and occupied, which would encourage community building and affordability for Park City residents
- Public Utilities is watching the most recent stimulus package and believe it will continue the program of offering utility bill assistance to those under 80% AMI and who have been financially impacted by COVID

Planning

The Planning Department staff are working to ensure documents, policies, and information are inclusive and accessible.

- Creating maps/graphs/charts that are legible to people with colorblindness
- Reviewing the Land Management Code and development agreements to ensure inclusive pronouns are used
- Making public information available to Spanish speakers

Park City Police Department

PCPD continues its robust outreach programs. Highlights include:

- Hosting Driver's License classes for Spanish-speaking community members.

- Providing the Cadet Explorer program focusing on youth ranging from ages 14-20 who are interested in a career in law enforcement
- Three radio program appearances scheduled with Mi Preferida Radio and Cada Domingo
- Ensure public information is available to Spanish speakers

Library

The Park City Library continues to provide programming for our diverse community. Highlights this month include:

- Spring Action Book Club: Invites community members to read books on timely topics and participate in meaningful community service. Spring theme is Many Voices: celebrate diversity, our differences, and the similarities that connect us all. The recommended books are by or about people of color. We also host an author event with Todd Parr, a children's author whose books promote the acceptance of differences and the inclusion of everyone.
- The new website launched in February 2021 and features the Spanish collection, programs, and events. The goal is to break down barriers that keep part of our community from enjoying the Library
- Daniel Thurston, our Spanish Services Librarian, launched *Cuentos y Cantos* (a Spanish story time for children ages 3-6, each Tuesday at 10 am) and a designated time for curbside pickup in Spanish (Thursdays 12-5 pm)
- The Library is planning an "Own Voices Speaker Series" beginning in April/May

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Minutes

Agenda Section:

Subject:

Consideration to Approve the City Council Meeting Minutes from April 15, 2021

Suggested Action:

Attachments:

[April 15, 2021 Minutes](#)



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

April 15, 2021

The Council of Park City, Summit County, Utah, met in open meeting on April 15, 2021, at 4:00 p.m. The meeting was a remote, electronic meeting due to the declared public health emergency.

Mayor Beerman read the Determination of Substantial Health and Safety Risk.

Council Member Henney moved to close the meeting to discuss property, personnel, and litigation at 4:02 p.m. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

CLOSED SESSION

Council Member Doilney moved to adjourn from Closed Meeting at 5:10 p.m. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

WORK SESSION

Summer Special Events Update:

Jenny Diersen, Special Events Manager, presented this item. She indicated special events had built community in the last 40 years. This year, larger events would be coming to Council for review and community input, and she noted all events would be decreased by 20% of normal, COVID protocols would still be in place, and focus would be given to event impact mitigation. Diersen stated the applicants took COVID mitigations and the City priorities seriously.

Council Member Gerber stated the State guidelines included mask mandates and asked who was over mask mandate enforcement. Diersen stated it would be a collaborative effort between staff and if a situation escalated, Police and the Health Department would become involved. Council Member Joyce thought all the protocols would end the first part of May because of the HB 294 bill that was passed by the Legislature. Diersen

1 stated cities would not be able to require COVID protocols when the State lifted the
2 restrictions, but event organizers would still honor the protocols. Council Member Joyce
3 noted events on public property would not have enforcement.
4

5 Council Member Worel asked why the fee waiver requests had increased. Diersen
6 explained Car-Free Sunday was a new event that increased City services. She knew it
7 would be a difficult discussion on how to balance those fees and services. Council
8 Member Joyce asked how events like Silly Market could be scaled down. Diersen stated
9 vendors would be reduced and there were discussions to require preregistration or to
10 charge a one dollar entrance fee. It was uncertain, but Silly Market put together a list of
11 protocols to ensure safety for the patrons, vendors, and staff. Council Member Henney
12 noted that people coming for Car-Free Sunday last year were not required to wear
13 masks while outside.
14

15 Diersen stated events were prepared for many situations, including rain, less restrictive
16 or more restrictive COVID protocols, etc. Council Member Doilney thought the events
17 were on the right path with protocols and mitigation efforts. Council Member Gerber
18 asked if the Health Department or the State had been petitioned for special mask
19 allowances for special events and thought any safety precautions taken would make
20 sense. Diersen stated she was working on safety protocols with the Legal Department,
21 but mask mandates would not be permitted. She knew Council would want events to
22 require safety protocols. The City could encourage organizers to follow the safety
23 protocols, but could not require events to put those protocols in place. Council Member
24 Joyce stated the July 4th event concerned him the most, and thought measures should
25 be taken to ensure safety. Mayor Beerman thought the summer events would be
26 manageable because some of the larger events had cancelled.
27

28 **Discuss Potential Interlocal Agreement between Utah State Parks and Park City**
29 **Municipal for Rail Trail Maintenance and Improvements:**

30 This item was discussed in the Regular Meeting.
31

32 **REGULAR MEETING**

33
34 **I) ROLL CALL**
35

Attendee Name	Status
Mayor Andy Beerman Council Member Max Doilney Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce Council Member Nann Worel	Present via technology

Matt Dias, City Manager Mark Harrington, City Attorney Michelle Kellogg, City Recorder	
None	Excused

Discuss Potential Interlocal Agreement between Utah State Parks and Park City Municipal for Rail Trail Maintenance and Improvements:

Heinrich Deters, Trails and Open Space Manager, presented this item and indicated this agreement was the initial step on this project, and would allow the City to take on the management and maintenance of 2.75 miles of the Rail Trail from Utah State Parks. If Council agreed to proceed, staff would work with the Transportation Planning team on what the area would look like in the next five years.

Council Member Joyce thought the agreement was a great thing to invest in. He hoped the project could be completed as soon as possible. Council Member Henney agreed and noted State Parks didn't have the resources to improve the trail. The only downfall was taking the responsibility for this trail would take funds away from other City projects. Council Member Joyce noted the trail was heavily used and he hoped it could be a corridor for bike lanes as well as pedestrians. Council Member Doilney asked how much control the City had over the width of the area. Deters stated there was a lot of opportunity in that area, and he hoped the City could expand the width. He noted discussions would continue with State Parks. Council Member Worel asked if Union Pacific would ever want to make the area a real railroad in the future. Deters stated there was the ability for the railroad to come back, but he did not see that happening any time soon. Mayor Beerman indicated this section of trail was a treasure to the community and he looked forward to seeing where the project would lead.

II) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Henney stated Scott Loomis retired from Mountainlands Community Housing after 20 years there, and had been a part of delivering 600 affordable units in Summit County. He hoped Loomis could be recognized for his service in the community. He attended the Coffee with Council and there were representatives from the Fire and Water Departments. Council Member Henney asked to hear from staff on the Deer Valley/Snow Park Master Plan entitlements. He thought there should be clarification from the agency that would be approving and/or denying the applications. Mayor Beerman suggested creating a webpage dedicated to this topic.

Council Member Worel stated 75% of County residents over the age of 18 had at least one dose of the vaccine. She noted there would be a mobile unit for service employees to get vaccinated. She thanked Council Member Henney for the great Coffee with

Council discussion on wildfires. She knew the City owned a lot of property and there needed to be more wildfire mitigation on City property.

Council Member Doilney encouraged all to wear masks and stay healthy. Council Member Joyce noted there were three water companies in Summit County, and as the population increased the water demands would increase as well. He noted events were beginning, and stated it was nice to see efforts being made to stay safe.

Council Member Gerber thanked all the businesses and workforce that helped make the winter season so successful. Mayor Beerman agreed and was impressed with the efforts of those in the community. He also thought the Coffee with Council on wildfires was great and timely. He was told there was a taskforce and fuels committee that determined the next projects according to urgency. He wanted to share that project list with the public and requested a presentation on this at a future Council meeting. He thought there should be more manhours devoted to forest clean up. Mayor Beerman gave an update on the legal battle with the Town of Hideout, Wells Fargo, and Nate Brockbank. Brockbank had challenged the development agreement on Richardson Flat. The judge voted in favor of the development agreement and said it was legal. The judge also supported the conservation easement. Mayor Beerman stated this was a big step in protecting that land.

Staff Communications Reports:

1. RAP Tax Grant Allocation and Award:

2. Active Transportation Initiatives – 2021:

Council Member Joyce asked that the FY 2022 budget have more focus on neighborhood transportation efforts. He thanked the Transportation team for their efforts with Rail Trail, the stairs in Old Town, etc. that had huge impacts to the people that lived here. Mayor Beerman stated Council directed staff to allocate 15% of Transit revenues for active transportation. Council Member Joyce indicated there were many neighborhoods that still didn't have sidewalks, so he encouraged staff to plan projects and see what could be done, and not limit projects based on an arbitrary number.

3. Main Street Merchant Post Office Box Fees:

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

Mayor Beerman opened the meeting for anyone who wished to comment or submit comments to the Council on items not included on the agenda.

Neal Krasnick via Zoom stated he liked outdoor recreation and he enjoyed the previous discussion. He was working on a project and encouraged Council to view his website. He noted hiking and biking were very popular and Summit County had a huge complex of outdoor recreation. He explained his work regarding updating maps of the trails in the area.

Mayor Beerman closed the public input portion of the meeting.

IV) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from March 31 and April 1, 2021:

Council Member Gerber moved to approve the City Council meeting minutes from March 31 and April 1, 2021. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

V) CONSENT AGENDA

1. Request to Authorize the City Manager to Execute Addenda to Two Contracts for Excavation and Water System Repair Services, in Forms Approved by the City Attorney, with Daley Excavators LLC for an Additional \$1,000,000 Not to Exceed a Total Amount of \$2,000,000; and with JWW Excavating Inc. for an Additional \$200,000 Not to Exceed a Total Amount of \$400,000:

2. Request to Authorize the City Manager to Execute a Construction Agreement in a Form Approved by the City Attorney's Office with Texas Environmental Plastics, LTD, for the Park City Soils Management Facility - Cell 1 Liner Installation Project, in an Amount Not to Exceed \$308,990.70:

3. Request to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with Horrocks Engineers, Inc., to Provide a Project Management and Grant Support between 2021-2024 for Park City Municipal Corporation, in an Amount Not to Exceed \$145,000:

4. Request to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with Fehr & Peers, to Provide Project Management for Park City Municipal Corporation's Short Range Transit Plan in an Amount Not to Exceed \$162,000:

Mayor Beerman hoped staff would emphasize Council's desire to look at car optional transportation options.

Council Member Gerber moved to approve the Consent Agenda. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

VI) NEW BUSINESS

1. Consideration to Approve Ordinance 2021-15, an Ordinance Approving the Little Belle Condominiums 7th Amended (Amending Unit #2), Located at 7195 Little Belle Court, Park City, Utah:

Brendan Conboy, Senior Planner, presented this item and indicated this amendment would expand the wall to allow additional square footage. There would be the standard conditions of approval associated with the approval. Council Member Gerber asked if items like this should come to Council. Council Member Henney stated the attorneys affirmed it should come to Council because that was the legislative body, and this was a legislative action. Harrington stated this topic could be revisited.

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

Council Member Henney moved to approve Ordinance 2021-15, an ordinance approving the Little Belle Condominiums 7th Amended (amending Unit #2), located at 7195 Little Belle Court, Park City, Utah. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

2. Consideration to Approve Ordinance 2021-16, an Ordinance Amending the Land Management Code Section 15-2.13-2 to Prohibit Nightly Rentals in the Fairway Meadows Subdivision:

Brendan Conboy, Senior Planner, stated the Fairway Meadows HOA sent a letter to its members and they were in favor of prohibiting nightly rentals in that subdivision. The adjacent subdivision had already prohibited nightly rentals.

Council Member Worel was happy any time nightly rentals could be curbed in residential areas. She clarified nightly rentals were rentals less than 30 days.

Chip Burrus, Fairway Meadows HOA Secretary, stated he was grateful for staff helping him through the process.

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

Council Member Doilney moved to approve Ordinance 2021-16, an ordinance amending the Land Management Code Section 15-2.13-2 to prohibit nightly rentals in the Fairway Meadows Subdivision. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

3. 2021 EPMOA Empire/Flagstaff Historic Preservation Work Plan - Authorization of Advanced Withholding of Transfer Fee Disbursement from 2020 Revenues for FY 2021, 2022 and 2023 in a Total Amount of \$120,000 to Implement Daly West Restoration Project:

Mark Harrington, City Attorney, and Doug Ogilvy, Empire Pass HOA, presented this item. Harrington stated there was a request for the City to pre-authorize the release of funds to accompany existing funds to implement the Daly West Restoration Project. He noted the mine collapsed which caused the structure to collapse and they hoped to restore that structure.

Ogilvy stated the process began a year and a half ago. He displayed pictures of the project and noted the structure had fallen into the shaft. It would be moved 150 feet up the hill to get it on firm ground. The total project was estimated at \$440,000. They would also restore some of the fire hydrant shacks, signage, and perimeter fencing. He indicated it would be satisfying to see the project brought to fruition.

Council Member Worel asked if there was a shaft under the new site. Ogilvy stated there might be a passageway further down, but there was not a shaft underneath. She asked what would happen to the collapsed shaft. Ogilvy stated the shaft would be capped. She asked if the area would be reopened for skiing. Ogilvy thought there would be some fencing around the shaft to protect people. Council Member Joyce stated there was a lack of airflow and there were many collapsing shafts.

Mayor Beerman opened the meeting for public input. No comments were given. Mayor Beerman closed the public input portion of the meeting and thanked Ogilvy, the public, the Historical Society, and others that pushed the City to figure out ways to protect these structures.

Council Member Joyce asked if the pre-authorization meant the City would not commit further funds for the next three years. Harrington stated the Council and EPMOA can cross that bridge next year. The intent was to get as much work done as soon as possible so the MOA contemplated advanced funding. The next plan update would be discussed and a new plan would be presented at the 2022 annual meeting. Council Member Joyce thought the City should take advantage of opportunities to make progress in the restoration projects.

Council Member Worel moved to approve the 2021 EPMOA Empire/Flagstaff Historic Preservation Work Plan and the authorization of advanced withholding of transfer fee disbursement from 2020 revenues for FY 2021, 2022 and 2023 in a total amount of \$120,000 to implement Daly West Restoration Project. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

4. Consideration to Approve Ordinance 2021-17, an Ordinance Amending the Municipal Code of Park City, Utah, Chapter 13 Water and Stormwater Code by Adding Section 13-5 Regulation and Enforcement of Stormwater Discharges Associated with Post Construction Activities:

John Robertson, City Engineer, presented this item and noted the City continued to make efforts to meet State requirements. The requirements focused on post construction stormwater management practices. The applicants would have to enter into a maintenance agreement on their project run off areas and the City would have the right to inspect the areas to ensure they were being maintained properly.

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

Council Member Joyce asked if the language was standard language across the State. Robertson stated the language was consistent with the State requirements.

Council Member Joyce moved to approve Ordinance 2021-17, an ordinance amending the Municipal Code of Park City, Utah, Chapter 13 Water and Stormwater Code by adding Section 13-5 Regulation and Enforcement of Stormwater Discharges Associated with Post Construction Activities. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

VII) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Jenny Diersen

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

Request to Accept a Donation of a Mixed Media Painting on Behalf of Artist Nancy Scheibe to the Public Art Collection in an Art Agreement Approved by the City Attorney

Suggested Action:

Attachments:

[Public Art Donation Staff Report](#)

[Exhibit A: Nancy Scheibe Art Donation Proposal](#)

City Council Staff Report



Subject: Public Art Donation Acceptance
Author: Jenny Diersen
Department: Economic Development
Date: April 29, 2021
Type of Item: Consent

Summary Recommendation

Based on a recommendation from the Public Art Advisory Board (PAAB), staff recommends that Council accept a donation of a mixed media painting on behalf of artist Nancy Scheibe to the Public Art Collection and display at on the interior of City Hall at in an Art Agreement approved by the City Attorney.

Analysis

Under the [Public Art Policy and Resolution 17-2016](#), PAAB makes recommendations regarding artwork, and City Council shall have final authority over the decision. In cases that are specific to donations to be considered, the donor shall present a proposal to the PAAB, and PAAB shall accept or reject the donation based on the [goals and objectives](#) as set forth in the [PAAB Policies](#). Public Art is part of the Community's Top Priorities and is an important part of Arts and Culture that helps connect the community as well as creates a sense of place.

Artist Nancy Scheibe followed the PAAB Donation Policy including completing a written proposal with design and site criteria, and associated costs the donation form for consideration ([Exhibit A](#)). The artwork celebrates the 100th Anniversary of Women's Right to Vote and depicts the history of suffrage. The artwork is valued at \$1,200.

PAAB considered the acceptance of the donation in compliance with the PAAB's donation policy at the February 8, 2020 meeting including holding a public hearing on the matter.

PAAB reviewed the proposal, opened the discussion for public input in which no public comment was received, and voted in support of the acceptance of the artwork into the Park City Public Art Collection and display in such a way to allow public access to view. Six PAAB members were present, and four members voted in favor, one abstained and one opposed, two members were absent.

This specific donation ties directly to the [PAAB's Mission, Vision, Strategies and Goals](#), which has been approved by City Council and specifically states – That the PAAB's Mission is to *Enrich and connect the Park City community through visual art in public spaces*. Additionally, the Vision of the PAAB is *to inspire a complete community*,

celebrating Park City's vibrant history, culture and environment.

PAAB also acknowledged that the artwork created narrative aspects and timeliness of the theme and 100-year anniversary of Suffrage and what transpired for woman's right to vote. While one member did not agree, PAAB noted that artwork tied to Park City and Utah from as it noted the Woman's March on Main Street and the first woman voter was from the State of Utah. Further, PAAB believed the artwork would inspire positive community dialogue.

PAAB recommended to display in such a way to allow public access to view. Staff intends to display the artwork inside City Hall.

Funding Source

There is no funding associated with this donation. Typical maintenance of artwork would be the responsibility of the City once accepted.

Attachments

Exhibit A Nancy Scheibe Art Donation Proposal

December 30, 2020

Dear Park City Public Art Advisory Board,

I am a new edition to Park City, having moved her from Minnesota last year. I created a piece of artwork to celebrate the 100th anniversary of women's right to vote would like to donate it to Park City's public art collection. This piece depicts the history of suffrage.

Artwork description:

Title: Suffrage 2020

Medium: mixed media, primarily acrylic

Size: 2' x 4', ready to hang

Costs: No costs to the City for this donation. I will deliver it

Proposed Location: I had thought it might work well in a library due to its educational value, but do not have a specific location. Still learning the terrain of Park City, I assume the board will know the best use of this artwork

Value: I value it at \$1200

Maintenance: The artwork has been coated with three coats of acrylic varnish, so it will clean easily with mild soap and water

Photograph of the work: See Below

Detailed description of the work: See Below

Thank you for your time and consideration regarding my donation.

Nancy Scheibe

218-235-8124

Nancy@NancyScheibe.com



Suffrage 2020

By Nancy Scheibe
Artist Statement

The 100th anniversary of Suffrage inspired me to dive deep into what transpired for women to acquire the right to vote. My education lacked details, timelines, sacrifices made and teaching me who the players were in protests and strategizing that spanned decades. I needed to honor those who came before me and to help me not take for granted the gaining, losing and winning those women experienced. Suffrage may be celebrating 100 years, but the struggle started prior to 1776. As we all know, there were months, if not years, of work invested before that. I dedicate this work to the women who played a role then, and those who work today, to end the disfranchisement that still occurs. Incorporated into the artwork:

- It is intentionally done with layers to represent the layers of commitment, work and sacrifice required for a successful suffrage movement.
- The Native American woman voting represents the underrepresented people in our country for whom voting remains a challenge.
- She is saddened to read the issues on the Emancipation Ballot of 1848 echoes today's issues. She casts her vote knowing there is still so much to be done - especially for people of color.
- 2020 issues begs a new amendment be brought forth regarding a global issue.
- Behind the voter stands a silhouette of a 1920 sister suffragette voting to represent those who came before us.
- The posters portray the logic used during the suffrage era.
- In the background, where women are often relegated, women march.

- Sacajawea is credited, by some, as being the first woman to vote. She had an equal vote on the Lewis and Clark expedition.
- African American women rose to the challenge for suffrage and remain unsung heroes in our history books.
- Susan B. Anthony, a leader dedicated to the cause and sacrificed for suffrage, died 14 years before the Anthony amendment was ratified.
- Sojourner Truth and Harriet Tubman are credited, by some, as inspiring and then supporting, suffrage because of the how they worked to end slavery.
- Helen Hill Weed is shown in jail. She, like many women, spent days or weeks jailed for protesting or attempting to vote. Husbands were not supportive - marriages ended.
- Force feeding was inflicted on women in the United States and Europe in response to their hunger strikes while incarcerated.
- Red Lipstick was used as a fashion protest. It became a tangible sign of autonomy.
- A Lancashire Lassie is portrayed being arrested. The women in Europe fought a similar battle. Inspiration traveling across the pond.
- Only a timeline could express and frame the gaining, losing and winning experienced to attain women's right to vote. Highlights of the suffrage movement in Europe depict this as a global issue.
- The Pussyhat protest included in the timeline portrays the need for continued marching and protests for equality.

NANCY SCHEIBE

5976 Kingsford Ave.
Park City, Utah 84098
www.NancyScheibe.com
218-235-8124

ARTIST STATEMENT

I believe all mediums of art are essential for a full life. As an expression of thoughts, feelings and impressions art provides opportunities to communicate with others in a meaningful way, to learn and enjoy life's gifts.

EXHIBITIONS

- Donation of *Covid19 Heroes*, Intermountain Hospital, 2020, Park City, Utah
- Outdoor Mural, *Fantasy At Night* (8' x 12'), 2019, Adventure Inn, Ely, Minnesota
- Outdoor Mural, *Crossman Moose Team* (12' x 16'), 2018, Art & Soul Gallery, Ely, Minnesota
- Outdoor Mural, *Boreal Buddies* (4' x 16'), 2017, Art & Soul Gallery, Ely, Minnesota
- Outdoor Mural, *Seasons Of Splendor* (16' x 32'), 2015, Jasper Company, Ely, Minnesota
- Outdoor Mural, *Mad Hatter's Tea Party-Ely Style* (12' x 34'), 2008, Front Porch Coffee & Tea Co., Ely, Minnesota
- Member artist displaying at Art & Soul Gallery, 2016 to present Ely, Minnesota
- Group and solo shows, 2005 to 2017, Front Porch Coffee and Tea Co, Ely, Minnesota.
- Ely Fine Art Show, 2014, 2015, 2017 Ely, Minnesota.
- Snow Sculptors Symposium, Voyageur Winter Festival, Ely, Minnesota, 2003 to present.
- Greenstone Art Juried art show, 2008 – 2014, 2016, 2018 Ely, Minnesota.
- Donations of artwork to the Ely Community Resource Art Auction for the 2008 to present.
- Ely Art Walk, Ely, Minnesota 2004 through 2017.
- Donated 5' mixed media fish sculpture for Ely Chamber and Ely Greenstone Fin-Tastic Fish Construction Contest, 2006, Mayors Choice Award.
- Blueberry Arts Festival, Ely, Minnesota, 2003 & 2004.
- Harvest Moon Festival, Ely, Minnesota, 2003 & 2004.
- Solo Exhibition, Northern Grounds, Ely, Minnesota, October 2002.
- Solo Exhibition of poetry, short story and artwork entitled "Singing Her Truth" depicting healing from domestic violence, Hopkins Center for the Arts, Hopkins, Minnesota, August 1998.

ILLUSTRATIONS

- *Karner's Quest for Blue Lupine* – Children's book, 2014, Beaver Pond Press.
- *The Hottest Day* – Children's book, 2011, Chloe Enterprise Press
- *The Magical Adventures of Clara the Cleaning Lady; Clara Meets Mr. Twiddles* – Children's book, 2009, Five Star Publications Inc.
- *Harry's Heavy Suitcase* – Children's book, 2009, Singing river Publications.
- *Willie Walleye; Underwater Adventures* – Children's book, 2008, Singing River Publications.
- *Loon and Moon* – Folklore, 2005, Raven Productions.

GALLERY OWNER

- Established (2016-2019) and operated Art & Soul Gallery, Ely, Minnesota, May 2016 Gallery continues to thrive under new owner.

PUBLICATIONS

- *Mississippi River Trilogy* - Illustrations, photographs and writing. *Water Women Wisdom; Voices from the Upper Mississippi* – 2006 Singing River Publications. *Ripples Of Wisdom; A Journey through Mud and Truth* – 2008, Raven Productions. *Waves Of Wisdom; Grace, Guts and Gators on the Lower Mississippi* – 2012, Raven Productions. True story of a paddling trip down the Mississippi to gather women's wisdom.
- *Women's Experience Coloring Book; A Playful Journey in Healing and Hope* – Illustrations and text for a women's journaling and coloring book, Fourth edition printed 2003, Creative Journeys Publications.
- *Ely Miner* – Journalist/Artist. Paper's cartoonist for two years. Wrote feature articles and advertisements, 1983-84.

PRESENTATIONS AND WORKSHOPS

- Classroom presentations in Ely Schools
 - Mixed Media presentation. Spring 2017 Dafne Caruso and I taught grades 7-12 and kindergarten the mixed media techniques we learned at a workshop with Tonja Sell.
 - Snow carving presentation. During winter fest presentations to a 5th grade class. The timing of this presentation is also when the teacher is instructing on graphing. My presentation demonstrates a live application. Students come to park to compare their graph to the actual sculpture. 2003 to 2015.
 - Story telling and illustration. Along with Kevin Straus went to 3rd grade classes. Kevin told a story and I assisted the students in illustrating the story. Pictures were then display at the Front Porch for 2 weeks. 2006 Plans are being worked out to return to do more with art in these classes.
- Keynote on Water Women Wisdom project, Morning For Women, Lake City Medical Center-Mayo Health System, Lake City, Minnesota, February 2005
- Keynote on Water Women Wisdom project, 16th Annual Experiential Education Conference, Northeastern Illinois University in Chicago, Illinois, February, 2005
- Presentation on Art as a Healing Tool based on book *Women's Experience Coloring Book*, National Women Healing Conference, Hazelden Foundation, Minneapolis, Minnesota, Chicago, Illinois, Nashville, Tennessee, West Palm Beach, Florida, 2003

EDUCATION/TRAINING

- B.A. Degree in Communications and Counseling Psychology from Metropolitan State University in St. Paul, Minnesota, 1989
- Classes at Atelier Lack College of Art in Minneapolis. 1982-84
- Course work at the School of the Associated Arts, St. Paul, Minnesota, 1974

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Heinrich Deters

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

Request to Appropriate \$25,000 for Spring 2021 Wildfire Mitigation Efforts

Suggested Action:

Attachments:

[Wildfire Mitigation Funding Request Staff Report](#)

City Council Staff Report

Subject: Council Contingency Funding Request
Author: Heinrich Deters
Department: Sustainability
Date: April 29, 2021
Type of Item: Consent

Recommendation

Staff recommends Council appropriate a one-time allocation of twenty-five thousand dollars (\$25,000) from City City Council FY2021 Contingency to provide additional support for increased wildland fire mitigation efforts this spring.

Background

City Council recently expressed an interest in providing additional funding to accelerate our existing wildfire mitigation efforts. Given the drought declaration by Governor Cox, staff and Council seek additional support (labor and equipment) this Spring.

Analysis

Over the past several years, numerous City Departments have prioritized wildfire mitigation efforts. These programs include:

Community Wildfire Preparedness Plan (CWPP) Update: Park City Municipal Corporation's CWPP extensive update to the 2013 plan commenced in August 2020. This plan describes the wildfire threat to the City and surrounding areas. It adopts recommendations for threat mitigation to lessen the risk or impacts of a catastrophic fire. The public comment period for the plan ended on April 23, 2021. The finalized project should be submitted for Council approval in the coming weeks.

Evacuation Plan: A key component to the CWPP is creating an evacuation plan for the City, which was completed with the help of a CWPP sub-committee which met nearly every two weeks from the end of November 2020 through late February 2021. This plan was exercised via a virtual tabletop exercise (TTX) in April and is intended to be adopted as part of the City's Comprehensive Emergency Management Plan in June.

Wildfire Fuels Committee: In mid-April, a group of organizational stakeholders met to discuss the formation of a local Wildfire Fuels Committee to identify project areas that would be the most mutually beneficial to stakeholders. In the future, the intent is to invite HOAs and community members to participate in planning fuels management/reduction projects.

- **Coffee with Council:** On April 13, 2021, Tim Henney hosted a town hall event discussion with Park City Fire District, Park City Municipal Public Utilities, and Park City Municipal Emergency Management to discuss wildfire and drought conditions in and around Park City.

- Public Forums: In May 2019, Park City Emergency Management organized a panel of emergency responders from Park City, Summit County, and Wasatch County to have a public discussion regarding how they're preparing for longer fire seasons and more significant fires along the Wasatch Back's wildland-urban interface.
- Websites/Outreach: [BeReadyParkCity.org](https://www.bereadyparkcity.org) hosts a number of wildfire preparedness materials. An emergency preparedness newsletter focusing on wildfire emergency preparedness, defensible space, and home hardening is intended to be mailed to the public in the coming weeks.
- Municipal Code: In 2020, Park City Municipal Corporation's Planning Department proposed revisions to the Municipal Code, including the adoption of the 2006 Utah Wildland Urban Interface Code, as amended; implementing Wildland Urban Interface standards; and adding Firewise designations to the Title 14-1-5 plant list; revisions to the Land Management Code defining Defensible Space and Firewise Landscapes/Landscaping; and implementing Wildland Urban Interface standards for the Sensitive Lands Overlay, Annexations, and Master Planned Developments. Council unanimously passed Ordinance 2020-35 on [July 9, 2020](#).
- Each year, City staff has the Trails, and Open Space Department identifies and prioritizes city-owned property for defensible space clearing.

Recently, Emergency Management and Trails and Open Space staff have prioritized city-owned property for Spring mitigation efforts.

Concurrently, staff has scheduled wildland fire mitigation efforts for the Treasure Open Hill open Space planned for the fall. Staff is working to determine if the land can receive attention earlier than planned.

Industry standards and best practices dictate that defensible wildland fire mitigation work, which includes removal and clearing of vegetation, is conducted outside of prime wildfire season (June-September). This is an important consideration and framework for the mitigation work the municipality performs each year.

Funding

The Council contingency budget is currently \$49,000. Should this money be appropriated for wildfire mitigation efforts, the remaining balance, or \$24,000, would remain available for any other unanticipated one-time expense.

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Mindy Finlinson

Submitting Department: Finance & Accounting

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Adopt Resolution 08-2021, a Resolution Approving the Refinancing by Park City, Utah of a Training and Office Facility and Related Improvements for the Center of Excellence Properties, LLC; Authorizing the Issuance by the Issuer of its Not to Exceed \$16,500,000 Industrial Revenue Refunding Bonds, Series 2021 (United States Ski and Snowboard Association); and Related Matters
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[USSA Conduit Financing Refunding Resolution Staff Report](#)

[Exhibit A: USSA Refinance 2021 Authorizing Resolution](#)

[Exhibit B: Public Hearing Minutes - Park City USSA Refinance 2021](#)

City Council Staff Report

Subject: USSA Center of Excellence – Conduit Financing Refunding

Author: Mindy Finlinson, Finance Manager

Department: Finance

Date: April 29, 2021

Type of Item: Legislative

Recommendation

Staff recommends that Council hold a public hearing to receive comment with regard to the City's issuance of not to exceed \$16,500,000 Industrial Revenue Refunding Bonds, Series 2021 (United States Ski and Snowboard Association); and Council approve the attached resolution approving the refinancing of a training and office facility and related improvements for the Center of Excellence Properties, LLC and authorize the issuance of its refunding bonds.

Background

On [December 13, 2007](#), Council approved a resolution authorizing the issuance of bonds on behalf of the non-profit USSA's Center of Excellence athletic training facility to be located in the northwest quadrant of the intersection of U.S. Highway 40 and State Highway 248 (more commonly known as Quinn's Junction) in Park City. The issuance was approved to be in an amount of \$20.12 million. The proceeds from the bond were to be used for expenses related to the Center of Excellence project and related equipment, improvements and furnishings. The IRS reviewed the status and use of the bond proceeds in 2013 and issued a no status change determination (confirming that owners of the bonds did not have to report the income from interest from the bonds as gross income- i.e., why they get a lower interest rate on the market).

On [May 7, 2015](#), Council approved a resolution authorizing the issuance of refunding bonds. The issuance was approved to be in an amount of \$19.5 million. The proceeds from the bond were to be used to refund the Multi-Mode Variable Rate Revenue Bonds, Series 2007 (United States Ski and Snowboard Association).

Analysis

The attached bond authorizing resolution sets the final terms and sale of the 2021 Series, Industrial Revenue Refunding Bonds (United States Ski and Snowboard Association). The bond resolution adopted on [April 1, 2021](#), set the initial terms for the issuance, delegated final approval of bond terms to a Designated Officer (the Mayor or any authorized Mayor ProTem), and initiated the process of public notice. The resolution set the maximum principal issuance amount at \$16,500,000. The resolution lists the purpose for issuing the Bonds as:

- (i) Refund the Industrial Revenue Refunding Bonds, Series 2015 (United States Ski and Snowboard Association) and (ii) pay certain issuance costs relating thereto

The resolution established the format for public notice for the bonds, which was published in the Park Record for two consecutive weeks, the first notice not less than 14

days before the public hearing and initiated a 30-day period in which interested parties may contest the legality of the resolution or the bonds. The Public hearing will take place on April 29, 2021.

Staff asks that Council hold a public hearing on April 29, 2021. After the public hearing, the Designated Officer may adopt the resolution and authorize the final terms for the closing of the bonds. It is anticipated that the closing for the bonds would occur on or around May 6, 2021. The bonds are to be sold by private placement sale.

The public hearing is required in order to complete the bond issuance. The public hearing would allow Bond Council and the USSA to continue with the current timing of the issuance.

Departmental Review

This report has been reviewed by the Legal Department, Finance Department, and City Manager.

Funding

None

Attachments

- A Authorizing Resolution
- B Public Hearing Minutes

April 29, 2021

A regular meeting of the City Council (the “Council”) of Park City, Utah (the “Issuer”) was held on Thursday, the 29th day of April, 2021 at the hour of 6:00 p.m., via electronic means, at which meeting there were present and answering roll call the following members who constituted a quorum:

Andy Beerman	Mayor
Max Doilney	Council Member
Becca Gerber	Council Member
Tim Henney	Council Member
Steve Joyce	Council Member
Nann Worel	Council Member

Also present:

Matt Dias	City Manager
Michelle Kellogg	City Recorder
Mark D. Harrington	City Attorney
Margaret Plane	Special Counsel

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, a Certificate of Compliance with Open Meeting Law with respect to this April 29, 2021 meeting was presented to the Council, a copy of which is attached hereto as Exhibit A.

The following Resolution was then introduced in written form, was fully discussed, and upon motion made by Council Member _____ and seconded by Council Member _____, was adopted by the following vote:

YEA:

NAY:

The Resolution is as follows:

RESOLUTION NO. 08-2021

A RESOLUTION APPROVING THE REFINANCING BY PARK CITY, UTAH (THE “ISSUER”), OF A TRAINING AND OFFICE FACILITY AND RELATED IMPROVEMENTS FOR THE CENTER OF EXCELLENCE PROPERTIES, LLC, A UTAH LIMITED LIABILITY COMPANY, THE SOLE MEMBER OF WHICH IS CENTER OF EXCELLENCE PROPERTIES FUND, A UTAH NONPROFIT CORPORATION (THE “BORROWER”), IN ORDER TO PROMOTE THE GENERAL WELFARE OF THE RESIDENTS OF THE STATE OF UTAH; AUTHORIZING THE ISSUANCE BY THE ISSUER OF ITS NOT TO EXCEED \$16,500,000 INDUSTRIAL REVENUE REFUNDING BONDS, SERIES 2021 (UNITED STATES SKI AND SNOWBOARD ASSOCIATION), WHICH WILL BE PAYABLE SOLELY FROM THE REVENUES ARISING FROM THE PLEDGE OF A LOAN AGREEMENT (THE “LOAN AGREEMENT”), AMONG THE ISSUER, THE BORROWER, AND ZIONS BANCORPORATION, N.A. DBA ZIONS FIRST NATIONAL BANK (THE “LENDER”); AUTHORIZING THE EXECUTION AND DELIVERY OF SAID LOAN AGREEMENT AND RELATED DOCUMENTS; CONFIRMING THE SALE OF SAID BONDS; AND RELATED MATTERS.

WHEREAS, pursuant to the Utah Industrial Facilities and Development Act, Title 11, Chapter 17, Utah Code Annotated 1953, as amended (the “Act”), Park City, Utah (the “Issuer”), is authorized to issue its revenue bonds to finance or refinance the costs of any “project” as defined in the Act to the end that the Issuer may be able to promote the general welfare within the State of Utah; and

WHEREAS, the Act provides that a municipality or county may issue revenue bonds for the purpose of using substantially all of the proceeds thereof to pay or to reimburse a company for the costs of the acquisition, construction, and furnishing of the facilities of a project and that title to or in such facilities may at all times remain in the company and in such case the bonds of the municipality or county shall be secured by a pledge of one or more notes, debentures, bonds, or other secured or unsecured debt obligations of the company; and

WHEREAS, Issuer is authorized and empowered under the laws of the State, including the Act, to issue revenue bonds and to enter into loan agreements, contracts, and other instruments and documents necessary or convenient to obtain loans for the purpose of facilitating the financing or refinancing of certain projects as described in the Act; and

WHEREAS, in furtherance of the purposes of the Act and at the request of the Center of Excellence Properties, LLC, a Utah limited liability company, the sole member of which is the Center of Excellence Properties Fund, a Utah nonprofit corporation (the “Borrower”), the Issuer proposes to refund all of its outstanding Industrial Revenue Refunding Bonds, Series 2015 (United States Ski and Snowboard Association) (the “Refunded Bonds”), which refinanced certain expenditures incurred by the Borrower for

the acquisition, construction, furnishing, equipping and improvement of land and a building for use as a training and office facility by the United States Ski Association, doing business as the United States Ski and Snowboard Association (collectively, the “Project”) by issuing its Industrial Revenue Refunding Bonds, Series 2021 (United States Ski and Snowboard Association), with such additional designation as may be determined, in the total principal amount of not to exceed \$16,500,000 (the “Series 2021 Bonds”) and lending the proceeds thereof to Borrower; and

WHEREAS, the Council on April 1, 2021, adopted a resolution and made certain findings and determinations with respect to the Project (the “Inducement and Parameters Resolution”); and

WHEREAS, after published notice, a public hearing was held on the date hereof, at which any interested party had an opportunity to comment upon the proposed issuance of the Series 2021 Bonds, or any other matter relating to the Project; and

WHEREAS, the Project will be of the character and will accomplish the purposes provided by the Act, and in order to refund the Refunded Bonds and refinance the Project, the Issuer desires to issue its Series 2021 Bonds; and

WHEREAS, the Borrower proposes to borrow the proceeds of the Series 2021 Bonds upon the terms and conditions set forth herein to refund the Refunded Bonds and refinance the costs of Project; and

WHEREAS, the Borrower shall make loan payments directly to Zions Bancorporation, N.A. dba Zions First National Bank or any related entity (the “Lender”) as assignee of Issuer and holder of the Series 2021 Bonds pursuant to the terms set forth in a Loan Agreement (the “Loan Agreement”) among the Issuer, the Lender, and the Borrower, substantially in the form attached hereto as Exhibit B; and

WHEREAS, pursuant to the provisions of the Loan Agreement, the Borrower will promise to pay amounts sufficient to pay, when due the principal of, premium, if any, and interest on the Series 2021 Bonds, all in accordance with the requirements of the Act; and

WHEREAS, the Act and the documents to be signed by the Issuer provide that the Series 2021 Bonds shall not constitute or give rise to a general obligation or liability of the Issuer or be a charge against its general credit or taxing powers and that the Series 2021 Bonds will be payable from and secured only by the revenues arising from the pledge and assignment under the Loan Agreement; and

WHEREAS, the Council desires to approve the issuance of the Series 2021 Bonds and to authorize the execution and delivery of the Loan Agreement and related documents.

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

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein.

Section 2. The Issuer is authorized to refund the Refunded Bonds and refinance the costs of the Project by the Borrower with the proceeds of the Series 2021 Bonds, all pursuant to the provisions of the Act. All action heretofore taken by the officers of the Issuer directed toward the issuance of the Series 2021 Bonds is hereby ratified, approved, and confirmed.

Section 3. The Issuer is authorized and directed to issue the Series 2021 Bonds in the aggregate principal amount of up to \$16,500,000. The Series 2021 Bonds shall bear interest as described in the Loan Agreement, shall be payable on the dates, shall be subject to redemption prior to maturity, and shall mature all as set forth in the Loan Agreement.

The form, terms, and provisions of the Series 2021 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, tender, and number shall be as set forth in the Loan Agreement. The Mayor or any acting Mayor (the “Mayor”) and City Recorder or any deputy City Recorder (the “City Recorder”) are hereby authorized and directed to execute and seal the Series 2021 Bonds. The signatures of the Mayor and City Recorder may be by facsimile or manual execution.

The form of Bond is set out in the Loan Agreement, a copy of which was before the Council at this meeting, which form is incorporated herein by reference and made a part hereof.

Section 4. The Series 2021 Bonds are to be issued in accordance with and pursuant to and the Issuer is authorized and directed to execute and deliver the Loan Agreement, in substantially the same form presented to the Council at the meeting at which this resolution was adopted (with such final financial terms as may be determined so long as the aggregate par amount of Series 2021 Bonds does not exceed \$16,500,000). The Loan Agreement provides for the use of the proceeds of the Series 2021 Bonds solely for the purpose of refunding the Refunded Bonds and for paying expenses incidental thereto. The Loan Agreement provides for certain representations and warranties by the Issuer and the Borrower, for certain conditions precedent to the purchase of the Series 2021 Bonds, for certain affirmative and negative covenants, and for remedies in connection with the failure to perform certain covenants thereunder. The Loan Agreement specifically provides that the Series 2021 Bonds shall not constitute or give rise to a general obligation or liability of the Issuer or a charge against its general credit or taxing powers. Recourse on the Series 2021 Bonds executed and delivered by the Issuer pursuant to the Loan Agreement may be had only against the security for the Series 2021 Bonds as provided therein and in the Loan Agreement.

Section 5. The Project constitutes a facility as contemplated in the Act consisting of certain buildings, equipment, and related improvements, including any modification thereof, substitutions therefor and amendments thereto.

Section 6. The Loan Agreement, in substantially the form presented to the Council at this meeting, with such changes as are authorized by Section 7 hereof, is hereby approved in all respects, and the Mayor and City Recorder are hereby authorized to execute

the same on behalf of the Issuer and to affix the seal of the Issuer thereto and the acts of the Mayor and City Recorder in so doing are and shall be the act and deed of the Issuer. The Mayor and City Recorder or any other proper officers and employees of the Issuer are hereby authorized and directed to take all steps on behalf of the Issuer to perform and discharge the obligations of the Issuer under each of said instruments.

Section 7. The Mayor and City Recorder of the City are hereby authorized to make, either prior or subsequent to the execution thereof, any alterations, changes, or additions in the Loan Agreement and the Series 2021 Bonds which may be necessary to reflect final financial terms of the Series 2021 Bonds (so long as the aggregate principal amount of the Series 2021 Bonds does not exceed \$16,500,000), correct any errors or omissions therein, to remove ambiguities therefrom, to conform the same to other provisions of said instruments, to the agreement of the Borrower and the Lender, to the provisions of this resolution, or any other resolution adopted by the Issuer, or the provisions of the laws of the State of Utah or the United States as long as the rights of the Issuer are not materially adversely affected thereby.

Section 8. Pursuant to Section 11-17-13, Utah Code Annotated 1953, as amended, the Issuer includes herein the pledge and undertaking of the State of Utah that the State of Utah will not alter, impair, or limit the rights vested hereunder or in the Series 2021 Bonds, the Loan Agreement, or any of the documents contemplated hereby until the Series 2021 Bonds, together with all interest thereon, have been fully paid and discharged and all obligations of the Issuer thereunder and under the Loan Agreement are fully performed.

Section 9. It is hereby declared that all parts of this resolution are severable and that if any section, paragraph, clause, or provision of this resolution shall, for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause, or provision shall not affect the remaining provisions of this resolution.

Section 10. The Mayor and City Recorder and any other duly authorized officers of the Issuer are hereby authorized to execute all documents and take such action as they may deem necessary or advisable in order to carry out and perform the purpose of this resolution and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 11. All resolutions, orders, and regulations or parts thereof heretofore adopted or passed which are in conflict herewith are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation or part thereof heretofore repealed.

Section 12. This resolution shall take effect immediately upon its adoption.

ADOPTED AND APPROVED this April 29, 2021.

(SEAL)

By: _____
Mayor

ATTEST:

By: _____
City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

I, Michelle Kellogg, the duly appointed and qualified City Recorder of Park City, Utah (the “City”), do hereby certify according to the records of the City Council of the City in my official possession that the foregoing constitutes a true and correct excerpt of the proceedings of the meeting of the City Council of the City held on April 29, 2021, including a resolution (the “Resolution”) adopted at said meeting and that said proceedings and Resolution are officially of record in my possession.

I further certify that the Resolution, with all exhibits attached, was deposited in my office on April 29, 2021.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said City, this April 29, 2021.

(SEAL)

By: _____
City Recorder

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Michelle Kellogg, the undersigned City Recorder of Park City, Utah (the “City”) do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the April 29, 2021, public meeting held by the City Council as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of Park City, Utah at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Park Record at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice to be published on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the 2021 Notice of Annual Meeting Schedule for the City Council, in the form attached hereto as Schedule 2, was given specifying the date, time and place of the regular meetings of said Council to be held during the year, by causing said Notice to be (i) posted in December 2020 at the principal office of the Council, (ii) provided to at least one newspaper of general circulation within the City on _____, 2021 and (iii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this April 29, 2021.

City Recorder

(SEAL)

SCHEDULE I
MEETING NOTICE

SCHEDULE 2

ANNUAL MEETING SCHEDULE

EXHIBIT B

LOAN AGREEMENT

April 29, 2021

A regular meeting of the City Council (the “Council”) of Park City, Utah (the “City”) was held on Thursday, the 29th day of April, 2021 at the hour of 6:00 p.m., via electronic means, at which meeting there were present and answering roll call the following members who constituted a quorum:

Andy Beerman	Mayor
Max Doilney	Councilmember
Becca Gerber	Councilmember
Tim Henney	Councilmember
Steve Joyce	Councilmember
Nann Worel	Councilmember

Also present:

Matt Dias	City Manager
Michelle Kellogg	City Recorder
Mark D. Harrington	City Attorney
Margaret Plane	Special Counsel

Absent:

It was then noted in accordance with provisions of the Industrial Facilities and Development Act, Chapter 17, Title 11, Utah Code Annotated 1953, as amended (the “Act”), and in order to comply with Section 147(f) of the Internal Revenue Code of 1986, as amended, the Council authorized the publication of a “Notice of Bonds to be Issued and of Public Hearing” (i) one time in the Park Record, a newspaper of general circulation within the City, at least fourteen (14) days prior to April 29, 2021, the hearing date set forth in said Notice, (ii) on the Utah Public Notice Website created under Section 63F-1-701 Utah Code Annotated 1953, as amended, and (iii) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended. The hearing was then opened to all members of the public desiring to give input with respect to the issuance by the City of its Bonds as described in said Notice.

After all members of the public desiring to give input with respect to the issuance by the City of its Bonds had provided such input, the public hearing was closed.

This April 29, 2021.

(SEAL)

Mayor

ATTEST:

City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

I, Michelle Kellogg, the undersigned duly appointed, qualified and acting City Recorder of Park City, Utah (the “City”), do hereby certify according to the records of said City in my official possession that the foregoing constitutes a true and correct excerpt of the minutes of the meeting of the City Council of the City held on April 29, 2021, and that said minutes are officially of record in my possession.

I further certify that a Notice of Bonds to be Issued and of Public Hearing was (i) published once in the Park Record, a newspaper having general circulation within the City, with the first of such publication being not less than fourteen (14) days prior to the hearing and with the affidavit of such publications being attached hereto upon availability, (ii) posted on the Utah Public Notice Website (<http://pmn.utah.gov>) created under Section 63F-1-701 Utah Code Annotated 1953, as amended, no less than 14 days prior to the hearing, and (iii) posted on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended, no less than 14 days prior to the hearing.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said City, this April 29, 2021.

City Recorder

(SEAL)

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Michelle Kellogg, the undersigned City Recorder of Park City, Utah (the “City”) do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the April 29, 2021, public meeting held by the City Council as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of Park City, Utah at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Park Record at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice to be published on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the 2021 Notice of Annual Meeting Schedule for the City Council, in the form attached hereto as Schedule 2, was given specifying the date, time and place of the regular meetings of said Council to be held during the year, by causing said Notice to be (i) posted in December 2020 at the principal office of the Council, (ii) provided to at least one newspaper of general circulation within the City on _____, 2021 and (iii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this April 29, 2021.

City Recorder

(SEAL)

SCHEDULE 1

NOTICE OF MEETING

SCHEDULE 2
ANNUAL MEETING SCHEDULE

(attach Proof of Publication of
Notice of Bonds to be Issued and of Public Hearing)

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Linda Jager

Submitting Department: Community & Public Affairs

Item Type: Staff Report

Agenda Section:

Subject:

Park Avenue Redesign Pilot Program Update

Suggested Action:

Attachments:

[Park Avenue Pilot Project Staff Report](#)

[Exhibit A: Park Avenue Pilot Project Postcard](#)



City Council Staff Report

Subject: Park Avenue Redesign Pilot Program Update
Author: Linda Jager, John Robertson, Troy Dayley, Johnny Wasden
Departments: Community Engagement, Engineering, Parking, Streets, Transportation Planning
Date: April 29, 2021
Type of Item: Informational

Summary

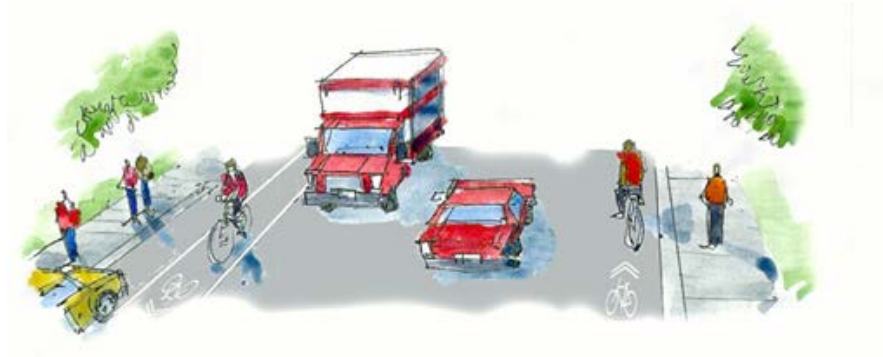
The Park Avenue Redesign Pilot Project is scheduled for implementation on May 11, 2021. The following is an overview of the project and outreach plans. Though only a pilot project (mostly paint resurfacing) intended to experiment with a streetscape that better reflects a neighborhood aesthetic, the change is significant, and staff seeks to ensure additional outreach is conducted prior to May 11.

Project Background

Participants in Park City Vision 2020 supported taking bold action to advance the City's work in transportation innovation and authentic local culture. From Deer Valley Drive to 9th Street, Park Avenue has long been considered by the City for a major street reconstruction project. Street reconstruction is expensive, relatively permanent, and sometimes the outcomes often don't provide flexibility to adapt to new uses or changing neighborhood needs.

In fall 2020, Staff conducted extensive public outreach with Park Avenue area residents, community stakeholders, and the Historic Park City Alliance (HPCA). Outreach efforts included a project [website](#), stakeholder survey, door-to-door outreach, and project presentations. The stakeholder survey yielded 190 responses; 50% of responders stated parking was not important, and 90% indicated walkability was important.

Based on stakeholder input, five alternatives were provided to the neighborhood and Council for consideration. Ultimately, the preferred alternative prioritized a neighborhood-street aesthetic option over the traditional option that favored storage of on-street parking and vehicle per hour throughput. Alternative 1A was selected during the September 17, 2020, Council Meeting ([report](#) | [minutes](#)). However, the project was delayed due to weather, and we could not move forward in the fall. Notice was provided that the project would resume in spring 2021 as soon as weather permits.



Alternative 1A Summary: Preserve Some Curbside Parking and add Uphill Bike Lane

The selected alternative includes adding a striped parking lane, placement of an advisory bike lane (ABL) on the west side of the roadway for southbound bikes, and markings for “sharrows” on the east side of the road. An ABL is a dashed line placed in the roadway to delineate the segment of the road set aside for cyclists. Given the relatively narrow roadway, the dashed line allows motorists to use the ABL, after yielding to cyclists, to pass by vehicles coming in the opposite direction.

Parking was tracked and analyzed on Park Avenue, between 9th Street and Deer Valley Drive, from December 2020 – March 2021, in order to help project impacts. Any time there is a reduction of on-street parking, irrespective of the outreach and process that was conducted, there is often pushback. Parking is a very sensitive issue, particularly in residential neighborhoods. Park Avenue has a total of 193 parking stalls, with an average daily use of only 60 occupied. The peak occupation was 78 spaces, and a low occupation was 23 spaces.

The new configuration will preserve a total of 91 on-street parking stalls. Given the parking utilization during some of the busiest months of the year, staff believes there is adequate parking supply to support a reduction and pilot a streetscape design less focused on parking storage and throughput and more focused on mobility and residential neighborhood compatibility.

Park Avenue Restriping Pilot Plan:

- Restriping begin will begin north of 9th Street. Time zone parking will remain on both sides of the street south of 9th Street (from 9th Street to Heber Ave) in order to balance the interests of the business district;
- North side of 9th Street, all parking on the east side of the Street will be removed;
- North side of 9th Street to 12th Street, parking on the west side of the Street will be shared between residential permits and a 2-hour time limit for short-term visitor parking; and
- North of 12th Street, parking on the west side of the street will be residential permits only.

Project Schedule

- **May 11** – Live message boards will be activated at the start of the project and remain as needed. Parking will be removed temporarily from both sides of Park Avenue from Deer Valley Drive to 9th Street;
- **May 12** – Striping work to begin and majority of work is estimated to be completed by end of day; and
- **May 12 - 15** – Bike lane painting; intersections will be closed intermittently to vehicles accessing Park Avenue.
(project schedule subject to weather)

Stakeholder Outreach

Staff members from Community Engagement, Engineering, Executive, Parking, Transit, and Transportation Planning have been working collaboratively to implement the following outreach activity in advance of the start of the project on May 11:

- John Robertson, City Engineer and Johnny Wasden, Parking Manager, provided a written project report and update to the HPCA Board and membership on April 20;
- A VMS board will be placed at the north entrance of Park Avenue and activated May 11 – 12 to alert residents and Main Street employees of parking restrictions during the street repainting;
- A project postcard including design and work details will be mailed to approximately 1,450 impacted residents and Old Town employee/resident parking permit holders; postcards will arrive no later than May 4, one week before the scheduled restriping;
- During the week of May 3, Staff from Community Engagement, Executive, Parking, and Police will provide project information to residents and businesses via door-to-door outreach on Park Avenue from Deer Valley Drive to 9th Street; and
- The project page on Engageparkcity.org has been updated with the selected alternative and Park Avenue repainting schedule.

Exhibit A: Park Avenue Pilot Project Postcard

A watercolor illustration of a street scene on Park Avenue. In the center, a red car is parked. To its left, a red truck is parked. On the left side of the street, there are several people: a person in a red shirt and blue pants, a person in a pink shirt and blue pants, and a person in a red shirt and blue pants. A yellow car is partially visible on the far left. On the right side of the street, there are more people: a person in a red shirt and blue pants, a person in an orange shirt and blue pants, and a person in a red shirt and blue pants. A white bicycle is parked on the right side. The background shows green trees and a blue sky. The text "PARK AVENUE RE-STRIPING PILOT PROJECT" is overlaid in the center in a large, bold, dark blue font. Below the title, the text "Scheduled to Begin Tuesday, May 11" is written in a smaller, italicized, dark blue font. At the bottom center, there is a logo for "PARK CITY 1884" inside a dark blue oval with a white border.

PARK AVENUE RE-STRIPING PILOT PROJECT

Scheduled to Begin Tuesday, May 11

PARK CITY

1884

PARK AVENUE RE-STRIPING PILOT PROJECT

*Scheduled to Begin Tuesday, May 11**

With your help and feedback, Park Avenue residents chose to restripe Park Avenue (from 9th Street to Deer Valley Drive) to accommodate a separated bike lane on the west side of the street.

The pilot project will create a new neighborhood-centric streetscape that elevates pedestrian and bicycle safety, access to public transit, maintains on-street parking, and offers a more welcoming environment.

The pilot project was delayed in 2020 due to weather.

Project Schedule

- May 11: Parking will be removed temporarily from both sides of Park Avenue from Deer Valley Drive to 9th Street
- May 12: Striping work to begin and majority of work is estimated to be completed by end of day
- May 12-15: Bike lane painting; intersections will be closed intermittently to vehicles accessing Park Avenue

Additional Parking Details

- The east side of Park Avenue will become no parking
- From 9th Street to 12th Street, parking on the west side of the street will be shared between residential permits and a 2-hour time limit for short-term visitor parking
- North of 12th Street, parking on the west side of the street will be residential permits only

**project schedule subject to weather*

Questions?

Michelle Downard, Resident Advocate
michelle.downard@parkcity.org
435.615.5109

Lynn Ware Peek, Community Liaison
lwpe@parkcity.org
435.615.5201



Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Adopt Resolution 06-2021, a Resolution Allowing All Park City Municipal Public Bodies to Hold Electronic Meetings
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Electronic Meetings Staff Report](#)

[Exhibit A: Electronic Meetings Resolution](#)



City Council Staff Report

Subject: Electronic Meeting Requirements Update
Author: Margaret Plane, Special Counsel
Department: Legal Department
Date: April 29, 2021
Type of Item: Legislative

Recommendation

Consider adopting a resolution effective for six months allowing all City public bodies (boards, commissions, and committees) to continue holding electronic meetings without an anchor location while there are ongoing risks to public health or safety. Discuss whether Council is interested in a future discussion about changes to City Code related to electronic meetings.

Background

The Open and Public Meetings Act (OPMA) allows public bodies to meet electronically if a resolution, rule, or ordinance governing electronic meetings has been adopted. Park City Municipal Code explicitly allows [the City Council](#) and [the Planning Commission](#) to hold electronic meetings, but it requires a quorum to be physically present at a single anchor location. However, the quorum requirement is waived if a proclamation of local, state, or national emergency is in effect.

To clearly allow all Park City public bodies to hold electronic meetings without an anchor location during COVID-19, the City Council adopted [Resolution 05-2020](#) on March 19, 2020. The Resolution is only effective when a local emergency is declared by the City or County. The City does not have a local emergency declaration in effect. Summit County's Resolution No. 2021-02 Declaring a State of Local Emergency is in effect; and it will expire on June 30 unless ended sooner or extended.

As emergency declarations expire and public health concerns continue, City public bodies are evaluating how to safely hold meetings, be transparent, and create opportunities for public participation. Adopting a temporary resolution allowing electronic meetings without an anchor location to continue during this transition will allow Council and City public bodies to consider how to best conduct meetings going forward. Note that as of May 5, state law will still require a determination that holding a meeting without an anchor location presents health or safety risks, but the determination does not need to be read at the beginning of the meeting.

Council may also want to consider at a future meeting whether to amend City Code to allow all City public bodies to meet electronically and whether an anchor location with a quorum present should be required.

Attachments

Exhibit A: Proposed Resolution Allowing All Park City Municipal Public Bodies to Hold Electronic Meetings

Exhibit A:

Resolution 06-2021

A RESOLUTION ALLOWING ALL PARK CITY MUNICIPAL PUBLIC BODIES TO
HOLD ELECTRONIC MEETINGS

WHEREAS, Park City values transparency and conducting the public's business in public meetings where actions are taken and deliberations are conducted openly; and

WHEREAS, while municipal public bodies convene in person, the Council recognizes that there may be circumstances where electronic meetings are necessary; and

WHEREAS, the COVID-19 virus continues to raise health or safety concerns for in-person public meetings and electronic meetings help facilitate social distancing;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY,
UTAH THAT:

A Park City municipal public body may use electronic meetings in accordance with City Code and Utah Code until October 31, 2021.

PASSED AND ADOPTED this 29th day of April, 2021.

PARK CITY MUNICIPAL CORPORATION

Mayor Andy Beerman

Attest:

Michelle Kellogg, City Recorder

Approve as to form:

City Attorney's Office

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Jenny Diersen

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

Consideration of the Park City Baseball Event Appeal of Peak Times
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Park City Baseball Invitational Appeal Staff Report](#)

[Exhibit A: Park City Baseball Appeal Requesting Peak Time Period](#)

[Exhibit B: PCMC Administrative Denial and Summary of Communications](#)

City Council Staff Report

Subject: Park City Baseball Peak Time Appeal
Author: Jenny Diersen
Department: Special Events & Economic Development
Date: April 29, 2021
Type of Item: Legislative

Recommendation

Consider Park City Baseball Invitational's (PCBI) appeal, requesting to be held on a defined Peak Time Period (June 24 to 26, 2021), according to section [4A-2-3\(D\)](#) of the Park City Municipal Code.

Executive Summary

In 2018, after extensive outreach and input, City Council made major changes to title 4A of the municipal code regarding Special Events. Section [4A-2-3 of the municipal code, defined Peak Times \(Section D\)](#), now states that applications for Level Three, Level Four, and Level Five events will not be considered during Peak Time Periods. The code outlines exceptions for Level One and Level Two events in resort zones (RC and RZ), first amendment events, and events that were already scheduled during Peak Time Periods during 2018.

PCBI submitted the Special Event Pre Application Form (SEPAF), which is required of all event applicants before submitting a Special Event Application ([4A-2-3\(A\)](#)), and based on definitions in section [4A-1-1.7 \(A\)](#) and [4A-1-1.7\(B\)](#), Staff determined that PCBI is a Level Two event requesting to change their dates to a Peak Time Period, and does not meet the definition of one the express exceptions allowed. Therefore, Staff denied the dates, suggested alternative options, and did not give administrative preauthorization for the Applicant to move forward with a Special Event Application.

According to Section [4A-2-3\(E\)](#) of the Code, "applicants that appeal Peak Time Periods shall do so based on hardship or good cause/extraordinary circumstance to enable the application to proceed. If this is the case, the event, no matter what Level, shall be approved/denied by City Council in an open public meeting after a public hearing."

PCBI is appealing Staff's determination (Exhibit A), requesting to hold with the event during a Peak Time Period, June 24 to 26, 2021. As part of their appeal, if City Council denies the Peak Time Period, PCBI identified a new alternative date (July 8 to 10, 2021). Parks Department has concerns regarding alternative dates due to balancing staffing, and field conditions between tournaments. This would give the Parks Department one day to prepare facilities and fields for Triple Crown. Because the appeal is of Staff's denial of the request to hold the event on a Peak Time Period, filing a Special Event Application is premature. Proposing alternative dates as part of the appeal is also premature.

Council may consider:

1. Findings of good cause or extraordinary circumstance based on the applicant's appeal, allowing the event to proceed on a Peak Time Period, conditioning such approval for one-year only due to other event cancellations from COVID-19 pandemic.
2. Deny the applicant's request to be held on Peak Time Period based on findings of no hardship, good cause or extraordinary circumstance. The applicant may proceed with alternative dates not during Peak Time Periods if they are available.

Background

On [June 7, 2018](#), City Council discussed not backfilling the event calendar if one of the Peak Time Period events cancelled and that it was about the time-period, not just specific events held over defined weekends. Generally, these times are busy already and goal was not to add more events. On [September 13, 2018](#), City Council summarized to allow small Level 1 and 2 events - not automatically precluding them, and trust staff to find the balance.

PCBI was first held in 2018 on the third weekend in August and consisted of 20 teams (250 players). The event is a fundraiser for a local nonprofit baseball program and proceeds help local youth travel to Cooperstown. According to PCBI, the event was unsuccessful using its original August dates, as the event did not meet its fundraising goals and attendance was low because as many participants were in school and had conflicts with fall sports.

In 2020, Staff administratively permitted a one-time approval moving the event from August to mid-June and noted concerns over future date conflicts. Despite the advice of the Special Events Staff, PCBI has continued to request a date change. Currently, PCBI proposes an event attracting 40 regional and out of state teams (450 attendees) for activities solely within Park City's jurisdiction/fields. The event does not require cross jurisdiction use at Basin or surrounding areas.

PCBI completed a SEPAF requesting to change the dates of their tournament from June 17 to 19, to June 24 to 26, which is a codified [Peak Time Period](#). Staff denied the request for Peak Time Period and worked with PCBI to consider alternative dates for consideration.

The Applicant requested the same Peak Time Period. Staff again denied the request and PCBI appealed.

An outline of communications with the applicant is attached as Exhibit B.

Analysis

Based on review of PCBI's SEPAF and section [4A-1-1\(7\)\(A\)](#) and [4A-1-1\(7\)\(B\)](#) of the

municipal code, staff made preliminary findings that the proposed activity is a Level 2 Special Event because:

- is a sporting event held for profit and charitable purposes;
- Is occurring for a limited duration that impacts the City by having use of public and City property; and
- Creates public impacts through the use of parking and increased transportation. The event attendance is estimated up to 500 people and the event is in a series and has multiple days in occurrence; has minor transportation needs but requires a transportation mitigation plan.

Staff has coordinated with other key departments including Parks and Recreation. The departments agree that this activity is not a normal field rental due to expansive use of PC fields, additional field prep work, requirement for enhanced waste management, and a transportation and parking plan.

As required by section [4A-2-3\(E\)](#), staff published the [2021 Peak Time Period calendar](#) in November. Staff has diligently in communicated to PCBI about deadlines, review processes, providing alternatives, clarity on requirements for mitigation, costs and setting clear expectations regarding Council's policy on events. The applicant has expressed concerns regarding costs for City Services, field and equipment rentals, parking management at Quinn's, and waste management.

Funding

PCBI has previously applied and received a partial Special Event Fee Reduction (SEFR). The applicant has not yet submitted a SEFR Application as SEFR for Level 1 and 2 events are due with their event applications, no less than 30 days before the event. PCBI City Service Fees are estimated at \$2,500.

Attachments

Exhibit A: PCBI Letter of Appeal

Exhibit B: PCMC Administrative Denial & Summary of Communications

Letter of Appeal for Park City Invitational

Park City Baseball

3/30/2021

6300 Sagewood Dr, H569

Park City, UT 84098

Special Events and Economic Development Manager,

History

Park City Baseball began hosting the Park City Baseball Invitational in 2018 as a program fundraiser for our Cooperstown program to assist our 12u Team to attend Cooperstown Dream Park in Cooperstown New York.

Park City Baseball's 12u teams have been attending the Cooperstown weeklong tournament since 2015. For most 12-year-old players this is the highlight of their "baseball career".

The cost to attend this event is approximately \$25,000- \$30,000 and we would like EVERY 12u player be able to attend regardless of the cost and eliminating any financial hardships.

EVENT HISTORY

2018- August 16-18

Issues:

Dates are not during Baseball Season therefore resulted in difficulty securing teams.

Many players play Football so unable to field baseball team due to practice and games therefore resulted in difficulty securing teams.

Salt Lake School District in session and not available to play weekdays.

With limited teams, this resulted in poor financial return.

2019- August 15-18

Same issues as 2018 and poor financial return of approximately \$1400

2020- March

Special events committee requested a 10 year plan of Park City Invitational dates.

This was provided and all dates in June were listed projecting out to 2030.

2020- June 17-19

Successful event!

Easily able to secure teams to attend as this is during Baseball season

Letter of Appeal for Park City Invitational

Financially we were able to raise approximately \$8000 (after expenses of fields, umpires, etc) for the Cooperstown Program.

2021- November

Requested June 24-26, 2021 in Pre-application submitted to Special Events Committee Member, Chris Phinney, on 11/18/2020.

Application submitted 11/18/2021

Reason- Based on previous 3 years' experience to ensure successful and profitable event.

Special Events application prepared but pending submission awaiting date approval.

Good cause to hold event June 24-26 based on the following factors:

The Park City Baseball Invitational event is consistent with Park City's goals to create a complete community through its core values and/or partnerships with businesses or organizations that support Park City's community goals, local athletics as well as support of a local non-profit group.

Holding the event June 24-26, 2021 allows ALL Park City youth Baseball players (100+) to attend and play in the event.

This event provides direct economic benefit to the City through sales tax and possible overnight visitation by out of town and out of state teams.

The Park City Baseball Invitational will not substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic around its event.

The Park City Baseball Invitational will not adversely impact another concurrent event based on suggestions listed below.

Dates of June 24-26, 2021 have been requested based on history of holding past events in August (refer to issues listed above).

Ensure a successful and financially profitable event to fundraise funds for The Cooperstown Program.

Dates fall in line with baseball season and therefore allow for successful event.

June 24th is not a Peak date as listed on the 2021 Special Event Peak Time Period Calendar.

Alternative dates suggested of May 27 to 29, 2021 (Memorial Day Weekend):

This was suggested by PCB on 2/21. The Special Event committee responded on 2/22 that they were working to evaluate the request however this was not communicated to Park City Baseball. Seeing we did not have a response or confirmation, we had teams that registered for another tournament that weekend. Therefore on 3/1, we notified Chris Phinney that those dates would not work for PCB.

Letter of Appeal for Park City Invitational

Alternative dates suggested by Special events Committee of August 12 to 14:
Based on history mentioned above and most importantly this is not an option as it is off baseball season.

We would be able offer the following viable alternative strategies to limit City impact and still ensure a successful event:

Games held on 6/24 are not Peak days and most games will be held on 6/24 and 6/25 with 6/26 use for Championship game (1 game at each age division).

Limit number of teams registered to 4-6 per age division (age division are 8/9/10/11/12/13/14) which would decrease traffic and limit impact on City.

Consider removing one age division (14u Team) to limited impact at PCHS fields and traffic on Kearns Blvd.

Spread out games by utilizing fields such as Park City Sport Complex, Treasure Mountain and Park City High School.

Stagger game time starts to limit traffic impact.

Consider limiting number of spectators (IE 2 family member per player) to ensure the event will be conducted without creating unreasonable negative impacts to the area and with due regard for safety of participants and spectators.

Special Event application attached as this was not submitted previously due to communication of event day options.

We ask that you approve the application of the Park City Invitational to hold the event June 24-26, 2021.

Sincerely,



Jennifer Schmidt

Park City Baseball, Board President

To: Jennifer Schmidt and Park City Baseball,

March 25, 2021

Park City Baseball requested to move their event to June 24-26, 2021. On December 16, the Special Events Manager denied the request due to this being within an established [Peak Time](#) per municipal code [4A-2-3\(D\)](#). The Special Events department provided alternative dates for the Park City Baseball Tournament to consider (Exhibit A).

Since last fall, to align with City Council policy goals, we have continually raised concerns about date conflicts, event growth and balancing the tournament dates between Peak Times and quieter weekends. Our goal is to provide a clear and transparent process.

If Park City Baseball will not consider another date, you may appeal the denial to hold the event during a Peak Timeframe (June 24 – 26, 2021). Under City Code ([Park City Municipal Code 4A-2-3\(E\)](#)), “Applicants that appeal to be held during peak time periods shall do so based on hardship or good cause/extraordinary circumstance to enable the Application to proceed. If this is the case, the event, no matter what Level, shall be approved/denied by City Council in an open public meeting after a public hearing.”

If you choose to appeal within 10 days of this letter, please submit a written letter responding to the criteria above to the Special Events Department to be scheduled for the next available City Council meeting. Alternatively, Park City Baseball can choose one of the dates that have been provided as alternatives and staff will continue to evaluate your amended application.

Please confirm in writing which alternative Park City Baseball would like to move forward with by April 5 so we can provide a timeline for next steps.

Thank you,
Jenny Diersen
Park City Municipal Corporation
Special Events & Economic Development Program Manager
jenny.diersen@parkcity.org

Attachments:

Exhibit A: History of Park City Baseball Communications

CC:

Jonathan Weidenhamer, Economic Development Manager
Chris Phinney, Special Event Coordinator
Ken Fisher, Recreation Director
Jess Moran, Recreation, Marketing & IT Division Manager

Exhibit A: History of Park City Baseball Communications

April 3, 2020

The Special Events Department provided a letter to the Park City Baseball Tournament to approving a one-year date change to June 17 to 19, 2020 from August 15 to 18, 2019. The letter included that the Department was concerned of conflicts [4A-2-5](#), Peak Times [4A-2-3\(D\)](#) and Council's policy balancing quieter weekends due to calendar shifts which would not be approved in future years.

December 16, 2020

Park City Baseball submitted a Pre-Event Application requesting another change of dates to June 24-26, 2021, which is a defined Peak Time.

December 18, 2020

The City staff replied in writing stating:

- A preliminary determination was made that the proposed activity was a Level 2 Special Event based on section [4A-1-1\(7\)\(B\)](#) of the municipal code.
- The date change of the event could not be administratively approved because it was an established Peak Time Period in which new event applications will not be considered. Additionally, staff cited conflicting permit applications based on [section 4A-2-5\(A\)](#) of the municipal code, anticipated attendance volumes, anticipated traffic and parking impacts.
- Per [section 4A-2-5\(B\)](#) of the municipal Code, staff provided date alternatives for Park City Baseball to consider including June 17 to 19th, which is not defined as a Peak Time Period.

February 8, 2021

Park City Baseball responded that the alternative dates of June 17 to 19 would not work for the tournament and requested to keep the originally submitted dates with less teams and possibly move to weekday evening play during the weeks of June 14 or 21.

February 21, 2021

Park City Baseball responded that evening play would not work for the tournament and requested in writing to look at June 24 – 25, 2021 or Memorial Day Weekend availability in 2021. At that time, Special Events Department began working with various departments to help coordinate the Memorial Day Weekend date request, as staff had previously administratively denied and suggested June 24 dates per Peak Time.

March 1, 2021

Special Event staff received communication from Park City baseball requesting the originally submitted June 24 – 26, 2021 dates again with a smaller pool of teams including 6 per division (36 teams total compared to 40 teams), total reduction of 4 teams.

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Jenny Diersen

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Approve the Park Silly Sunday Market Supplemental Plan
(A) Public Input (B) Action

Suggested Action:

Attachments:

[PSSM Supplemental Plan Staff Report](#)

[Exhibit A: PSSM Supplemental Plan and Special Event Application](#)

[Exhibit B: PSSM Analysis](#)

[Exhibit C: Draft Level 5 Event Permit](#)

City Council Staff Report

Subject: 2021 Park Silly Sunday Market Supplemental Plan
Author: Jenny Diersen
Department: Special Events & Economic Development
Date: April 29, 2021
Type of Item: Administrative

Recommendation

Hold a public hearing, review, and consider approving the Supplemental Plan and Level Five Special Event Permit for the 2021 Park Silly Sunday Market (PSSM), in a form approved by the City Attorney, based upon findings that PSSM is operating consistently with the City Services Agreement (September 14, 2017, and amended on February 20, 2020).

Staff requests Council confirm two City Council Liaisons to the Working Group for the upcoming season.

Executive Summary

On [January 9, 2020](#) ([minutes](#) p.7), City Council approved an extension of the PSSM [City Services Agreement](#) for 2021 and 2022, which included reduced noise levels, prohibition of vendor parking on Park Avenue, and City paying PSSM to provide bollard installation services for \$1,000/each market.

PSSM proactively cancelled their event in 2020 Due to COVID-19. For 2021, PSSM has worked to develop COVID-19 protocols that comply with the State Health Order for organized events. Additionally, PSSM will scale/reduce the event, incorporate COVID-19 protocols, and continue to align their event program and operations with community priorities regarding sustainability, transportation, and social equity.

PSSM will be held Sundays, June 6 to September 26, excluding August 1 (Tour of Utah Weekend, even though Tour of Utah cancelled), August 8 (Arts Fest Weekend), and August 15 (No Event Day) from 10 a.m. until 5 p.m. Street closures will be from 6 a.m. until 8 p.m.

Consistent with Main Street Car Free Days which run until 10 p.m., staff will use discretion rather to open or keep lower Main Street closed after PSSM. Car Free Sunday event approval is anticipated at the May 13 City Council meeting.

In addition to continuing the working group with Council Liaisons, as stipulated in the contract, PSSM will return to Council for a mid-season and end of season review to ensure community compatibility.

A [history of the long and successful PSSM is linked here](#). After 2021, there is one year left in the City Services Agreement.

Analysis

City Services Agreement - Staff finds PSSM's Supplemental Plan in compliance with the Council approved "Measures of Success" metric found in the City Services agreement, and conditions of approval in the Level Five Special Event Permit.

Conflicting Permits - in compliance with section [4A-2-5 Conflicting Permit applications](#), Staff determined that the events that are scheduled on the calendar will not adversely impact one another and that concurrent scheduling of events will not impact the public health, safety and welfare of the community. Impacts from the events are being significantly mitigated.

Noise Levels - As part of the contract amendment on February 20, 2020, PSSM is allowed up to 75 decibels from 10 a.m. to 1 p.m., and up to 90 decibels from 1 p.m. to 5 p.m. Previously allowed at 90 decibels from 10 a.m. to 5 p.m., this change was a balanced approach implemented to reduce noise impacts to the community. While higher decibel levels are allowed in afternoon, PSSM is making extra efforts to try to stay within the 75-decibel limit as often as possible. Staff will continue to monitor noise levels with the Park City Police Department.

Paid Parking - Staff recommends keeping paid parking rates status quo to 2019, including the Special Event rate at \$5/hour, max \$18/day, first hour free. Parking Department may consider changes to the fee structure as a Transportation Demand Management tool as we have historically seen that paid parking is full or near full by 11:30 a.m. (both during PSSM and Car Free Days). However, staff recommends staying status quo and will monitor parking capacity and will adjust rates if needed later. Parking on Park Avenue from 9th Street to 15th Street will be for residents only. Staff will continue to maintain access to private parking garages with access on Park Avenue.

The parking operation plan allows extra measures to only allow entrance to parking on Marsac Avenue, with exit only on Swede Alley. Staff believes this will improve circulation flow and reduce traffic and trips on Swede Alley, including upper Swede Alley and the Grappa intersection. We will continue to honor employee parking passes in North Marsac Lot and the Top level of China Bridge as space allows.

As part of the amended contract, PSSM has committed to no vendor parking on Park Avenue and will continue to provide license plate lists weekly to staff for monitoring.

DLS permits and zones will be suspended during PSSM and Car Free Days. General Drop and Load areas for the public and ground transportation companies will be in Bob Wells Plaza and South Marsac Lot.

Free parking will be available at Park City High School with free transit to Main Street.

PSSM will continue to run shuttles to supplement transit service on their estimated 3 busiest days – July 4, July 24 and September 5.

Due to closure of Heber Avenue for Car Free Days and 9th Street as part of PSSM footprint, transit will be diverted from Park Avenue to Deer Valley Drive. The transit department is exploring cost and staffing to run supplemental service on Park Avenue and on Swede Alley to Brew Pub Lot. Staff working with the Transit team finalizing transit routing and capacity on other routes to service Main Street.

Stakeholder Outreach - Door to door outreach will be provided in mid-May reminding merchants and Old Town residents of upcoming summer events on the schedule. PSSM will be included with that information.

COVID-19 Protocols – Staff finds that the PSSM supplemental plan is in compliance with State required COVID-19 protocols. Specifically, PSSM has taken the following actions:

- As required for organized gatherings, face coverings are required in settings of 50 or more, and when social distancing cannot be maintained. Mask mandate will be maintained in compliance with State and local ordinances. If masks are no longer required by the state in event settings, PSSM will encourage mask.. Masks will be available upon request at information booths.
- If Council desires - PSSM will maintain free entry but will require attendees use a QR code that will be scanned upon entry for contact tracing. This will capture individual/family pods with contact information by date and time stamp.
- Signage will be placed throughout the use area for social distancing. At any seating area or booth, additional signage and stickers will indicate COVID-19 messaging.
- PSSM will encourage high risk groups to attend during the early hours of the market.
- PSSM will strongly encourage contactless payment. If cash is used, disinfectant will be required between use.
- Vendors will clean and disinfect frequently touched areas. If pens are needed for some purposes, they will be disinfected between use.
- Hand sanitizer will be located throughout the venue and within vendor booths.
- Restrooms will all have handwashing stations accompanying them.
- Increased spacing between vendor booths will allow pedestrian flow and decrease bottle-necking within the venue.
- The operations plan eliminates lower Main Street vendors within the 9th Street Trolley turnaround to allow for additional tables and chairs for patrons.
- Food and snack vendors will include signs that food must be consumed while sitting or 6 feet away from other patrons.
- Contactless Bloody Mary buffet – all items will be served by staff and or bagged ahead of time.
- Water stations (required by Health Department) will be manned and maintained by volunteers at info booths.
- All onsite food vendors will be prohibited from to offering self-serve condiments and will be required to serve condiments for patrons. With a high focus on sustainability,

PSSM upholds its commitment to not allow individual condiment packets which create microtrash impacting our natural environment.

- No marketing, other than organic social media posts and email campaigns. All marketing will be targeted to the local, Summit County community.
- PSSM has reduced the number of vendors from 225 to 180 (45 booths) for the first four markets to allow better pedestrian flow and reduce crowding. The City, Health Department and PSSM will evaluate the COVID-19 situation and add vendors if situation allows. This is a significant financial burden on PSSM.
- PSSM is committed to supporting HPCA merchants and the Car Free Sunday event, allowing merchants to find ways to extend outside and help drive traffic to the top of Main Street. PSSM footprint is four blocks and estimates an average of 1,200 people/hour on the street every hour. The extension of the rest of the street open, allows for ample space for patrons to spread out and social distance (five additional blocks).

Funding

Total City Service Fees for 2021 PSSM are estimated at \$84,800. Per section C.6.2.a of the City Service Agreement, the City will waive \$60,500 in fees. The City also pays PSSM for bollard installation, which the City reimburses PSSM \$1,000 per market (\$14,000 total). This brings the total of City Service Fees and Bollard installation to \$74,500.

It is estimated that PSSM will owe the City \$10,300 at the end of the season.

Attachments

Exhibit A: PSSM Special Event Permit & Supplemental Plan

Exhibit B: PSSM Analysis

Exhibit C: PSSM DRAFT Level 5 Special Event Permit

[Print](#)[Save As](#)[Submit](#)

Park City Municipal

Special Events Department
City Hall, Third Floor
445 Marsac Avenue
P.O. Box 1480
Park City, Utah 84060
specialevents@parkcity.org

**APPLICATIONS DO NOT CONSTITUTE AS A PERMIT.
PERMITS ARE APPROVED BY THE SPECIAL EVENTS DEPARTMENT OR CITY COUNCIL AFTER COMPLETE APPLICATIONS ARE
REVIEWED UNDER PARK CITY MUNICIPAL CODE 4A.**

Applications for Level 3, 4, or 5 Special Event Permits are due:

First Friday in December for events occurring between March-June,

First Friday in April for events occurring between July-October, and

First Friday in August for events occurring between November-February.

Events that are determined a 1 or 2 are exempt from these deadlines, but must submit a complete application no later than 30 days prior to an event. **Please Note:** The City reserves the right to restrict the number of event permits annually. Applications for new level 3, 4, or 5 event will not be considered during Peak Time Periods as mentioned in Section 4A-2-3(D). Incomplete applications cannot be reviewed. Applications submitted after the deadlines as described above may be denied. Business/Organization listed as applicant must match the Hold Harmless and Proof of Insurance to be considered for approval. For more information, please visit www.parkcity.org or contact us at specialevents@parkcity.org.

IF YOU HAVE QUESTIONS OR WOULD LIKE TO SCHEDULE A MEETING BEFORE SUBMITTING YOUR APPLICATION, PLEASE CONTACT:

Colleen McGinn

colleen.mcgin@parkcity.org

435-615-5187

Chris Phinney

chris.phinney@parkcity.org

435-615-5194

APPLICATION FEES & EXPENSES

First Amendment Event Permit	\$40.00	• Application levels are determined by the Special Events Department after reviewing complete applications.
Level 1 Special Event Permit	\$40.00	• Additional fees for other city services will be estimated and provided to the applicant upon request and receipt of a complete application.
Level 2 Special Event Permit	\$80.00	
Level 3 Special Event Permit	\$160.00	• Applicants may incur additional expenses from other city, county, or state jurisdictions.
Level 4 Special Event Permit	\$320.00	• Fee reductions for city services are considered bi-annually. Fee reduction applications are due on:
Level 5 Special Event Permit	\$640.00	

April 1st for events July 1 – December 31 and October 1st for events January 1 – June 30.

AS THE APPLICANT YOU UNDERSTAND & AGREE TO THE FOLLOWING:

- ☒ To insure prompt and accurate processing of your application, ensure that all supplemental materials and documentation accompany your application. Failure to do so will constitute an incomplete application and may delay review and approval processes. I understand a complete application shall include this application plus transportation, parking, and traffic control plan, weather/emergency plan, waste and recycling plan, staff and volunteer plan, community impact outreach and notification plan, vendor or concession plan, sponsor and marketing plan, noise exemption request, site map, and permission for use of properties, as mentioned in Park City Municipal Code 4A-2-3(G), in addition to contingency plan, operations plan, planned rest areas, water, and toilet facilities, and will ensure that participants obey the conditions of the Special Event Permit and all other generally applicable traffic laws, lights, and signs as stated in Section 4A-2-11(B).
- ☒ Park City Municipal Corporation requires a certificate of insurance in an amount to be determined by the City Attorney's Office according to Section 4A-2-10 of the Park City Municipal Code. Submitting incomplete application information may delay the ability to determine the amount required. The amount of insurance required by the City Attorney's office is final and the applicant shall be required to submit proof of coverage including naming Park City Municipal Corporation, 445 Marsac, P.O. Box 1480, Park City, Utah 84060 as additionally insured prior to the start of any event activity.
- ☒ After the application is evaluated, the applicant will be responsible for providing proof that he or she has obtained other permits as necessary from city, county, or state agencies.
- ☒ I understand that as the applicant, I will assume and reimburse the City for any and all costs and expenses determined by Park City Municipal Corporation. Park City Municipal Corporation may require a deposit to cover such expenses. I may incur costs from other departments or other jurisdictional agencies. I understand I can request an estimate of City Services for the event upon submitting a complete application and that should I choose to, I can request a reduction of fees for some services as pertains to Park City Municipal Code 4A-2-9 through the bi-annual fee reduction application and process.
- ☒ I understand I am able to request a meeting with the Special Events Department prior to submitting an application and that this application does not constitute as a valid permit. I understand that permits are approved by the Special Events Department or City Council in writing after complete applications are reviewed under the Standards for Permit Approval in Park City Municipal Code 4A-2-4.

APPLICANT AND SPONSORING ORGANIZATION INFORMATION

NAME OF EVENT: **Park Silly Sunday Market**

DATE(S) OF EVENT: **Sundays - June 6th - Sept 26**

FIRST TIME EVENT:

Yes

☒ No

ANNUAL EVENT:

☒ Yes

No

IF ANNUAL, HOW MANY YEARS: **14**

ANNUAL EVENT THAT WILL BE THE SAME AS LAST YEAR:

☒

Yes

No

ANNUAL EVENT THAT WILL HAVE CHANGES FROM LAST YEAR:

Yes

☒

No

NAME OF APPLICANT (FIRST & LAST): **Kate McChesney**

TITLE / POSITION: **Executive Director**

BUSINESS / ORGANIZATION NAME: **Park Silly Sunday Market**

IS BUSINESS / ORGANIZATION A REGISTERED NON-PROFIT?:

☒

Yes, a copy of IRS paperwork is attached

☒

No

MAILING ADDRESS FOR BUSINESS / ORGANIZATION: **PO Box 684229**

CITY, STATE, ZIP: **Park City, UT 84068**



Park City Municipal Corporation

Special Event Permit Application

Special Events Department
City Hall, Third Floor
445 Marsac Avenue
P.O. Box 1480
Park City, Utah 84060
specialevents@parkcity.org

PHYSICAL ADDRESS OF BUSINESS / ORGANIZATION:										
CITY, STATE, ZIP:										
PHONE (PRIMARY): 435.714.4036					PHONE (SECONDARY):					
EMAIL: kate@parksilysundaymarket.com										
BUSINESS / ORGANIZATION WEBSITE: www.parksilysundaymarket.com										
SOCIAL MEDIA LINKS:										
DAY OF EVENT PRIMARY CONTACT										
ON-SITE DAY OF PRIMARY CONTACT NAME (FIRST & LAST): Kate McChesney										
ON-SITE DAY OF PRIMARY CONTACT CELL PHONE: 435.714.4036										
ON-SITE DAY OF PRIMARY CONTACT EMAIL: kate@parksilysundaymarket.com										
PUBLIC EVENT INFORMATION										
WEB SITE FOR PUBLIC EVENT INFORMATION: www.parksilysundaymarket.com										
PHONE NUMBER FOR PUBLIC EVENT INFORMATION: 435.714.4036										
EMAIL ADDRESS FOR PUBLIC EVENT INFORMATION: info@parksilysundaymarket.com										
☒ Event description is attached as a separate document with supplemental materials and contingency plan.										
EVENT LEVEL DETERMINATION										
THE EVENT WILL INCLUDE THE FOLLOWING ACTIVITIES: (Check all that apply)										
☒ FESTIVAL / FAIR	☐ PARADE	☐ SKI / SNOW BOARD	☒ RUN	☒ BIKE	☒ WALK	☐ TRAIL USE	☒ CONCERT	☐ CULINARY	☐ FILMING	
☒ ARTS & CULTURE EVENT		☐ HOLIDAY CELEBRATION		☐ RECREATION / SPORTING EVENT			OTHER:			
THE EVENT WILL INVOLVE THE USE OF: (Check all that apply)										
☐ MAIN STREET	☐ RESORT PROPERTY	☒ SCHOOLDISTRICT PROPERTY	☐ PRIVATE PROPERTY	☐ CITY PARKS	☐ CITY FIELDS	☐ CITY FACILITY RENTAL	☐ RESIDENTIAL AREAS	☒ PARK CITY LIMITS	☐ MULTI-JURISDICTION	☐ AMPLIFIED SOUND
THE TARGET MARKET FOR THIS EVENT IS: (Check all that apply)										
☒ YOUTH / FAMILIES	☒ ADULTS	☒ LOCAL	☒ STATE - WIDE	☒ REGIONAL	☒ NATIONAL	☒ INTER NATIONAL	☒ SPECTATORS	☒ PARTICIPANTS	OTHER:	
THIS EVENT WILL: (Check all that apply)										
☐ LIMIT # OF PARTICIPANTS		☒ BE FREE FOR SPECTATORS		☐ BE FREE FOR PARTICIPANTS		☒ INCLUDE VENDORS OR SPONSOR		☒ OPEN TO THE PUBLIC		
☐ LIMIT # OF SPECTATORS		☐ CHARGE ADMISSION FOR SPECTATORS		☐ CHARGE PARTICIPANTS		☐ NOT INCLUDE VENDORS OR SPONSOR		☐ PRIVATE EVENT		
THIS EVENT WILL BE HELD: (Check all that apply)										
EVENT DATE(S):										
☐ MONDAY	☐ TUESDAY	☐ WEDNESDAY	☐ THURSDAY	☐ FRIDAY	☐ SATURDAY	☒ SUNDAY				
☐ WEEKLY		☐ MONTHLY		☐ SERIES		☐ ONE DAY				
NUMBER OF EVENT(S): 14					NUMBER OF CONSECUTIVE DAYS:					



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ONE DAY EVENT HOUR(S)			
EVENT START TIME: 10am		EVENT END TIME: 5pm	
EVENT SET-UP DATE: June 6 - Sept 26 (Sundays)		EVENT BREAK-DOWN DATE:	
EVENT SET-UP TIME(S): 7am		EVENT BREAK-DOWN TIME(S): 5pm - 8pm	
MULTIPLE DAY EVENT HOUR(S)			
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
INCLEMENT WEATHER INFORMATION			
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		EVENT BREAK-DOWN DATE:	
EVENT SET-UP TIME(S):		EVENT BREAK-DOWN TIME(S):	
☐ No inclement weather date is required and the event will be held rain or shine. I understand the event may be cancelled or postponed by the city due to hazardous or damaging conditions.			
EVENT ATTENDANCE			
IF ANNUAL EVENT: 197,000			
TOTAL EVENT ATTENDANCE OF PREVIOUS YEAR: (2019) 197,000		TOTAL DAILY EVENT ATTENDANCE OF PREVIOUS YEAR: (2019) 13,000	
ESTIMATED # OF PARTICIPANTS:		ESTIMATED # OF VENDORS: 180 each week	
ESTIMATED # OF SPECTATORS:		ESTIMATED # OF VOLUNTEERS: 80 for the season	
ESTIMATED # OF STAFF: 15		ESTIMATED DAILY ATTENDANCE: 9,000	
ESTIMATED HIGHEST TOTAL ATTENDANCE AT ONE TIME: 1,200 over the course of 4 blocks		ESTIMATED HIGHEST TOTAL ATTENDANCE OF ENTIRE EVENT: 126,000	
☒	I anticipate the event to have an attendance of 500 or more people and understand, as the applicant, I may be required to obtain a mass gathering permit from summit county: http://www.summitcountyhealth.org/		



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SIDEWALK & STREET USE							
THE EVENT WILL HAVE: (Please check all that apply)							
STREETS							
☒	STREET CLOSURE MAP IS ATTACHED			☒	CLOSURE SIGN/MARKING INFORMATION IS ATTACHED		
☐	ROLLING CLOSURE	☐	PARTIAL CLOSURE	☐	FULL CLOSURE	☐	NO CLOSURE
NAMES OF STREETS TO BE CLOSED:				TIMES (START / END OF CLOSURE):			
Lower Main Street				START: 7am		END: 8pm	
5th Street				START: 7am		END: 8pm	
9th Street				START: 7am		END: 8pm	
7th Street				START: 7am		END: 8pm	
REASON FOR CLOSURE: Street Festival							
SIDEWALKS							
☐	SIDEWALK CLOSURE MAP IS ATTACHED			☐	CLOSURE SIGN / MARKING INFORMATION IS ATTACHED		
☐	PARTIAL CLOSURE	☐	FULL CLOSURE	☐	NO CLOSURE	☐	CROWD CONTROL PLAN
ADDRESS:							
ADDRESS OF CLOSURE: (FROM / TO)				TIMES: (START / END OF CLOSURE)			
FROM:		TO:		START:		END:	
FROM:		TO:		START:		END:	
FROM:		TO:		START:		END:	
FROM:		TO:		START:		END:	
REASON FOR CLOSURE:							
TRAILS							
☐	TRAIL COURSE MAP IS ATTACHED			☐	COURSE / SIGN MARKING INFORMATION IS ATTACHED		
NAMES OF TRAILS TO BE USED:							
PARADE							
ASSEMBLY AREA:			DISBANDING AREA:			# OF PARADE ATTENDEES:	
PARADE IS:							
☐ WALKING ONLY		☐ VEHICLES & WALKING		☐ VEHICLES ONLY		☐ WILL HAVE ANIMALS	
OTHER PARADE INFO:							



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CITY PARKING FACILITIES REQUEST										
GENERAL PARKING										
HOW MANY PARKING SPACES DOES THE EVENT NEED?										
☒ MAIN STREET		☒ CHINA BRIDGE		☒ FLAGPOLE LOT		☐ BREW PUB LOT				
☒ SANDRIDGE PARKING LOTS		☐ PARK AVENUE		☒ CITY PARK		☒ MAWHINNEY LOT				
☐ QUINNS LOT		☐ RICHARDSON FLATS		OTHER: Park City High School						
WILL THE EVENT PROVIDE TRANSPORTATION SERVICES TO THE EVENT FROM PARKING AREAS?:								☒	YES	NO
WILL THE EVENT HAVE ADA PARKING AVAILABLE?:								☒	YES	NO
WILL THE EVENT WILL REQUIRE PARKING REMOVAL?:									YES	☒ NO
The event will require parking removal as indicated below, and I will complete a special use of public parking application as required with the Park City Parking Services Department										
NAME OF AREA OR STREETS:					BETWEEN:					
START / END TIME:					REASON:					
NAME OF AREA OR STREETS:					BETWEEN:					
START / END TIME:					REASON:					
NAME OF AREA OR STREETS:					BETWEEN:					
START / END TIME:					REASON:					
NAME OF AREA OR STREETS:					BETWEEN:					
START / END TIME:					REASON:					
TRANSPORTATION										
WILL THE EVENT PROVIDE ALTERNATIVE TRANSPORTATION OPTIONS?										
☒ BUS		☒ BIKE		☒ WALK						
NAME OF TRANSPORTATION PROVIDER / COMPANY: Pro Trans										
PHONE: 877.255.2631					EMAIL:					
☒	THE APPLICANT IS PROVIDING SHUTTLE OR BUS TRANSPORTATION OUTSIDE OF THE CITY'S SCHEDULE AND HAS INCLUDED BUS DROP OFF AREA ON THE SITE MAP ATTACHED WITH THIS APPLICATION.									
☒	THE APPLICANT IS PROVIDING BIKE TRANSPORTATION AT THE EVENT AND HAS INCLUDED BIKE PARKING AREAS ON THE SITE MAP WITH THIS APPLICATION.									
ADDITIONAL TRANSPORTATION INFORMATION: On holiday weekends, if required, Park Silly will hire out shuttle services.										
PUBLIC FACILITY USE										
CHECK ALL THAT APPLY:	☐	MINERS HOSPITAL AT CITY PARK	☐	PARK CITY LIBRARY MEETING ROOMS	☐	JIM SANTY AUDITORIUM				
	☐	SOUTH CITY PARK	☐	CITY PARK COVERED BBQ AREA	☐	CITY PARK GAZEBO / STAND				
	☐	CITY PARK SOFTBALLFIELD	☐	CITY PARK RUGBY FIELD	☐	SKATE PARK AT CITY PARK				
	☐	QUINN'S SPORTS COMPL FIELDS	☐	ROTARY PARK	☐	SCHOOL DISTRICT FIELDS				
	☐	DIRT JUMP PARK	☐	PARK CITY ICE ARENA	☐	OTHER:				

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TEMPORARY STRUCTURES & FLAMMABLE MATERIALS

☒ I understand all temporary structures and flammable materials must be approved by the Park City Building Department. Such inspections will require a fire/building permit to be submitted 10 days prior to the event, as well as an on-site inspection the day of the event.

☐ TEMPORARY BLEACHERS	☒ INFLATABLES	☒ CANOPIES	☐ TEMPORARY BADGES	☐ TEMPORARY LIGHTING
--	---	--	---	---

☒ TENTS 10X10 OR UNDER HOW MANY?: 180

☒ TRAILER HOW MANY?: 4

☒ STRUCTURES OVER 6 FEET TALL PURPOSE: Rock Climbing Wall HOW MANY: 1

DOES EVENT HAVE ELECTRICAL NEEDS?: ☒ YES ☐ NO DOES EVENT REQUIRE USE OF GENERATORS?: ☐ YES ☒ NO

WILL YOU BE REQUESTING PERMITS FOR FIREWORKS?: ☐ YES ☒ NO

WILL THE EVENT REQUIRE THE USE OF FLAMMABLE MATERIALS, FUELS, OR GASSES?: ☒ YES ☐ NO

NAME SUCH MATERIALS: Food vendors will have propane

WASTE MANAGEMENT AND RECYCLING

☒ THE EVENT WILL PROVIDE ITS OWN GARBAGE CANS AND WASTE MANAGEMENT.

☐ THE EVENT WILL PROVIDE ITS OWN DUMPSTERS, WHICH IS INDICATED ON THE SITE MAP.

☐ THE EVENT WILL USE THE CITY'S GARBAGE CANS AND WASTE MANAGEMENT, REQUIRING ADDITIONAL FEES.

☐ THE EVENT WILL USE THE CITY'S DUMPSTERS, REQUIRING ADDITIONAL FEES.

☐ THE EVENT WILL HIRE A COMPANY AND PROVIDE RECYCLING SERVICES FOR THE FOLLOWING MATERIALS:

☐ PLASTIC	☐ PAPER	☐ ALUMINUM	☐ GLASS	☐ CARDBOARD	☐ COMPOST	☐ OTHER
----------------------------------	--------------------------------	-----------------------------------	--------------------------------	------------------------------------	----------------------------------	--------------------------------

☒ THE EVENT WILL UTILIZE CITY RESTROOM FACILITIES.

☒ THE EVENT WILL BRING ITS OWN RESTROOMS AND SANITARY STATIONS.
(May be required by Summit County Health Department or Park City Building Department)

WILL ANIMALS BE AT THE EVENT?: ☒ YES ☐ NO IF YES, PLEASE DESCRIBE TYPE OF ANIMALS AND WASTE PLANS.

TYPES OF ANIMALS: dogs and will provide waste bags

☐ I HAVE INCLUDED THE PLACEMENT OF THE ANIMALS IN THE SITE MAP OR LINE UP IN THE CONTINGENCY PLAN

WILL DOGS BE ALLOWED AT THE EVENT?: ☒ YES ☐ NO LEASHED ☐ UNLEASHED

☒ The Waste Management Plan and Environmental Management Plan have been attached to this application as described above.

FOOD & MERCHANDISE SALES

☒ I understand that all vendors must obtain a Park City Business license. All vendors serving food and drink may also be required to obtain a food service or food handler permit from Summit County.

WILL THERE BE SALE OF MERCHANDISE?: ☒ YES ☐ NO

WILL THERE BE COMPLIMENTARY FOOD?: ☐ YES ☒ NO

WILL THERE BE SALE OF FOOD?: ☒ YES ☐ NO

WILL THERE BE ALCOHOL FOR SALE?: ☒ YES ☐ NO

☒ BEER	☒ WINE	☒ LIQUOR
--	--	--



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☒	I HAVE CONTACTED THE PARK CITY FINANCE DEPARTMENT REGARDING REQUIREMENTS FOR BEER & LIQUOR LICENSES.			
☒	I UNDERSTAND THAT THE UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL MAY REQUIRE OTHER PERMITS.			
WILL FOOD ITEMS BE PRE-PACKAGED?: ☒ YES ☐ NO				
WILL FOOD ITEMS BE COOKED ON SITE?: ☒ YES ☐ NO				
☒	I UNDERSTAND THAT IF COOKING IS ONSITE, A PARK CITY BUILDING/FIRE PERMIT MAY BE REQUIRED.			
WILL FOOD ITEMS BE PREPARED OFFSITE?: ☒ YES ☐ NO				
DESCRIBE ITEMS: Snack foods, gourmet foods, prepared foods				
TEMPORARY SIGNS				
WILL THERE BE TEMPORARY SIGNS AT THE EVENT?: ☒ YES ☐ NO				
☒	I HAVE ATTACHED A SIGN PLAN DESCRIBING THE CONTENT, SIZES AND LOCATIONS IN THE CONTINGENCY PLAN.			
SAFETY - SECURITY				
☒	THE EMERGENCY AND SECURITY PLAN HAS BEEN INCLUDED IN THE OPERATIONS PLAN, AS WELL AS CROWD CONTROL, ACCESS, AND FIRST AID. AFTER REVIEW OF THIS APPLICATION, REQUIREMENTS FOR EMTS, FIRE, AND POLICE SERVICES WILL BE DETERMINED AS PART OF THE CONDITIONS OF APPROVAL OF THIS EVENT. THE SPECIAL EVENTS DEPARTMENT WILL BE ABLE TO GIVE THE APPLICANT AN ESTIMATE OF SUCH CITY SERVICE REQUIREMENTS UPON REQUEST.			
THE EVENT WILL HAVE AMPLIFIED SOUND: ☒ YES ☐ NO				
THE EVENT WILL REQUIRE LAW ENFORCEMENT SERVICES BEYOND ROUTINE PERIODIC PATROL: ☒ YES ☐ NO				
COMMUNICATION NEEDS				
WILL THERE BE INSTALLATION OF AN ANTENNA FOR COMMUNICATION NEEDS?: ☐ YES ☒ NO				
☐	INSTALLATION OF AN ANTENNA FOR COMMUNICATION IS INDICATED IN THE SITE PLAN WITH SPECIFICATIONS.			
MARKETING OF EVENT				
PROPER MARKETING OF YOUR EVENT IS VITAL TO ITS SUCCESS. PLEASE CONTACT THE PARK CITY CHAMBER FOR ADDITIONAL INFORMATION AND ASSISTANCE: www.visitparkcity.com				
☒	I HAVE CHOSEN TO LIST INFORMATION REGARDING MY EVENT ON THE PARK CITY CHAMBER'S WEBSITE.			
☐	I HAVE CHOSEN NOT TO LIST INFORMATION REGARDING MY EVENT ON THE PARK CITY CHAMBER'S WEBSITE.			
WHO IS THE TARGET MARKET FOR THIS EVENT?: We will only be doing local social media marketing				
WHERE IS THE TARGET MARKET FOR THIS EVENT?: (choose all that apply)				
☒ LOCAL	☐ REGIONAL	☐ NATIONAL	☐ INTERNATIONAL	
WILL THIS EVENT BE FILMED AND TELEVISED?: (choose all that apply)		☐ YES	☐ NO	
☐ LOCAL	☐ REGIONAL	☐ NATIONAL	☐ INTERNATIONAL	
PLEASE LIST ALL ADVERTISEMENT INCLUDING MEDIA COVERAGE, NEWSPAPER, AND MAGAZINES:				
MEDIA (RADIO/TV): none				
NEWSPAPER: none				
MAGAZINES: none				
OTHER: Social Media and Email only				
PLEASE SELECT RANGE OF MARKETING BUDGET:				
☐ \$100 OR UNDER	☐ \$100 - \$500	☐ \$500 - \$1,000	☒ \$1,000 - \$2,500	☐ ABOVE \$2,500



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APPLICANT AGREEMENT & SIGNATURE

I, the undersigned representative, have read the rules and regulations with reference to this application and am duly authorized by the organization to submit this application on its behalf. The information contained herein, including supporting documentation is complete and accurate.

Name (Printed):

Kate McChesney

Signature:

Date: 3/30/2021



PARK CITY MUNICIPAL CORPORATION
Special Event Hold Harmless and Indemnification Agreement

This Hold Harmless and Indemnification Agreement must be completed and returned to the Special Event Manager ten (10) working days prior to the event or the event will be cancelled.

PLEASE PRINT:

Park Silly Sunday Market

Name of Business/Organization

Park Silly Sunday Market

Name of Special Event

Sundays - June 6 - Sept 26 (except July 25, August 1 and August 8)

Date(s) of Event

Each person signing this Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Agreement. Each party represents and warrants to Park City Municipal Corporation that the execution and delivery of the Agreement and the performance of such party's obligations hereunder have been duly authorized and that the Agreement is a valid legal agreement and binding on such party and enforceable in accordance with its terms.

The person signing this Agreement represents and warrants to Park City Municipal Corporation that it has insurance coverage in place that covers the scope of activities associated with this event. This person further represents and warrants that the insurance coverage limits meet or exceed the coverage required to obtain this permit.

For and in consideration of Park City Municipal Corporation (PCMC) issuing a permit permitting the use of City streets and/or City owned/public property for the conducting of an event to be held as reported above, hereby agrees to defend, hold harmless, and indemnify PCMC, its officers, agents, servants, employees, and their successors, from and against all claims, loss, or demands for damages, including claims for loss of life, personal injury or wrongful death and/or damage to property arising out of the conduct of said Special Event as defined by Title 4 of the Park City Municipal Code, and further agrees that Applicant is indemnifying and holding harmless PCMC irrespective of whether the scope or limits of Applicant's insurance policies adequately cover any of the aforementioned claims or demands.

Park Silly Sunday Market

Name of Business/Organization

Signature

Kate McChesney

Name Printed

Executive Director

Title

PO Box 684229

Park City, UT 84068

Address and Phone Number

STATE OF UTAH)
)ss.
COUNTY OF SUMMIT)

On this 1st day of April, 2021, before me, the undersigned notary, personally appeared Kate Mcchesney, personally known to me/proved to me through identification documents allowed by law, to be the person whose name is signed on the preceding or attached document, and acknowledged that he/she signed it voluntarily for its stated purpose as executive director for Park Silly Sunday Market.



Michelle Kellogg
Notary Public

GREEN EVENTS CHECKLIST:

Thank you for helping us to preserve Park City's environment!
We are committed to the preservation and enhancement of the environment for our community and guests.
Please submit this checklist along with your permit application.
Contact your Special Event Coordinator for more information or questions.

Name of Event: Park Silly Sunday Market		Organization/ Business: Park Silly Sunday Market	
Total Estimated Attendance at Event: 9,000 per day		Number of Vendors: 180 per day	
Date of Event: Sundays June 6 - Sept 26,			
Name of person responsible for overseeing green event practices for your event, including training staff and volunteers in sustainable practices: (recycling, composting, reuse, waste and energy reduction, etc.).		Kate McChesney	
Email Address: kate@parksillysundaymarket.com		Cell Phone: 435.714.4036	
Signature of Event Producer:		Date: 3/30/2021	
☒	Standard	☒	Extraordinary Measures
☒	Complete Environmental Management Plan and attach as part of the Supplemental Plan for your event.	☒	Use vendors that have an environmental policy, recycle and compost, use local food sources, use energy efficient appliances, or otherwise offset their carbon footprint.
☒	Use electric spider boxes for power needs.	☒	Eliminate the use of fossil fuels for on site power needs.
☒	Use sand or other reusable ballasts for securing tents instead of water.	☒	Commit to and publicize water conservation efforts at event.
☒	Recycling is required in all areas of the event. Recycling containers must be paired with trash cans.	☒	Sponsors/Vendors distribute bags, bottles, or serving material made from recycled material, or that can be reused or recycled.
☒	Event Applicant materials printed on at least 30% post consumer recycled paper. Distributed items must be made from recycled materials that can be reused, recycled or reconsumed.	☒	Event Applicant does not offer printed materials. All promotional materials are available electronically.
☒	Remind guests to bring their reusable bags and water bottles. Use, sell, or proote reusable bags and waterbottles.	☒	Event Applicant does notsell or give away plastic bottled water unless the bottle is compostable. <i>(To try using watering stations and reusable containers).</i>
☒	Reusable banners, eco-friendly promotional material or recycle (i.e., banners into shopping bags).	☒	Use reusable linens instead of paper or plastic table covers.
☒	Encourage the use of bicycles, buses, shuttles, carpools or other public transit to and from the event. This must be promoted on event website and marketing.	☒	Offer a Bike Valet (Summer Events - May through October)
☒	Enforce a no idling policy for staff, volunteers, vendors and attendees.	☒	Incorporate alternative transportation plans into your event. Supplement City Transit with additional transit options. (This must be approved before implementing).
☒	Use eco-friendly serving utensils (compostable, plant-based or made from recycled materials) and eliminate the use of regular plastic cups and pre-packaged servings.	☒	Provide vegetarian meal options. Be local - offer food or vendor items that are made, grown and produced within 100 miles of Park City.
☒	Be Styrofoam Free!	☒	Be Glass Free!
☒	Prepare food with reusable cutlery and dishes, or products that can be composted.	☒	Serve food in bulk – (avoid cans, bottles, sugar packets and serve at stations)
☒	Wastewater must be properly disposed of into the sanitary sewer system, i.e., floor sink or mop sink, etc., and it is prohibited to dispose of gray water into the storm sewer or directly onto the ground.	Tell us what else you are doing. We love new ideas and solutions!!	
For Municipal Purposes			
Trash Plan Approved by:		Date:	
Public Works:		Date:	
Health Department:		Date:	
Sustainability Department:		Date:	



Park City Permit for Relief of Noise Restrictions 2019

A Permit for Relief of Noise Restrictions is required of any person or company that engages in an activity in violation of Park City Code 6-3. Per the Park City Code Section 6-3-11, applications for a permit for relief from the noise restrictions may be made to the Chief of Police as it pertains to special events, community, or private functions or events. Any permit granted by the Chief of Police shall contain all conditions upon which the permit has been granted, including, but not limited to, the effective dates, time of day, location, sound pressure level, or equipment limitation and name and contact information for the on-scene officiator.

Applicant Name: Kate McChesney

Purpose of Activity: Park Silly Sunday Market

Address of Event (property on which noise generating activity will occur): Main Street

Date(s) of Event: _____ Time of Amplified Noise (Include Sound Check): 10am - 4:45pm

Type of Noise Generated: Music

Estimated Number of People in Attendance: 250 by stage

Level of Noise Permitted: 90 decibels - we only ever go to 75 and monitor the entire day

I, Kate McChesney, acknowledge and understand Park City Code 6-3 and certify that all information stated above is correct. As the applicant, I will have amplified sound no higher than a decibel limit of 75 between the times of 10am to 4:45pm (all permits expire at 10:00 PM). Should I violate the terms of the agreement, I will immediately remedy the situation or be subject to the penalties listed below.

Signature: _____

Date: _____

3/30/2021

Responsible person who will be attending the event and will be monitoring noise levels:

Onsite Officiator: Mountain Town Music Sound & Kate Phone: 435.714.4036

Please Note:

The officiator in charge of the event is responsible to monitor and maintain the permissible sound levels spelled out in this permit. Additionally, the officiator is responsible to mitigate complaints received by the Park City Police Department. Failure to mitigate complaints immediately, once brought to the officiator's attention, may result in a criminal citation and/or a revocation of this permit.

Approved by (PCPD): _____

Signature: _____

Date: _____

Required Information:

The following residential property owners have no objection to the type of noise that will occur at the location, and at the date and time, given above:

The following residential property owners have objection to the type of noise that will occur at the location, and at the date and time, given above:

Please Note: As per Park City Code Section 6-3-4, the Police Department shall be responsible for the administration of these rules and regulations and any other powers vested in it by law and shall make inspections of any premises and issue orders as necessary to effect the purposes of these regulations, and do any and all acts permitted by law that are necessary for the successful enforcement of these regulations.

As per Park City Code Section 6-3-14, the Police Department may upon discovery or report of a violation be able to issue a criminal citation for the violation or may file a report with the City Prosecutor's Office for review and issuance of information and summons to court to answer the charges.

As per Park City Code Section 6-3-15, any person who is found guilty of violating any of the provisions of these rules and regulations, either by failing to do those acts required herein or by doing a prohibited act, is guilty of an infraction. Each day such violation is committed, or permitted to continue, shall constitute a separate violation. The City Attorney may initiate legal action, civil or criminal, requested by the Department abate any condition that exists in violation of these rules and regulations. In addition to other penalties imposed by a court of competent jurisdiction, any person(s) found guilty of violating any of these rules and regulations shall be liable for all expenses incurred by the Department in removing or abating any nuisance or other noise disturbance.

Outdoor Special Event Emergency Operations Plan (EOP)

Event Personnel Contact Information Sheet

Event Details

Event Name: Park Silly Sunday Market
Date(s) of Event: Sundays - June 6 - Sept 26
Event Location(s): Main Street, Park City
Street Address of Event: _____

On-site Day of Event Organizer/Responsible Party (please print clearly)

Primary Coordinator
Name: Kate McChesney
Mobile Number: 435.714.4036

Co-Coordinator
Name: Michelle McDonald
Mobile Number: 435.659.7666

Co-Coordinator
Name: _____
Mobile Number: _____

Other Event Personnel, i.e. volunteers, security, parking

Name: Jenny Leavitt
Mobile Number: 435.654.8244
Assignment: Information Liason
Assignment Location: Information Booth

Roving? – Yes ☐ No ☐

Name: Ken Martin
Mobile Number: 801.548.3435
Assignment: Burly Crew Leader
Assignment Location: _____

Roving? – Yes ☒ No ☐

Name: _____
Mobile Number: _____
Assignment: _____
Assignment Location: _____

Roving? – Yes ☐ No ☐



Kate McChesney <katejayboyd@gmail.com>

RE: Park Silly - Business License - 2021

1 message

Beth Bynan <beth.bynan@parkcity.org>

Tue, Mar 30, 2021 at 3:07 PM

To: Kate McChesney <kate@parksillysundaymarket.com>

Hi Kate- here you go- take care!!

MUST BE POSTED IN A CONSPICUOUS LOCATION

PARK SILLY SUNDAY MARKET
1895 SIDEWINDER DR
PARK CITY, UT 84060-7565



License Number: B-013196
Customer Number: 082073
Issue Date: 10/1/2020
Expiration Date: 9/30/2021

BUSINESS LICENSE

BUSINESS DESCRIPTION: OPEN AIR MARKET
LEGACY ZONE: 01

KUEHN, KIMBERLY

2021

PARK SILLY SUNDAY MARKET
PO BOX 684229
PARK CITY, UT 84068


CITY MANAGER

FINANCE MANAGER

NON-TRANSFERABLE**Beth Bynan, MPA***Business License Specialist*

Park City Municipal Corporation

parkcity.org

445 Marsac Avenue, PO Box 1480

Park City, UT 84060

o: 435.615.5225

**From:** Kate McChesney <kate@parksillysundaymarket.com>**Sent:** Tuesday, March 30, 2021 3:01 PM**To:** Beth Bynan <beth.bynan@parkcity.org>**Subject:** Park Silly - Business License - 2021

Hey Beth - can you send over the copy of our 2021 business license?

Thanks! Hope you are well!

Kate McChesney
435.714.4036
Executive Director



Fee for Duplicate Certificate: \$15.00

Important Registration Reminders

Your registration is valid until the expiration date listed on this certificate. Approximately 60 days prior to this expiration you will receive a renewal notice.

Listed below are your current mailing and location addresses of record with the division. If you move, it is your responsibility to notify us of any change. To make any address change, please notify us by phone, fax, or mail.

PARK SILLY SUNDAY MARKET
PO BOX 684229
PARK CITY UT 84060

If you have any questions please visit our web site:

<http://ag.utah.gov/licensing.html>

Mail: Department of Agriculture and Food
P.O. Box 146500
Salt Lake City, Utah 84114-6500

Phone: (801) 982-2253 Food Compliance Program
Fax: (385) 465-6023

Year: 2021

STATE OF UTAH
DEPARTMENT OF AGRICULTURE AND FOOD

Certificate No: 82503

P.O. Box 146500 Salt Lake City UT 84114-6500 <http://ag.utah.gov> Phone: 801-538-7100

CERTIFICATE OF REGISTRATION FOR
Food Establishment

PARK SILLY SUNDAY MARKET
LOWER MAIN ST
PARK CITY UT 84068



Category: MEDIUM

Registration Expires: 12/31/2021



[HOME](#) / [FOR BUSINESSES](#) / CHARITABLE ORGANIZATION

Charitable Organizations

WELCOME

FREQUENTLY ASKED QUESTIONS

APPLY FOR REGISTRATION

SEARCH REGISTERED CHARITIES

STATUTES & RULES

RELATED INFORMATION

Search Registered Charities

Name to Search For

Park Silly Sunday Market

Search

PARK SILLY SUNDAY MARKET

TYPE: CHARITABLE ORGANIZATION

TO PROGRAM: 36%

REGISTRATION #: 7204245-CHAR

STATUS: ACTIVE 

EXPIRES: 01-APR-21

ADDRESS:

PARK SILLY SUNDAY MARKET, THE

[Update this Business](#)**Entity Number:** 6202006-0140**Company Type:** Corporation - Domestic - Non-Profit**Address:** 1821 SEWINDR DR STE 3 PARK CITY, UT 84060**State of Origin:****Registered Agent:** KIMBERLY KUEHN**Registered Agent Address:**

1821 SEWINDR DR STE 3

PARK CITY, UT 84060

[View Management Team](#)

Status: Active

[Purchase Certificate of Existence](#)**Status:** Active  as of 07/05/2018**Renew By:** 05/31/2021**Status Description:** Current

The "Current" status represents that a renewal has been filed, within the most recent renewal period, with the Division of Corporations and Commercial Code.

Employment Verification: Not Registered with Verify Utah

History

[View Filed Documents](#)**Registration Date:** 05/05/2006**Last Renewed:** 03/26/2020

Former Business Names

PARK SILLY SUNDAY MARKET, LLC, THE

[<< Back to Search Results](#)

Business Name:



Kate McChesney <katejayboyd@gmail.com>

RE: Up to Date - Waster Water Permit!

1 message

Kristina Biglow <kristina@royalrestroomsutah.com>
To: Kate McChesney <kate@parksillysundaymarket.com>

Thu, Mar 10, 2016 at 4:05 PM

Hi,

So we just get stickers that go on the trucks now. Permit #16003

Kristina Biglow*Royal Restrooms of Utah*

801-574-5733 phone

kristina@royalrestroomsutah.com

**From:** Kate McChesney [mailto:kate@parksillysundaymarket.com]**Sent:** Thursday, March 10, 2016 2:58 PM**To:** Kristina Biglow <kristina@royalrestroomsutah.com>**Subject:** Up to Date - Waster Water Permit!

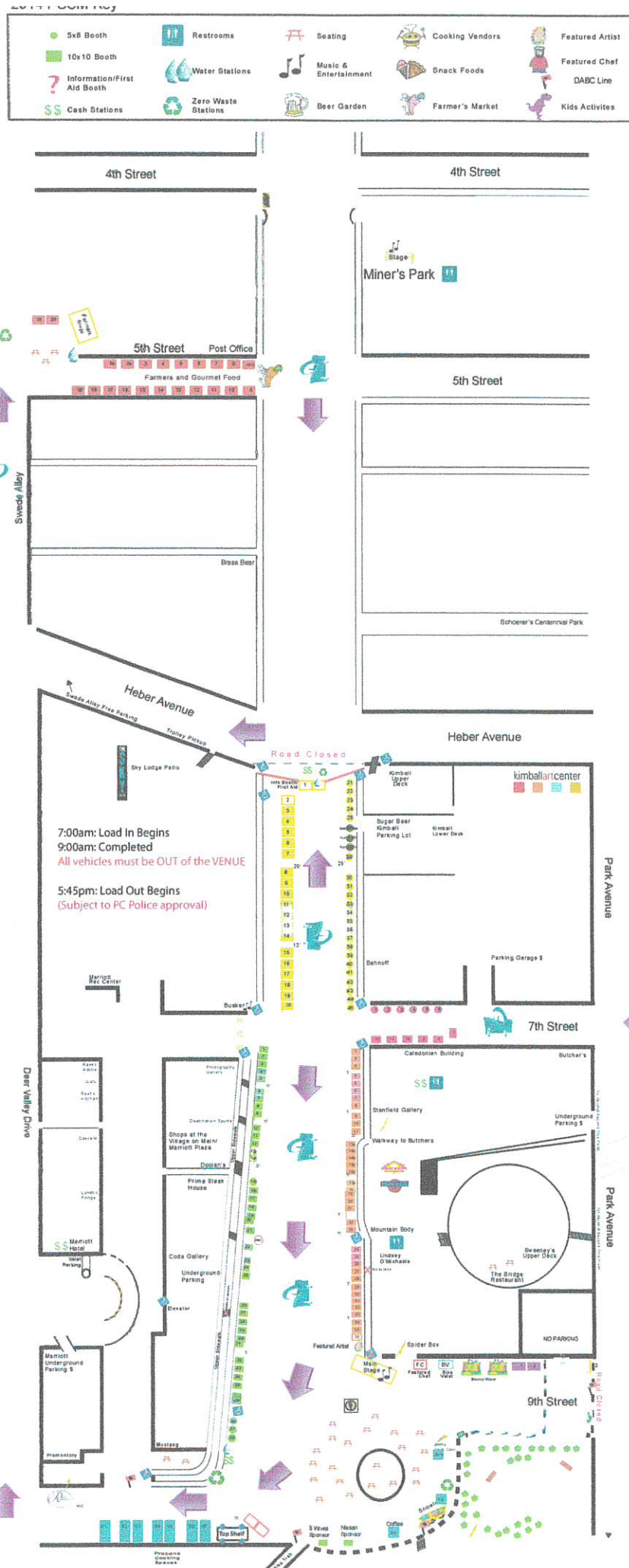
Yep - can I get an up to date one?

Thanks!

Kate McChesney

435.714.4036

Executive Director



Drop	Location	Sign
1	High School	Market Parking
2	Opp Side of 224	Park Silly Today
3	Opp Side of 224	Park Silly Today
4	Welcome to PC Sign	Park Silly Today
5	DV Drive & Main St	(3) Red Barriers VIP Potty No Main St Access
6	Farmers Market	(2) Green Barriers (1 on each side) Zero Waste Information
7	Transit Station	Farmers Market
8	Heber & Main	(2) Red Barriers (2) Farmers Market Information Booth
9	Park Ave & 7th	Road Closed Restroom Restroom / First Aid No Left/Right Turn Zero Waste
10	Park Ave & Flying Sumo DABC Line	Zero Waste No Alcohol
11	Park Ave & 9th & Stage	(4) Red Barriers (10) Silver Barriers - Bar No Left/Right Turn (2) Bike Valet (2) Zero Waste (4) No Alcohol Road Closed Wristband Restroom



COVID-19 EVENT MANAGEMENT TEMPLATE

In accordance with the state of Utah [COVID-19 Transmission Index](#), formal organizations are required to complete the following event management template to assist in their efforts to plan and execute a safe event. This document must be kept and available for inspection by the local health officer or their designee.

EVENT DETAILS			
Event Name:	Park Silly Sunday Market		
Event Location:	Main Street	Park City	84060
	Address	City	Zip
Event Host	PO Box 684229	Park City	84068
	Address	City	Zip
	kate@parksillysundaymarket.com	435.714.4036	
	Email Address	Phone	
Event Date(s):	Sundays June 6 - Sept 26, no market July 25, August 1 or August 8)		
	Start Date	End Date	
Anticipated Number of Attendees:	9,000 over the course of 7 hours	126,000	
	Per Day Total	Grand Total	
Event Type	☐ <u>Static</u> : events where the attendees primarily enter, watch and depart ☐ <u>Interactive</u> : events where attendees create a traffic flow and interact with each other ☐ <u>Participant</u> : events where attendees primarily participate in an activity or production ☒ <u>Community</u> : events with many activities and populations centers and likely a random traffic pattern		

Employees, volunteers, players, performers, actors, etc.

Checklist:

- | | |
|---|---|
| <ul style="list-style-type: none"> ☒ Symptom checking symptoms checked (checklist or verbal), including temperature checks when feasible ☒ Face coverings are worn in settings where other social distancing measures are difficult to maintain (exception for performers during performance) ☒ Ensure that face coverings are available | <ul style="list-style-type: none"> ☒ Provide accommodations to high-risk employees & volunteers; minimize face-to-face contact, assign tasks that allow these individuals to maintain a 6-foot distance from other employees or customers ☒ Comply with distancing and hygiene guidelines |
|---|---|

Keep a record of attendees:

Please describe how you will record the name and contact information for each attendee, along with seating assignments or designated sitting/standing areas, to help identify and contact potential exposures.

We are creating a QR code that will be scanned upon entry which will take the Individual/Family/Group to a sign up to include name, phone # and email address. This will allow us to capture individual by date and will also have a time stamp to determine timeframe of individuals within the venue.

Physical distancing

Follow physical distancing requirements according to the Transmission Index. A 6-foot distance is strongly recommended between household groups at all times, including while seated, even if not required by the Transmission Index level your county is in. Congregating at any point is strongly discouraged. Please describe your plan to maintain appropriate physical distancing throughout the event.

We will be utilizing the current Summit County signage that is available through the County and the Chamber which encourages 6 feet between household groups.

We will be adding additional seating and tables throughout the venue in support of only being able to eat or drink while seated. We will be adding stickers to each table and all chairs which will indicate to only be seated while “actively” eating and/or drinking.

Attendees at increased risk for severe illness from COVID-19

Please describe your plan to accommodate higher-risk attendees, such as setting an established window of time for higher-risk groups to come in without pressure from crowds and/or separate entrances and queues.

We can encourage “high risk” attendees to attend in the early opening of the market, which starts at 10am.

Signage

Post signage listing COVID-19 symptoms, asking attendees with symptoms to stay home, and encouraging physical distancing. Please describe your plan to maintain signage, including the number of anticipated signs and their locations.

We will be utilizing the current Summit County signage that is available through the County and the Chamber which asks attendees with symptoms to stay home and encourage social distancing.

These signs will be on 3" x 2" A Frame signs at our Main Entrances and cross points throughout the venue (ie.. Main Street and 7th).

Payment options

Encourage contactless payment; disinfect between transactions at facility stores/gift shops and comply with other retail recommendations. Please describe your plan for payment if relevant.

Vendors will be encouraged to use "contactless payment" (i.e... Credit Cards), but if they need or choose to use cash, they can disinfect between transactions as they will all be required to always have hand sanitizer within their booth.

Vendors will also clean and disinfect frequently touched surfaces such as counters, or hard surfaces between use. If pens are needed for some purposes, disinfect between uses and/or encourage customers to use their own pens.

Hygiene & sanitization

Please describe your plan to provide hygiene and regular sanitization throughout the event.

- All public and portable restrooms will have hand washing stations.
- All vendors will be required to have hand sanitizer within their booth.
- Information Booths will have hand sanitizer stations.
- Hand Sanitizer stations will be located throughout the venue.

Additional safeguards

Please share any additional planned safeguards or measures being enacted at the event.

- Increased spacing of vendors, which will allow for decrease traffic flow and decrease of bottle necking within the event.
- Work with and encourage Historic Main Street Alliance to ensure activation on upper Main Street for "car-free" Sundays to help spread out the crowd. (thus, giving us a 9-block radius as opposed to 4-block radius)
- We will be eliminating lower Main Street vendors withing the circle to allow for additional tables and chairs for patrons, until it is safe to do so.
- Signage for all snack / gourmet / on site food vendors that all food must be consumed while sitting, or 6 feet away from other patrons.
- Mask Mandate will be maintained with local County Ordinance or Local County recommendation.

- Masks will be available upon request at information booths
- No marketing, other than organic social media posts and email campaigns. All marketing will be targeted to local community.
- Bloody Mary Buffet will be contactless, and items will be served by our staff and/or bagged ahead of time.
- Water Stations will be maintained by volunteers at our info booths.
- All on-site food vendors will not be allowed self-serve condiments and will be required to serve any additional condiments for patron. (still not allowing for packets)

Additional safeguards

Please share any additional planned safeguards or measures being enacted at the event.

Signature

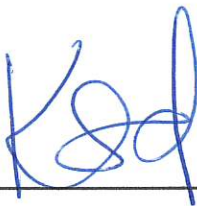
Please provide the signature of the organizational representative who will be responsible for ensuring event oversight.

Kate McChesney

Executive Director

Printed Name

Title



March 30, 2021

Signature

Date

2021 Park Silly Sunday Market Supplemental Summary and Analysis

Changes to the 2021 Park Silly Supplemental Plan Include:

PSSM will 14 markets on Sundays from June 6 through September 26 excluding the following dates:

August 1, 2021 in accordance with section B.2.1.B in the Park Silly Sunday Market Service Agreement in order to accommodate the Tour of Utah (Tour of Utah is cancelled for 2021).

August 8, 2021, in accordance with section B.2.1.A in order to accommodate the Annual Park City Kimball Arts Festival.

August 15, 2021. In accordance with section B.2.1.C. No Event Day. No city approved events are currently scheduled for this day.

Parking Impacts

- As per the transportation plan, Staff recommends the establishment of parking rates and continued promotion of the Park City High School Park and ride, which PSSM has secured for the 2021 season. The suggested parking rate for surface lots and Main Street meters is \$5.00 per hour from 10:00am to 5:00 pm. Standard 4-hour meter time limits will apply.
- Staff recommends China Bridge garage rate is \$5 per hour, with a daily maximum of \$18, first hour free which is consistent with 2019 fees. Staff will monitor use in garage with rates.

Sustainable Efforts as per section D.9.5.d of contract:

- Enforce no idling policy for vendors, staff, and attendees.
- Create a plan to increase the use of reusable or recyclable event materials:
- PSSM reuses banners yearly (new sponsors are stickers); signage is such that it can be moved around and used year after year and across events; PSSM does not generate any print material.
- Reducing the use of plastic bags, single use plastic bottles, and Styrofoam throughout the event (PSSM requires use of reusable or compostable serving utensils/bags/packaging for all event vendors, participants and attendees). This requirement of all vendors and is addressed in the PSSM Vendor Handbook and Vendor University.
- As requested by Park City, PSSM will serve as a partner in creating Green Event initiatives to help other events become more sustainable.
- PSSM participates in the Event Sustainability Round Table and provides guidance as well as staff/equipment resources to other events as available.

Proactive Noise Monitoring

- Noise cannot be above 75 decibels between 10 a.m. and 1 p.m. Noise may be up to 90 decibels from 1 p.m. to 5 p.m.
- Staff will monitor the stage sound levels during the Market to ensure compliance with the Park City Municipal Code. PSSM has requested a relief from noise restrictions from the Park City Police Department as allowed under [6-3-11 Relief from Restrictions](#) and required in section 2.5.d of the City Services Agreement.

Working Group

- Staff asks Council to appoint two (2) Park City Council Representatives for the Working Group for the 2021 Season, as part of the Supplemental Plan approval.
- After the 2017 season, Staff discussed reworking the makeup of the working group and the criteria that is evaluated to better inform and articulate the group's mission. This discussion is

Exhibit B: PSSM Analysis

ongoing and staff will report back to Council when the specifics have been finalized.

- In accordance with section D.9.7, to the City Services Contract, Park Silly Sunday Market is required to conduct a Working Group three times during the Market season, which will include (a) two (2) HPCA Representatives, (b) two (2) Park Silly Market Representatives, and (c) two (2) members of the Park City Council.
- Staff believes the working group meetings are important and work well, as they allow Market staff, City Staff, Council Representatives and HPCA time to experience the market, increase communications and transparency, and address challenges and solutions. PSSM is working with HPCA to identify two (2) HPCA representatives.
- Dates are proposed as follows, times to be varied as to experience the start, mid-day and end of the market:
 - Sunday, June 20; 11:00 a.m. Walk-through, Main Street
 - Sunday, July 25; 1:00 p.m. Meet at Transit Center
 - Sunday, August 22; 11:00 a.m. Walk-through, Main Street
 - Sustainable Efforts Site Visit TBD
 - End of Season Debrief TBD

City Service Fees & Municipal Funds

A summary of City Service Fees is listed in the chart below.

Exhibit B: PSSM Analysis

Departments	Items	End of Season Actual 2019	Estimate of Fees 2021
Parking Department	Parking spaces for 14 days	\$ 22,050	\$ 22,050
Police Department (holiday pay on Fourth of July)	532 Hours	\$ 39,900	\$ 45,000
Transit Department (rerouting transit and trippers for park ave and upper swede)	15 Hours	\$ 2,250	\$ 2,250
Parks Department	Banner installation	\$ 648	\$ 648
Building Department	Inspections and permits	\$ 8,694	\$ 8,694
Special Event Application Fee	Annual Permit Fee	\$ 320	\$ 320
VMS Signs & Barricades	2 VMS/ Electronic Signs (PCMC owned and UDOT signs)	\$ 5,600	\$ 5,600
Total Fees		\$ 79,302	\$ 84,562

Hours

The Park Silly Sunday Market will continue to operate from 10:00 a.m. to 5:00 p.m. Set up is to begin no earlier than 6:00 a.m. and the street will be cleared and available for parking no later than 8:00 p.m. on each market day.

Exception:

a. The Park Silly Sunday Market requests to extend the close of market by one hour on September 26, 2021 for Silly Fest. The Park Silly Sunday Market is requesting to have the stage with a band until 6:00 p.m. and for the beer garden to remain open until this time as well. Clearing and reopening of the street will happen no later than 8:00 p.m. Park Silly Sunday Market is asking for this extension of hours which is consistent with allowances in Section B.2.2, in which Park City shall consider expanded hours and special holiday late closures (Opening Day, Holiday Weekends and Silly Fest).

Exhibit B: PSSM Analysis

This has been approved in past years.

Transportation Impacts:

Work with Park City to review and create an incentive program for attendees that take alternative modes of transportation. This will include a bike valet located in close proximity to the event, as well as supplemental parking outside of the Old Town core with free transportation to the event. PSSM and Park City will work to track alternative forms for transportation to and from the event as an absolute number and a percentage of event attendees. PSSM and Park City will determine a traffic baseline and provide plan to lessen vehicle impacts annually.

HPCA Vendor Cancellation & Date Requests

As in 2019, HPCA members who are scheduled and fail to notify PSSM staff prior to 5:00 p.m. on the Thursday before the scheduled Sunday will receive a bill for a \$150.00 cancellation/no show fee.

The next scheduled HPCA member will not be permitted to participate or load-in if the cancellation/no-show fee has not been paid. This change was made to encourage those HPCA vendors that sign up to show up and prevent holes or last minute changes to the vendors the day of the market.

The deadlines for HPCA vendor date requests will remain the same as last year. The deadline of for all HPCA requests is May 1, 2021. Any unfilled dates for June that are not reserved by the HPCA May 1 deadline, will be opened to be filled by other at-large vendors as pertains to the Vendor Mix requirements, and subsequently on the first of each month through August 1.

PSSM will also continue to work in coordination with Main Street Merchants that extend outside for Car Free Sundays.

Vendor Mix

PSSM regulates their vendor mix to mitigate for potential of adverse impacts to brick and mortar Main Street Businesses. As outlined in the requirements of the City Services Agreement, the 2021 vendor mix is the same as in 2019.

No more than twelve (12) on site food vendors; twelve (12) jewelers or six (6) importers at each market

Parking & Residential Mitigation

Staff will place 'residential parking only' signs in the Old Town Area in an effort to reduce traffic in Old Town. This will continue to be required at each Market.

In an effort to increase coordination, Park Silly Sunday Market continues to require their vendors to submit license plate numbers to the Parking Services staff to help identify vendors who are parked outside of the designated vendor parking areas located at the Upper and Lower Sandridge parking lots and top level of China Bridge. Oversized vehicles cannot be parked in the China Bridge. PSSM will submit an updated vendor plate numbers to the Parking Services Department each Sunday no later than 10 a.m.

Event Coordination

A summary of events that occur on the same day as Park Silly Sunday Market 2021 Season is below. According to section [4A-2-5](#) of the municipal code, staff finds that these events will not duly

Exhibit B: PSSM Analysis

interfere with each other. Staff will continue to work with organizers of both PSSM and the events as outlined below to ensure traffic and transportation plans run smoothly, as well as, that the organizer of each event is mitigating impacts they cause.

DATE	EVENT	A – Geographic Separation	B - Proposed Time & Duration	C – Anticipate d
June 6 to September 26	Car Free Sundays	Main Street	7 am – 10 pm	1,000 spread out over the course of the event.
June 20	Arte Latino	PSSM will feature Latino vendors	NA – part of PSSM	NA
July 4	Fourth of July	Main Street	NA – part of the event	NA
July 18 & 25	Triple Crown	Quinn’s Sports Complex, Park City School District Fields, City Park	8am – 8pm	NA
September 12	Song Summit	Main Street and other locations	TBD	1,000
September 15	Autumn Aloft	Main Street, N40	7 a.m. to noon	2,500

Staff will report any other events that are not currently known during the mid-season and end of season reviews.

Department Coordination

Park Silly Sunday Market has worked with Staff to set meetings with Public Safety as well as Parks and Building Maintenance, and Transportation to ensure that operations with regards to both aspects remain well coordinated. At this time, Staff does not anticipate any changes to the Public Safety or Parks & Maintenance logistics. As staff continues to coordinate and implement City wide transportation standards and increased mitigations, PSSM has agreed to help implement these changes. Staff will report on this at the mid-season review.

Exhibit B: PSSM Analysis

Community Engagement Outreach

Staff and PSSM will work in conjunction to notify Old town residents and the general public of the market activities as well as parking and transportation changes. This could involve use of the PCMC event text alert system. Additionally, staff will preform outreach to Main Street merchants and Old Town residents in mid-May regarding all summer events.

Exhibit B: PSSM Analysis

Park Silly Sunday Market – 2021 Season Preview Measures of Success		Legend S – Succeeding in meeting Contracted I - In progress / Meeting Requirements U – Unsatisfactory - Not meeting
Requirements		
Vendor Mix		
Importers (allowed per week maximum) i. 2021- 6	Notes: Requirements are currently being met	I
Jewelers (allowed per week maximum) i. 2021- 12	Notes: Requirements are currently being met	I
On-site Food Vendors & Snack food Vendors (per week maximum) i. 2021 - 12	Notes: Requirements are currently being met	I
PSSM will invite two (2) HPCA representatives in the jurying of jewelry vendors.	Notes: Requirement was met by PSSM.	S
PSSM will coordinate three (3) market walkthroughs with the HPCA and PCMC to identify possible conflicts and/or issues with vendor mix.	Notes: June 20, July 25, August 22. HPCA and City are identifying representatives.	I
PSSM will provide to the City a list of vendor classification definitions along with preference criteria for vendor mix.	Notes: Requirements have been provided and met.	S
Parking / Traffic / Pedestrian Management		
Create event parking plan i. Identify vendor vehicle with license plate identification. ii. Identify public parking locations both in Old Town/Main Street along with alternative parking areas. iii. Identify locations where parking will be removed to provide space for event and mitigate impacts of event iv. Continue increased communication between departments and PSSM to encourage parking of vendors in suggested vendor locations.	Notes: PSSM continues to work with Staff & private parking garages to park vendors in appropriate areas. A resident parking area has been established and is being enforced along the west side of Park Ave. Parking Enforcement continues to communicate with the residents to resolve parking concerns during the Park Silly Sunday Market. This increase in fees for parking in China Bridge and other areas will be monitored. An update will be given to council at the Mid-Season review.	I
Work with Special Events and Transit to get out alternate transportation messaging out with: i. Co- messaging with PC Transit Dept. ii. PSSM will create and implement different methods of informing the public (PSA's, print ads) iii. Create and implement a program encouraging non-motorized forms of transportation to the market. ix. Addition of Shuttle Service on expected heavy attendance day – July 24, July 4 and September 5.	Notes: While PSSM has cut back on all marketing, social media will focus on transportation alternatives including City transit, bikes or walking to attend.	I
Submit sign Plan to Staff at the time of Supplemental Plan containing the following: i. Locations ii. Size & Type iii. Message iv. Placement and removal times	Notes: Requirements are currently being met	I
Work with City to create a pedestrian management plan that addresses the crossings of Heber/Main and Swede Alley	Notes: Because of the anticipation of Car Free Days, pedestrian management will not be needed as long as Heber Avenue remains closed.	I
Market Set-Up and Inspections		
a. Weekly notification to staff of footprint or operational changes	Notes: Staff is working with PSSM to ensure that requirements are met.	S
b. Location of interior sponsor signs	Notes:	I

Exhibit B: PSSM Analysis

	Requirements are currently being met	
Street Cleaning and Trash Removal		
a. Pre-Meet with City's Street Department to create a street cleaning and trash removal plan.	Notes: Requirements are currently being met	
b. Meet with Street Department two (2) additional times throughout summer to address any issues with plan.	Notes: Will meet during the 2021 Market Season – dates TBD	
Coordination with PCMC and HPCA		
a. PSSM will schedule monthly "Working Group" meetings from June through September	Notes: June 20, July 25, August 22. September date TBD. Staff will request attendance of representatives from HPCA, City Staff and City Council.	
b. PSSM will schedule four (4) market walkthroughs with the "Working Group" within the season.	Notes: PSSM has set dates for the 2021 Working Group.	
c. PSSM will schedule a weekly market walk through with City representatives	Notes: PSSM and the City have scheduled the weekly meetings.	
d. PSSM will supply the City Representatives with weekly report containing the following i. Estimated attendance ii. Zero Waste statistics iii. Breakdown of number of vendors and types iv. Provide a list of other sustainable efforts throughout the event. v. PSSM to participate in and provide a list of City functions related to Green Event management that they participate in, as well as a lists of non-profits who they provide sustainable mitigation efforts for. vi. PSSM to present a year over year a comparison for sustainable effort comparison in coordination with the City during annual end of season review.	Notes: Requirements are currently being met	
e. PSSM will supply the City Representatives with an ongoing list of vendor and staff license plates: i. Prior to the start of the June 6 Market. ii. At any time they add license plates to the market throughout the 2021 season. iii. License plate lists should be provided to the City Representative no later than 10:00 a.m. each Sunday.	Notes: Requirements are currently being discussed to work on best coordination between PSSM and the City.	
Marketing and PR		
a. HPCA logo on all advertisements & promotions	Notes: Requirements currently being met.	
b. Engage in cross promotions with Chamber, HPCA, Park City Restaurant association	Notes: Requirements currently being met.	
c. Media – The HPCA logo and sponsorship credits will be provided in all media placement that the PSSM currently employs, including but not limited to: I. Print ads II. Ads, links or info listings on Utah tourism, business and special internet websites; III. Periodic television coverage; IV. Radio PSAs and promotions; V. Website spots, summer guides, fairs, non-profit organization calendar listings; VI. Email blasts; and VII. Social media, ' if applicable"	Notes: Requirements currently being met. PSSM has significantly cut back on all marketing efforts, focusing only on social media locally.	
Other Items:		
Quantify Marketing & PR Value	Notes: In progress. It is likely due to the cutback on marketing efforts that this value will be significantly less than	

Exhibit B: PSSM Analysis

	previous years.	
PSSM shall present an annual preceding market season. This report will contain the following: i. Estimated attendance ii. Zero Waste statistics iii. Breakdown of number of vendors and types iv. List of non-profit groups attending the market v. Advertising information etc. vi. Transportation and parking counts – to be coordinated with PCMC Transportation Services Department	Notes: This was reported to Council in the 2019 End of Season Report. PSSM is aware of the requirement and will gather the required information for the 2021 report.	I

PSSM Vendor Types Definition & Vendor Mix

All categories are juried by the PSSM staff by way of required online application details including, but not limited to: product descriptions, photo samples of products, photo of booth display, history/business description including their 'story', list of sources and co-packing use.

PRIORITY 1: Artisan - A vendor that sells unique, art and handmade crafts (excluding food and jewelry). Starting materials must be significantly altered and enhanced by the artist. Preferential consideration given to local artists based in the state of Utah.

PRIORITY 2: Farmer - A vendor that sells fresh produce from his or her farm and/or a vendor that sells food products made of produce from his or her farm.

PRIORITY 3: Jeweler - A vendor that sells unique, handmade jewelry of their own making and design. limited space available in this category (12 per market date).

PRIORITY 4: Gourmet Food - A vendor that sells foods or baked goods, made in Utah, which are intended/packaged for off-site consumption. Preferential consideration given to members of Utah's Own.

PRIORITY 5: Designer - A vendor that plans the precise form, look or working of an item, excluding jewelry, in writing before such item(s) is manufactured pursuant to that vendor's specific request. To qualify as a designer, the vendor shall be required to submit specific design plans of all item(s) to be sold at the market. Preferential consideration given to local designers based in the state of Utah.

PRIORITY 6: Young Vendor - A vendor, 17 years of age or younger, that sells their own unique, handmade goods.

PRIORITY 7: Food - A vendor that prepares and sells food for consumption at the Market. First right of refusal is offered through the HPCA membership. Limited space available in this category (12 per market date, 10 of which are propane approved space)

PRIORITY 8: Service Vendor - A vendor that provides on-site services to market attendees (ex. - henna, face-painting).

LAST PRIORITY: Importer - A vendor that purchases goods manufactured and/or procured outside the U.S. (jewelry not permitted in this category). This category is considered a 'last sell' vendor type. Vendors in this category are invited in April, based on remaining space available, in an effort to maximize opportunity to other vendor types. Limited space available in this category (6 per market date)



SPECIAL EVENT PERMIT

Type of License: Level 5
Event Name: 2021 Park Silly Sunday Market
Event Date(s): Sundays, June 6 to September 26, 2021
No Market on August 1, August 8, & August 15
10:00 a.m. to 5:00 p.m.
Event Location: Lower Main Street, & 5th Street
Licensee: Park Silly Sunday Market
Contact Person: Kate McChesney, Executive Director Park Silly Sunday Market
Approved By: City Council of Park City
Approval Date: April 29, 2021

The Park City Council approved a Supplemental Plan and Level Five Special Event Permit for the Park Silly Sunday Market that includes specific changes for one year only due to COVID-19 impacts, unless additional 2021 Supplemental Plans are submitted by Park Silly Sunday Market and affirmatively amended and approved by the City Council as part the current City Services Agreement that was executed on September 14, 2017, as amended on February 20, 2020.

The Park Silly Sunday Market is to be held on Lower Main Street (from Heber Avenue to 9th Street) and on 5th Street, on Sundays June 6 through September 26 from 10:00 a.m. to 5:00 p.m. The market will not be held on August 1 to accommodate the Tour of Utah although the Tour of Utah has been cancelled, August 8 to accommodate the Park City Kimball Arts Festival, and August 15 as a No Event Day.

Use Areas, Operations Plans, Transportation and Parking Plans, Insurance and Hold Harmless Waiver, as well as the required Utah State COVID-19 Event Template shall be attached to this permit as an exhibit and finalized no later than June 1, 2021. This Level Five Special Event Permit has been issued under the authority described within the Park City Municipal Code Section 4A based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. Park Silly Sunday Market is a Level Five Special Event. The event is a unique cultural and entertainment activity, held for profit, non-profit and charitable purposes, occurring for a limited duration that impacts the City by using and impacting City property, requiring licensing and services beyond the normal scope of business and creates public impacts through the following:
 - a. Interruption of the safe and efficient flow of transportation in Park City including public rights of way, which may include minimal impacts on streets or sidewalks necessary for pedestrian movement;
 - b. Use of public property and facilities;
 - c. Use of City parking facilities;
 - d. Need for public safety beyond their normal scope of operations;
 - e. Requires licensing and services beyond normal scope of business; and
 - f. Temporary events that do not normally occur within the permitted venue use.
2. Park Silly Sunday Market has been determined as a Level Five event due to:
 - a. Attendance throughout the duration of the event time period is estimated to be above 5,000 people and the event is in a non-consecutive series;
 - b. Creates moderate to severe impacts to the surround area and cannot be held within existing venue or use areas;
 - c. Has moderate to severe transportation needs including removal of parking, requires a transportation mitigation plan, requires offsite parking plan, road closures, moderate to major residential transportation mitigation and requires increased Park City Transit or a transportation

Exhibit C: Draft PSSM Special Event Permit

provider; and

- d. Requires public safety staffing needs beyond their normal operations including moderate support in the venue and moderate transportation mitigation and public safety personnel.
3. The events will end by 5 p.m. each Sunday, and Main Street shall be reopened to traffic and parking by 8:00 p.m. or the City determines otherwise in conjunction with city events or other circumstances. The permittee will organize load-in and load-out for each vendor, as well as ensure that traffic in the area continues to move during this high-traffic time. The permittee is responsible for working to establish and follow parking plans. The applicant will have volunteers as well as the help of Park City Police Department to ensure the efficiency of traffic, transportation, and public safety.
4. PSSM estimates overall attendance in 2021 will be 126,000. This includes 1,200 people spread out over a 4 block radius at any one time, and an average of 9,000 people over the course of the day. PSSM shall work with Staff to address the challenges and opportunities created by higher attendance, working to maintain public safety, health and welfare, as well as minimizing traffic and transportation impacts to the City.
5. The permittee has secured permission from the school district to allow the use of their parking areas at the Schools on Kearns Blvd. (Hwy. 248). The permittee will use the City's current transit schedule for attendees that use this lot.
6. The permittee has secured additional private shuttle transit to augment the city's transit service on the expected heavy attendance days on July 4, 24 and September 5.
7. The applicant is working with Park City Parking Services Department on nonexclusive use of City parking lots for vendors and market attendees. Vendors are not permitted to Park on Park Avenue. Those that do will be ticketed and towed by the Park City Parking and Police Department. The permittee will be responsible for providing the Parking Services Department with a list of vendors' license plates no later than 10 a.m. at each market.
8. The applicant has established a weather and emergency plan and will train staff and volunteers to the procedures of the plans. The applicant has established these plans to maximize the safety of event attendees, volunteers, staff and the general public. There are no weather dates for the event, but the applicant is aware that weather could interfere with the possibility of the event's proposed activities. In the case that the event was to be cancelled due to dangerous weather conditions, they would notify the general public as well as participants in the event. The applicant understands that Park City Special Events, Police, Fire, Building Official/Fire Marshal and Emergency Management have the right to cancel or postpone the event at any time due weather or emergency conditions.
9. The events associated with the Park Silly Sunday Market will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
10. The concentration of persons, vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services. Park Silly Sunday Market agrees to work in good faith with the City and Summit County Health Department to develop and agree upon health protocols due to the impacts of COVID-19, and conduct businesses consistent with Utah requirements.
11. The Special Event will not substantially interfere with any other Special Events during the timeframe or with the provision of City Services in support of other events or governmental functions. There are other Special Event Permits that have been granted for Sundays, June 6 through September 26. The table below will show in column (A) - Geographic separation of events; column (B) - Proposed time and duration of the events; column (C) - Anticipated attendance. Park Silly Sunday Market will not substantially interfere with the logistics and venue for any event for which a license has already been granted and with the provision of City services in support of other such events or governmental functions based on the following:

Exhibit C: Draft PSSM Special Event Permit

DATE	EVENT	A – Geographic Separation	B - Proposed Time & Duration	C – Anticipate d
June 6 to September 26	Car Free Sundays	Main Street	7 am – 10 pm	1,000 spread out over the course of the event.
June 20	Arte Latino	PSSM will feature Latino vendors	NA – part of PSSM	NA
July 4	Fourth of July	Main Street	NA – part of the event	NA
July 18 & 25	Triple Crown	Quinn’s Sports Complex, Park City School District Fields, City Park	8am – 8pm	NA
September 12	Song Summit	Main Street and other locations	TBD	1,000
September 15	Autumn Aloft	Main Street, N40	7 a.m. to noon	2,500

12. The size of the crowd and nature of the event will not create an imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
13. The applicant has been working with City Staff and applicable departments to address all event concerns. The Applicant demonstrates an ability and willingness to conduct the event pursuant to the terms and conditions of PCMC 4A-2-4(I) and has not failed to conduct a previously authorized event in accordance with the law or terms of a license.
14. Park Silly Sunday Market is under contract to install and remove bollards every week of the Market and coordinate with Public Safety.
15. Staff finds Park Silly Sunday Market is meeting the Measures of Success, is consistent with the measures as outlined in the City Services Agreement as entered into on September 14, 2017, as amended on February 20, 2020 and supports Council's goal of creating a complete community that values economic diversity, arts and culture, and a thriving mountain community and aligns with the goals as outlined in the Park City General Plan. This event creates a community gathering place, encourages and supports the Historic Main Street Alliance, Park City Businesses and encourages local and regional tourism and supports continued Main Street vibrancy. The event creates a complete community through its core value and partnerships in Park City with both businesses and the community as a whole and provides diversity, uniqueness. The event furthers Park City's role as a world-class, multi-seasonal community while maintaining balance with our sense of community.

Conclusions of Law:

1. The application is consistent with the requirements of the Park City Municipal Code, Title 4A.

Conditions of Approval:

1. The Permittee, at its' cost, shall incorporate such measures as directed by Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided and paid for by the applicant.
2. The permittee's use of barricade and signage will be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) for the duration of the event.
3. The permittee is required to provide supplemental documents including a Transportation and traffic control plan, Contingency plans, Site Identification and detailed map showing specifics of event operations as described in section 4A-2-11. Such documents shall be reviewed and approved with conditions administratively by the Special Events Manager in coordination with from the Chief of Police, Transportation Manager, Chief Building Official and Economic Development Manager.
4. As according to [section 6-3-11](#) of the Municipal Code, a permit for relief from the noise restrictions on the basis of undue hardship has been made to the Chief of Police. The permittee has been granted a permit for relief from the noise restrictions by the Chief of Police not to exceed 75 decibels between the hours of 10 a.m. and 1 p.m., and up to 90 decibels between 1 p.m. and 5 p.m. for the following dates and times:
 - Sundays, June 6 through September 19, 10:00 a.m. to 5:00 p.m. Sunday September 26, Market hours will be 10:00 a.m. to 6:00 p.m. for Sill Fest.

The permittee shall work to orient noise activities to minimize sound impacts to the neighboring residents, businesses, and public facilities. If a complaint is received by Park City Police Department, they will investigate the complaint. If asked by the Park City Special Events or Police Department, the permittee shall turn noise down to mitigate concerns of noise from surrounding residents, businesses or public facilities.

5. The Permittee has agreed to return to City Council and give a mid-season and end-of-season review for the 2021 market season.
6. The Permittee is required to provide waiver and release of damages and indemnification insurance coverage in an amount as required by the Special Events Manager and the City Attorney's Office, with respect to liability arising out of or in connection with Park City Silly Sunday Market activities under the Service Agreement It is suggested that the insurer have AM Best Financial Strength rating of at least A: VII.
 - General Liability of \$2,000,000 per occurrence / \$4,000,000 aggregate
 - Auto Liability of \$2,000,000 each accident, combined single limit for bodily injury and property (hired/non owned/owned).
 - Liquor Liability of \$1,000,000 per occurrence/ \$2,000,000 aggregate
 - Proof of Workers Compensation with regard to statutory limits of \$1,000,000 per accident, \$1,000,000 disease each employee, and \$1,000,000 disease policy limit. (Please note that the

- City does not have to be additionally insured on this specific policy).
 - Such policies shall further name PCMC as additionally insured. The permittee shall further indemnify the City from liability occurring at the vent except for any claim arising out of the sole negligence or intentional torts of the City or its employees as described in section 4A-2-10 and 4A-2-4.F. The insurance must name Park City Municipal Corporation as additional insured for any claims related to this permit, the Permittee's insurance coverage shall be primary insurance coverage with respect to PCMC, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by PCMC its officers, officials employees or volunteers shall be excess of the Permittee's insurance and shall not contribute with it. The Workers Compensation policy shall be endorsed with a waiver of subrogation in favor of Park City Municipal Corporation for all work performed by the Permittee, its employees, officers, officials, volunteers and subcontractors.
7. All plans for tents, stages and other temporary structures as well as flammable materials shall be submitted to the Building Department for review and permitting no later than the Thursday previous to each market week.
 8. The permittee is required to provide supplemental documents including a Transportation and traffic control plan, Contingency plans, Site Identification and detailed map showing specifics of event operations as described in section 4A-2-11. Such documents shall be reviewed and approved with conditions administratively by the Special Events Manager in coordination with from the Chief of Police, Transportation Manager, Chief Building Official and Economic Development Manager.
 9. The permittee is responsible for providing volunteers during event with a volunteer plan during both events.
 10. The permittee is required to provide a sufficient number of traffic controllers, signs and other equipment as required by City, not limited to barriers, fencing, traffic devices, monitors for crowd control and safety, and such measures as directed by City, County or State Staff in order to ensure that any safety, health, or sanitation equipment, services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety and the environment, adequate offsite parking and traffic circulation in the vicinity of the event and other services or facilities as necessary to ensure compliance with City ordinances in a plan approved by the Transportation Director, Chief of Police and Chief Building Official in accordance with the Transportation Demand Management Plan, Park City Risk Assessment and International Building and Fire Code.
 11. All third-party approvals including the Park City School District, Summit County and State permit approvals required for this event shall be secured by the Thursday previous to each market week and submitted to Park City Municipal Corporation.
 12. The permittee is required to submit an Emergency Operations plan to be approved by the Chief of Police and the City's Emergency Manager. The Park City Special Events, Police, Fire, Building Official/Fire Marshal and Emergency Management have the right to cancel event upon any condition, violation or weather that jeopardizes the life, safety or property of the residents or visitors of Park City.
 13. The Permittee will provide a vendor list and sign plan for the event. All handouts, flyers, banners and other signage, shall comply with Park City Municipal Code 12-12.
 14. PSSM will operate for fourteen (14) Sundays, June 6 through September 26, 2021. PSSM will not be held on August 1, August 8, and August 15 due to other events that are scheduled and contractual obligations.
 15. PSSM will extend its operational time by one hour on September 26, 2021 for Silly Fest. PSSM is requesting to have a stage with a band and beer garden that will remain open until 6:00 p.m. on this date. Clearing and reopening of Main Street will happen no later than 8:00 p.m.
 16. Estimated City Services in 2021 are \$84,562. Changes in City Service fees shall be reported at the mid-season and end-of-season review. PSSM is responsible for paying any additional fees over the \$60,500 and bollard installation at the end of the season.
 17. PSSM will provide vendor license plate numbers to the Parking Services Department no later than 10:00 a.m. during each Sunday. This is to help ensure that vendors are parking in vendor parking areas.
 18. PSSM shall report zero waste statistics in pounds for the 2021 season as to allow for comparison to the previous year.
 19. PSSM shall maintain the following vendor types at no more than: Six (6) Import Vendors, Twelve (12) Jewelers and Twelve (12) On-site Food and Snack Food Vendors per market.
 20. PSSM shall have non-exclusive use of the upper and lower Sand Ridge Parking Lots, as well as the Top of China Bridge for Vendor and Staff Parking. PSSM shall prohibit vendors from parking on Park

Avenue. Any vendors that park on Park Avenue are subject to ticket and tow by Park City parking and police department.

21. PSSM has coordinated with the Fire Marshall, and Public Safety Personnel regarding placement of emergency staff and equipment and anticipates that Fire and EMS will be staged on 7th Street. PSSM has also submitted an Emergency Operations Plan which is being coordinated with Park City Police, Emergency Management and Park City Fire.
22. PSSM shall have a deadline of the first of the month of each month of the Market for all HPCA vendor requests as pertains to the Vendor Mix requirements. Any unfilled dates for the month that are not fulfilled by the deadline, will be filled by other vendors as pertains to the Vendor Mix requirements, and subsequently on the first of each month through September 1, 2021. Any vendors who are scheduled and fail to notify PSSM staff prior to 5:00 p.m. on the Thursday before the scheduled Sunday will receive a bill for a \$150.00 cancellation/no show fee. For HPCA - the next scheduled HPCA member will not be permitted to participate or load-in if the cancellation/no-show fee has not been paid. PSSM vendors, who do not pay the fee, will not be permitted to return until the fee has been paid.
23. The Permittee is responsible for securing all City, County and State permit approvals required for this event by June 1, 2021 and submitted to Park City Municipal Corporation.
24. The approval identification provided with the approval of this permit must be in possession of the Permittee at all times and must be made available for inspection when requested by governmental authorities. The permittee is responsible for providing a schedule of events and access to any site for purposes of Code Enforcement or public safety as outlined by Park City municipal code 4A-2-4.

PASSED AND APPROVED this Thursday, the 29th day of April, 2021.

PARK CITY MUNICIPAL CORPORATION

City Manager, Matt Dias

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

City Council Staff Report



Subject: Affordable Master Planned Developments
Application: PL-21-04777
Author: Rebecca Ward, Land Use Policy Analyst
Date: April 29, 2021
Type of Item: Legislative – Land Management Code Amendments

Recommendation

(1) Review the proposed Land Management Code amendments to establish Affordable Master Planned Developments in the Historic Commercial Business and Historic Recreation Commercial Zoning Districts; (2) conduct a public hearing; and (3) consider approving Ordinance No. 2021-18.

Acronyms

AMPD	Affordable Master Planned Development
FAR	Floor Area Ratio
HCB	Historic Commercial Business
HR-1	Historic Residential – 1
HRC	Historic Recreation Commercial
LMC	Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Description

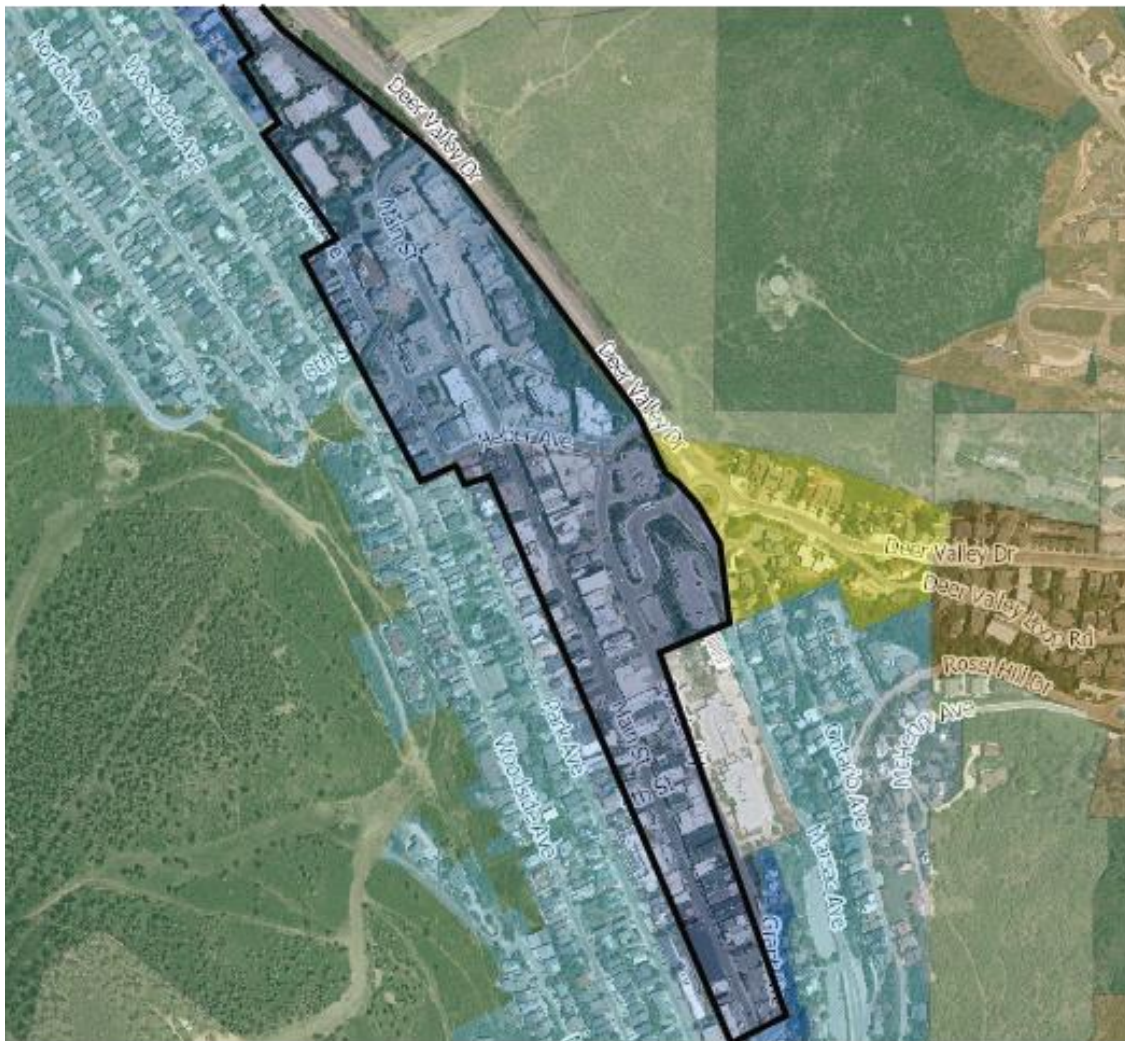
Applicant:	Planning Department
Zoning Districts:	Historic Commercial Business and Historic Recreation Commercial
Land Management Code Amendments:	§ 15-6.1-3, <i>Zoning Districts And Uses</i> § 15-6.1-6, <i>Density</i> § 15-6.1-7, <i>Setbacks</i> § 15-6.1-8, <i>Building Height And Facades</i> § 15-6.1-9, <i>Parking</i>
Reason for Review:	The Historic Preservation Board preserves the City's unique Historic character, encourages compatible design and construction, and identifies and resolves conflicts between the preservation of cultural resources and alternative land uses. The Planning Commission has the primary responsibility of reviewing Land Management Code amendments and forwarding a recommendation for City Council's consideration. The City Council holds a public hearing and takes Final Action.

Background

On February 25, 2021, the City Council unanimously adopted [Ordinance No. 2021-10](#), which enacted Affordable Master Planned Developments (AMPDs) to incentivize private development and public-private partnerships in the development of affordable units, codified in LMC [Chapter 15-6.1](#) ([Staff Report](#); [Minutes](#), p. 18).

The City Council directed staff to evaluate AMPDs in non-residential Historic Zoning Districts. The proposed Land Management Code (LMC) amendments establish AMPDs in the Historic Commercial Business (HCB) and Historic Recreation Commercial (HRC) Zoning Districts.

The HCB and HRC Zoning Districts are outlined in black in the Zoning Map excerpt below. These Zoning Districts extend from 11th Street to the southern end of Main Street, encompassing properties primarily along Main Street, Heber Avenue, and Swede Alley:



These areas are nearly built-out and the LMC already allows for some of the incentives adopted for AMPDs in other Zoning Districts, including reduced Open Space and Setbacks, increased Building Height, and reduced parking. However, amending the LMC to establish AMPDs in the HCB and HRC Zoning Districts opens opportunities for redevelopment that includes affordable units, potentially with City subsidies or through tax incentives. AMPDs along Historic Main Street could provide affordable housing for the workforce in Old Town.

On April 7, 2021, the Historic Preservation Board reviewed the proposed amendments, conducted a public hearing, and unanimously forwarded a positive recommendation to the Planning Commission and City Council to establish AMPDs in the HCB and HRC Zoning Districts ([Staff Report](#); [Audio](#)).

On April 14, 2021, the Planning Commission reviewed the proposed amendment, conducted a public hearing, and unanimously forwarded a positive recommendation to City Council ([Staff Report](#); [Audio](#)).

Staff also requested Historic Preservation Board and Planning Commission input on potential LMC amendments to allow Accessory Affordable Employee Units within non-residential Uses in the Historic Districts. Summit County is exploring this concept. For example, the property owner of a Building with a Restaurant Use could apply to convert a portion of the Restaurant into an Accessory Affordable Employee Unit to provide housing for staff. The Historic Preservation Board and Planning Commission were supportive.

The Historic Preservation Board also recommended the following and the Planning Commission voiced support:

- Explore incentives for Property Owners to preserve the Historic footprint of Single-Family Dwellings without new additions to increase affordable Historic Single-Family Dwellings
- Consider affordable workforce housing units in Old Town that allow for shared living and kitchen spaces
- Look into possible incentives to attract car-free tenants in Old Town
- Evaluate traffic and parking impacts if more residential uses in the HCB and HRC are proposed

The Planning Commission also expressed an interest in exploring additional opportunities for Accessory Dwelling Units, especially on sites with Historic Single-Family Dwellings. (The Planning Commission will conduct a work session on Accessory Dwelling Units on April 28, 2021.)

Staff will continue to explore future LMC amendments. The proposed amendments in the draft Ordinance are limited to AMPDs in the HCB and HRC Zoning Districts.

Analysis

The Land Management Code (LMC) implements the goals and policies of the Park City General Plan and to “allow Development in a manner that encourages the preservation of . . . Historic Structures, the integrity of Historic Districts, and the unique urban scale of original Park City.”¹ One of the core values of the Park City General Plan is to preserve the City’s Historic Character.

Goal 15 is to “[p]reserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations.” Objective 15B is to “[m]aintain character, context, and scale of local Historic Districts with compatible infill development and additions,” and Objective 15E is to “[e]ncourage adaptive reuse of historic resources.”

Goal 16 is to “[m]aintain the Historic Main Street District as the heart of the City for residents and encourage tourism in the district for visitors.” Objective 16A is to “[s]upport adaptive re-use of buildings along Main Street through incentives to property owners and businesses.”²

The purposes of the Historic Commercial Business District include:

- Preserving the cultural heritage of the City’s original Business, governmental, and residential center,
- Allowing the Use of land for retail, commercial, residential, recreational, and institutional purposes to enhance and foster the economic and cultural vitality of the City,
- Minimizing the visual impacts of cars and parking on Historic Buildings, Structures, and Streetscapes,
- Maintaining and enhancing the long-term viability of the downtown core as a destination for residents and tourists by ensuring a Business mix that encourages a high level of vitality, public Access, vibrancy, activity, and public/resort-related attractions.³

The purposes of the Historic Recreation Commercial District include:

- Encouraging pedestrian-oriented, pedestrian-scale development,
- Minimizing visual impacts of cars and parking,
- Transitioning in scale and land uses between the Historic Commercial Business District and Historic Residential – 1 District,
- Providing density at the Town Lift base,
- Allowing for limited retail and commercial uses consistent with resort base and needs of the local community,
- Maintaining and enhancing the long-term viability of the downtown core as a destination for residents and tourists by ensuring a business mix that encourages vitality, public access, vibrancy, activity, and public/resort-related attractions.

¹ LMC [§ 15-1-2](#).

² <https://www.parkcity.org/departments/planning/general-plan>

³ LMC [§ 15-2.6-1](#).

Allowing AMPDs that include market-rate units, affordable units, and commercial uses is aligned with these purposes. The creation of residential units in these Zoning Districts may provide housing for the Old Town workforce and supports a vibrant year-round community, allowing people to live in proximity to where they work, reducing the need for people to commute to the area.

However, additional amendments to the AMPD code are recommended for the HCB and HRC Zoning Districts to calculate density, to regulate height, to mitigate impacts of cars and parking in the area, and to protect surrounding Historic Districts that are primarily Single-Family Dwellings.

AMPDs will Require Preservation of Historic Buildings

AMPD applicants must submit a map and inventory of all Historic Structures within the project with a Historic Structures report prepared by a qualified Historic Preservation Professional.⁴ A Development Agreement is required for approved AMPDs, outlining Historic preservation obligations.⁵ These provisions ensure AMPD renovations to Historic Buildings will be required to comply with the Historic District Design Guidelines and other Land Management Code requirements as part of the AMPD review.

AMPDs in the HCB and HRC Zoning Districts Must Comply with the Storefront Property Regulations

The General Plan recommends restricting Storefront Properties along Main Street to retail and restaurant uses. In 2016, the City Council adopted [Ordinance No. 16-02](#) to protect vibrant commercial storefronts in the HCB and HRC Zoning Districts, prohibiting office and residential uses at the street level.

The AMPD code allows up to 10,000 square feet of commercial, retail, office, public, and quasi-public uses in addition to the market-rate and affordable units. However, LMC [§ 15-6.1-3\(B\)](#) states that AMPDs can only contain Uses that are Allowed or Conditional in the Zoning District in which it is located. As a result, AMPDs in the HCB and HRC Zoning Districts must comply with the commercial Storefront Property requirements outlined in LMC [§ 15-2.5-2](#) and [§ 15-2.6-2](#).

AMPD Density, Building Height, and Setbacks in the HCB Zoning District Shall Comply with HCB Building Volume and Height, Floor Area Ratio, Restrictions for Properties that Extend from Main to Swede Alley, and Parking

AMPD density is volume-based for non-Historic Zoning Districts, meaning the AMPD can be built to the density allowed on site within the constraints of Setbacks, Open Space, and Building Height.

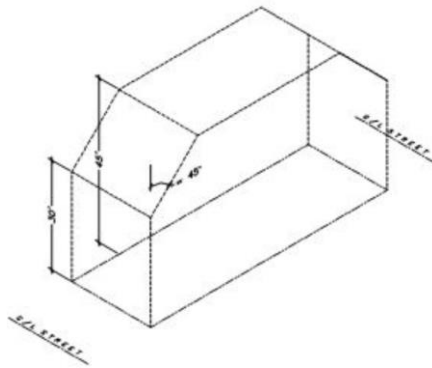
⁴ LMC [§ 15-6.1-11\(O\)](#).

⁵ LMC [§ 15-6.1-5\(A\)\(12\)](#).

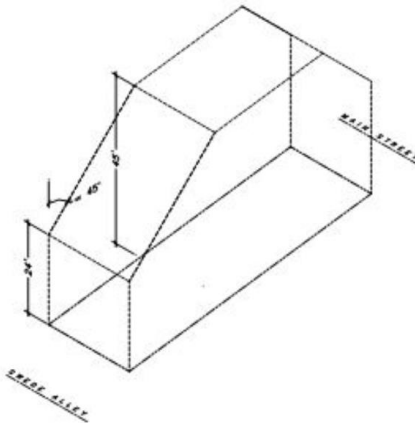
However, this may not lead to AMPDs that are compatible with existing development in the HCB Zoning District. Density in the HCB Zoning District is based on maximum Building Volume and Height, Floor Area Ratio (FAR), which is the total floor area divided by lot area, and special requirements for properties that extend from Main Street to Swede Alley and Residential Zoning Districts. As a result, staff recommends amending LMC [§ 15-6.1-6](#), *Density*, so that AMPDs are subject to the same Density as all other projects within the HCB Zoning District:

- A. Density for Affordable Master Planned Developments is not determined by the underlying Zoning District, except for the Historic Commercial Business Zoning District (see Subsection B). Rather, Density for Affordable Master Planned Developments is volume based and is determined by the requirements outlined in this Affordable Master Planned Development Chapter. Setbacks shall comply with Section 15-6.1-7, Building Height and Facades shall comply with Section 15-6.1-8, parking shall comply with Section 15-6.1-9, Open Space shall comply with Section 15-6.1-10, and Site planning shall comply with Section 15-6.1-11.
- B. Affordable Master Planned Developments in the Historic Commercial Business Zoning District shall comply with Sections 15-2.3-8, 15-2.6-5, 15-2.6-6, and 15-2.6-7.

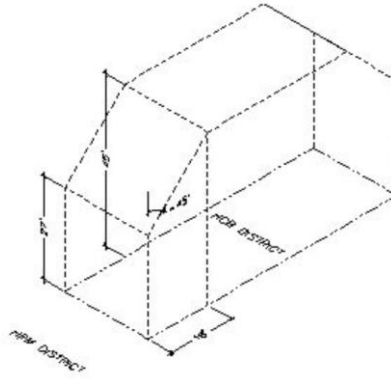
These requirements include specifications on Building Height that is tapered to diminish height when viewed from the street, but still allows Buildings to achieve a 45-foot Height. The image below is taken from LMC [§ 15-2.6-5\(A\)](#) and shows the maximum HCB Building volume:



LMC [§ 15-2.6-5\(B\)](#) shows reduced Building volume for HCB Lots abutting Swede Alley:



LMC [§ 15-2.6-5\(D\)](#) shows Building volume for Lots that abut a residential Zoning District:



Additionally, there are no Setback requirements in the HCB Zoning Districts. Staff recommends that AMPDs within this Zoning District also be exempt from Setback requirements to retain the scale of Historic Main Street. LMC [§ 15-6.1-7](#), *Setbacks*, is proposed to be amended as follows:

F. There are no minimum required Setbacks for Affordable Master Planned Developments in the Historic Commercial Business Zoning District. Building and Fire Code separation regulations apply.

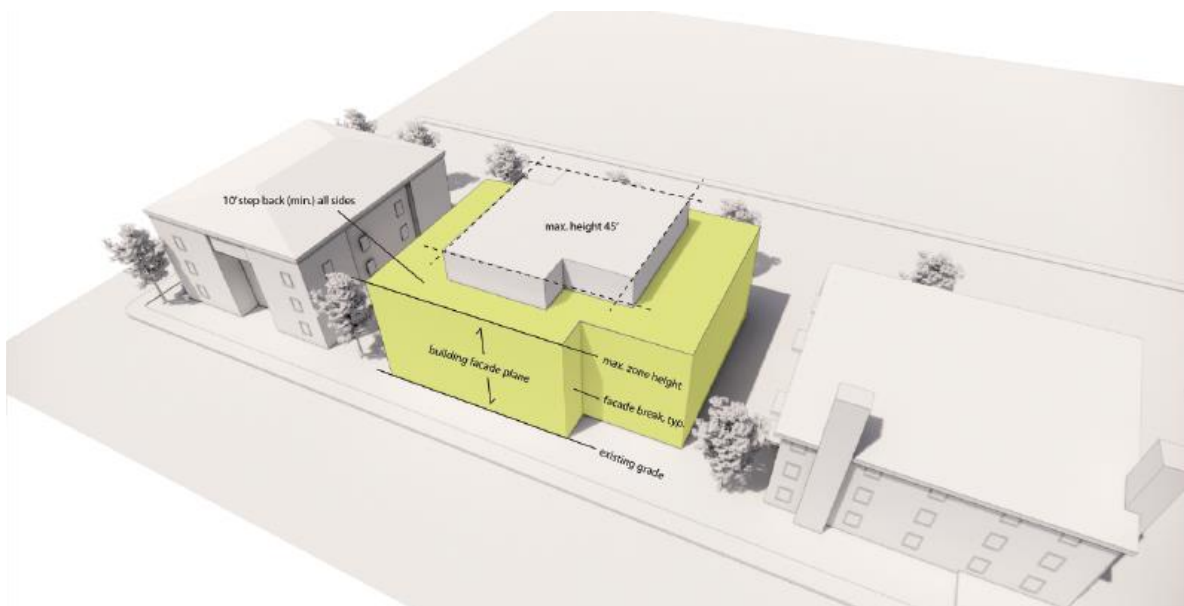
Lastly, LMC [§ 15-2.3-8](#) outlines regulations for developments that extend from Main Street in the HCB Zoning District to Park Avenue in the Historic Residential – 2 Zoning District Sub-Zone A, a transition zone between a primarily commercial area to a residential area. The proposed AMPD amendments include these requirements.

Density in the HRC Zoning District Shall Comply with AMPD Density

Staff recommends applying the volume-based Density for AMPDs in the HRC Zoning District. The table below compares the HRC Setbacks and Building Height requirements with those in the AMPD code:

	Historic Recreation Commercial	AMPD Code
Setbacks	Front & Rear – 10 feet Side – 5 feet	A 25-foot perimeter Setback on lots greater than two acres Zone-required Setbacks for properties less than two acres The Planning Commission may further reduce Setbacks within the AMPD to match abutting zone-required Setbacks, provided the AMPD maintains the general character of the surrounding neighborhood
Building Height	32 feet, with an additional 5 feet of pitched roofs, antennas, chimneys, and similar structures	The perimeter Building Façade planes shall comply with the 32-foot Building Height, but may reach 45-feet with a 10-foot stepback

Like the tapered Height in the HCB Zoning District, the AMPD code allows Buildings to achieve a 45-foot Height, but only with a ten-foot stepback to reduce visibility from the street and the impact to neighboring properties.



Open Space

AMPDs are required to reserve 20% of the site as Open Space. However, “[t]he Planning Commission may decrease the required Open Space for projects located within 300 feet of a Public Use, including but not limited to a public park, Recreation Open Space, public trail, public school, or Public Recreation Facility.”⁶

Public parks in the HCB and HRC Zoning District include 9th Street & Park Avenue Park/North Trolley Turnaround, Crescent Tram Trail, Rodney Schreurs Walkway, Bear Bench Walkway, Washington School Inn Walkway, Raddon Walkway, Miners Park, 3rd Street Right-of-Way Walkway, 2nd Street Right-of-Way Walkway, and Old Town Park. The Poison Creek Trail is in the HRC Zoning District. As a result, the Planning Commission will have discretion to reduce the Open Space requirements for AMPDs in HCB and HRC Zoning Districts and no additional amendments are proposed.

Parking

The AMPD code allows applicants to request that the Planning Commission reduce parking obligations when the applicant demonstrates parking reductions materially increases the feasibility of the AMPD, the applicant funds and submits a parking and traffic study completed by a third party selected by the City, and the applicant demonstrates that the AMPD sufficiently addresses the parking demand for the project.

Factors the Planning Commission may consider in a parking reduction include a clear and irrevocable agreement that authorizes AMPD tenants to park in an off-Site Parking Area or Parking Structure located within 1,000 feet of the AMPD perimeter boundary,⁷ the AMPD is located within ¼-mile from a bus stop, or the AMPD provides dedicated parking spaces for resident carshare vehicles.⁸ The proposed code allows for potential parking reductions in the HRC Zoning District.

However, LMC [§ 15-2.6-12\(D\)](#) establishes parking exceptions in the HCB Zoning District for lots that were current in the Main Street Parking Special Improvement District assessment as of January 1, 1984. Most properties within the HCB Zoning District paid into this assessment. Staff recommends amending LMC [§ 15-6.1-9](#) to address this:

H. See Section 15-2.6-12 for Affordable Master Planned Development Parking in the Historic Commercial Business Zoning District.

AMPDs Are Prohibited in the HRC Zoning District Adjacent to the Historic Residential – 1 Zoning District

⁶ LMC [§ 15-6.1-10](#).

⁷ The China Bridge Parking Garage is within 1,000 feet of nearly all of the HCB Zoning District.

⁸ LMC [§ 15-6.1-9](#).

The Historic Residential – 2 Zoning District includes two sub-zones that serve as transition zones between the HCB and primarily residential Historic Zoning Districts. However, the HRC Zoning District does not have a transitional zone. There are a few outlier properties located within the HRC Zoning District west of Park Avenue that are adjacent to Historic Residential – 1 (HR-1) Zoning District properties. The HR-1 Zoning District prohibits Multi-Unit Dwellings and has a Building Height of 27 feet (with a total of 35 feet possible when measured from the lowest finished floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters).⁹

To protect the transition between the HRC and HR-1 Zoning Districts, staff recommends amending LMC [§ 15-6.1-3](#) as follows:

A. **ZONING DISTRICTS**. Affordable Master Planned Developments are Allowed in the following Zoning Districts:

1. Residential Development
2. Residential Development Medium
3. Residential Medium
4. Recreation Commercial
5. General Commercial
6. Light Industrial
7. Community Transition
8. [Historic Commercial Business](#)
9. [Historic Recreation Commercial, east of Park Avenue](#)

AMPDs will not be allowed in the area highlighted in black below on the Zoning Map excerpt:

⁹ LMC [§ 15-2.2-5](#).



Department Review

The Housing, Planning, Engineering, and Legal Departments reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website on March 23, 2021. Staff mailed courtesy notice to property owners within 300 feet on March 23, 2021. The *Park Record* published notice on March 24, 2021.¹⁰

Public Input

Staff did not receive any public input at the time this report was published.

Exhibits

Exhibit A: Ordinance No. 2021-18 and Land Management Code Redlines

Exhibit B: Affordable Master Planned Development Background

¹⁰ LMC [§ 15-1-21](#).

ORDINANCE 2021-18

AN ORDINANCE AMENDING LAND MANAGEMENT CODE § 15-6.1-3, *ZONING DISTRICTS AND USES*; § 15-6.1-6, *DENSITY*; § 15-6.1-7, *SETBACKS*; § 15-6.1-8, *BUILDING HEIGHT AND FACADES*; § 15-6.1-9, *PARKING*

WHEREAS, the Park City General Plan establishes goals, objectives, and community planning strategies to create a diversity of primary housing opportunities to address changing needs of residents; to increase diversity of housing stock to fill voids within housing inventory to create a variety of context sensitive housing opportunities, to increase density that might allow for affordable housing, to increase affordable housing opportunities and associated services for the workforce of Park City, and to provide increased housing opportunities that are affordable to a wide range of income levels;

WHEREAS, the Park City General Plan recommends updating incentives for density bonuses for affordable housing developments to include moderate and mixed-income housing, to evaluate the Land Management Code to remove unnecessary barriers to affordable housing, and to review the affordable housing Master Planned Development requirements and amend according to existing economics;

WHEREAS, the Park City General Plan Housing Toolbox recommends decreased parking requirements, a density bonus, and increased height for affordable developments;

WHEREAS, the Park City 2020 and 2021 Housing Assessment and Plan establishes goals to build affordable and attainable units on City-owned property through public-private partnerships, to implement zoning incentives for Affordable Units in new developments, to reduce parking for certain affordable housing and amend the Land Management Code to incentivize affordable housing development, and to encourage affordable housing near transit;

WHEREAS, Goal 15 of the Park City General Plan is to preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations;

WHEREAS, Goal 16 is to maintain the Historic Main Street District as the heart of the City for residents and encourage tourism in the district for visitors;

WHEREAS, the Land Management Code implements the goals, objectives, and policies of the Park City General Plan to maintain the quality of life and experiences for City residents and visitors;

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah, to promote the health, safety, and welfare of the residents, visitors, and property owners of Park City;

WHEREAS, the Historic Preservation Board duly noticed and conducted a public hearing on April 7, 2021, and unanimously forwarded a positive recommendation;

WHEREAS, the Planning Commission duly noticed and conducted a public hearing on April 14, 2021, and unanimously forwarded a positive recommendation to City Council,

WHEREAS, the City Council duly noticed and conducted a public hearing on April 29, 2021.

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

SECTION 1. AMENDMENT: MUNICIPAL CODE OF PARK CITY, LAND MANAGEMENT CODE TITLE 15. The recitals above are incorporated herein as findings of fact. Municipal Code of Park City § 15-6.1-6, *Density*; § 15-6.1-7, *Setbacks*; § 15-6.1-8, *Building Height And Facades*; § 15-6.1-9, *Parking*, are hereby amended as outlined in Attachment 1.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 29th day of April, 2021

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney

15-6.1 Affordable Master Planned Developments

15-6.1-3 Zoning Districts And Uses

A. ZONING DISTRICTS. Affordable Master Planned Developments are Allowed in the following Zoning Districts:

1. Residential Development
2. Residential Development Medium
3. Residential Medium
4. Recreation Commercial
5. General Commercial
6. Light Industrial
7. Community Transition
8. Historic Commercial Business
9. Historic Recreation Commercial, east of Park Avenue

B. USES. An Affordable Master Planned Development can only contain Uses that are Allowed or Conditional in the Zoning District in which it is located.

C. COMMERCIAL USES. An Affordable Master Planned Development may include up to 10,000 square feet of Commercial, Retail, Office, Public, and Quasi-public Uses.

HISTORY

Adopted by Ord. [2021-10](#) on 2/25/2021

15-6.1-6 Density

A. Density for Affordable Master Planned Developments is not determined by the underlying Zoning District, except for the Historic Commercial Business Zoning

District (see Subsection B). Rather, Density for Affordable Master Planned Developments is volume based and is determined by the requirements outlined in this Affordable Master Planned Development Chapter. Setbacks shall comply with Section 15-6.1-7, Building Height and Facades shall comply with Section 15-6.1-8, parking shall comply with Section 15-6.1-9, Open Space shall comply with Section 15-6.1-10, and Site planning shall comply with Section 15-6.1-11.

- B. Affordable Master Planned Developments in the Historic Commercial Business Zoning District shall comply with Sections 15-2.3-8, 15-2.6-5, 15-2.6-6, and 15-2.6-7.

HISTORY

Adopted by Ord. [2021-10](#) on 2/25/2021

15-6.1-7 Setbacks

- A. The minimum Setback around the exterior boundary of an Affordable Master Planned Development is twenty-five feet (25') for Property greater than two (2) acres.

1. The Planning Commission may decrease the required perimeter Setback from twenty-five feet (25') for Affordable Master Planned Developments greater than two (2) acres to the zone-required Setback to provide architectural interest and variation.

- B. For Property two (2) acres or less, the minimum Setback around the exterior boundary of an Affordable Master Planned Development shall be the zone-required Setback.

- C. For perimeter Setbacks or Setbacks within the Affordable Master Planned Development, the Planning Commission may increase Setbacks to retain existing Significant Vegetation or natural features, to create an adequate buffer to adjacent Uses, or to meet Historic Compatibility requirements.
- D. The Planning Commission may reduce Setbacks within the project boundary, but not perimeter Setbacks, from those otherwise required in the Zoning District to match an abutting zone-required Setback, provided the project meets minimum International Building Code and Fire Code requirements, maintains the general character of the surrounding neighborhood in terms of mass, scale, and spacing between Structures, and meets Open Space criteria.
- E. Final Setback approvals shall be specified as a Finding of Fact in the Affordable Master Planned Development approval, in the Development Agreement, and on each plat within the Affordable Master Planned Development.
- F. There are no minimum required Setbacks for Affordable Master Planned Developments in the Historic Commercial Business Zoning District. Building and Fire Code separation regulations apply.

HISTORY

Adopted by Ord. [2021-10](#) on 2/25/2021

15-6.1-8 Building Height And Facades

- A. **BUILDING HEIGHT.** With the exception of the Historic Commercial Business Zoning District, Affordable Master Planned Development Building Height shall comply with the underlying Zoning District Building Height for the perimeter

Building Façade planes. Building Height is forty-five feet (45') from Existing Grade when the following criteria are met:

1. The Building includes a ten-foot (10') stepback on all perimeter Building Façade planes from the underlying Zoning District Building Height to the forty-five foot (45') Building Height;
2. Infrastructure is in place or can be updated to meet the increased demand; and
3. The Building complies with Building Façade variation requirements.

B. EXCEPTIONS. The following may exceed the Building Height:

1. Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with International Building Code requirements;
2. Water towers, mechanical equipment, and Solar Energy Systems, when enclosed or Screened, may extend up to five feet (5') above the forty-five foot (45') Building Height; and
3. Elevator Penthouses may extend up to eight feet (8') above the forty-five foot (45') Building Height.

C. STEPBACK EXCEPTIONS.

1. Chimneys not more than five feet (5') wide and projecting not more than two feet (2') into the stepback.
2. Roof overhangs or eaves projecting not more than two feet (2') into the stepback.

3. Window sills, belt courses, trim, exterior siding, cornices, or other ornamental features projecting not more than six inches (6") beyond the main Structure to which they are attached.
4. Rooftop Decks projecting not more than six feet (6') into the stepback.
5. Solar Energy Systems.
6. Green Roofs.
7. Rooftop gardens projecting not more than six feet (6') into the stepback.
8. Screened mechanical equipment, hot tubs, or similar Structures projecting not more than six feet (6') into the stepback.

D. FAÇADE VARIATION.

1. Buildings greater than sixty feet (60') but less than one-hundred-twenty feet (120') in length must exhibit a prominent shift in the Façade of the Building so that no greater than seventy-five percent (75%) of the length of the Building Façade appears unbroken. Each shift shall be in the form of either a ten foot (10') change in Building Façade alignment or a ten foot (10') change in the Building Height, or a combined change in Building Façade and Building Height totaling ten feet (10').
2. Structures that exceed one-hundred-twenty feet (120') in length on any Façade shall provide a prominent shift in the mass of the Building at each one-hundred-twenty-foot (120') interval, or less, reflecting a change in function or scale. The shift shall be in the form of either a fifteen foot (15') change in Building Façade alignment or a fifteen foot (15') change in the Building Height. A combination of both the Building Height and Building

Façade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.

3. The Façade length and variation requirements apply to all sides of a Building.

- E. Building Height in the Historic Commercial Business Zoning District shall comply with Section 15-2.6-5.

HISTORY

Adopted by Ord. [2021-10](#) on 2/25/2021

15-6.1-9 Parking

- A. Affordable Master Planned Developments shall comply with Chapter 15-3, Off-Street Parking.

- B. The Applicant may request that the Planning Commission reduce the parking required by Section 15-3-6, Parking Ratio Requirements For Specific Land Use Categories. To request a parking reduction, the Applicant must:

1. Demonstrate that parking reductions materially increase the feasibility of the proposed Affordable Master Planned Development;
2. Fund and submit a parking and traffic study completed by a third party selected by the City; and
3. Demonstrate that the proposed Affordable Master Planned Development sufficiently addresses the parking demand for the project.

- C. If the Planning Commission approves a reduction in the parking requirements, the Applicant shall submit a parking management plan for Planning Commission

review and approval prior to the issuance of a Certificate of Occupancy for any portion of the Affordable Master Planned Development.

1. The Planning Commission may amend the parking management plan at any time to address changing circumstances.

D. The Planning Commission may reduce the parking required by Section 15-3-6, Parking Ratio Requirements For Specific Land Use Categories, for Affordable Master Planned Developments according to one or more of the criteria outlined below:

1. On sites that are one acre or less by deducting 5,000 square feet per 15,000 square feet of Gross Floor Area for each floor from the sum of total floor area that is used to calculate parking requirements;
2. Parking in the Right-of-Way along the perimeter of the Affordable Master Planned Development Site is available;
3. A clear and irrevocable agreement authorizes Affordable Master Planned Development residents to park in an off-Site Parking Area or Parking Structure that is located within 1,000 feet of the Affordable Master Planned Development perimeter boundary;
4. The Affordable Master Planned Development is within ¼-mile from a bus stop that includes a waiting shelter consistent with City standards;
5. On-Site parking is provided for motorcycles and/or scooters;
6. Bicycle parking exceeds the requirements of Section 15-3-9;
7. The Affordable Master Planned Development provides dedicated parking spaces for resident carshare vehicles.

E. The Planning Commission may not reduce Affordable Master Planned Development parking requirements below the ratio outlined in Table 1:

Table 1

Unit Size	Market-Rate Units	Affordable Units
<600 SF	0.5 spaces per unit	None
600-1,000 SF	1 space per unit	0.5 spaces per unit
1,000-2,000 SF	1.5 spaces per unit	1 space per unit
>2,000 SF	2 spaces per unit	1.5 spaces per unit

F.

G. In mixed-use Affordable Master Planned Developments, the Commercial, Retail, Office, Public, and/or Quasi-public Uses shall meet the parking requirements outlined in Chapter 15-3.

H. See Section 15-2.6-12 for Affordable Master Planned Development Parking in the Historic Commercial Business Zoning District.

HISTORY

Adopted by Ord. [2021-10](#) on 2/25/2021

Exhibit B: Affordable Master Planned Development Background

In 2016, the City Council passed [Resolution HA 01-2016](#), establishing a goal to create 800 new affordable units in Park City by 2026. This goal was established to promote quality housing opportunities for all economic levels, to meet the socioeconomic needs of the workforce, and to maintain affordable housing for 15% of the workforce within City limits.

While the City has made strides toward the goal of 800 units, there is still a long way to go. Public-private partnerships will be important in developing the remaining 263 units in the next five years, and beyond.



Since 1984, the Land Management Code provided a 20-unit density bonus to incentivize Master Planned Developments that were 100% affordable. However, in 36 years, no such development was ever constructed using the density bonus. In early 2018, the City Council directed Planning and Housing staff to evaluate whether the density bonus went far enough to incentive the development of affordable housing.

In 2018, staff proposed AMPD amendments to:

- (I) Reduce the requirement from 100% to 50% affordable or attainable housing;
- (II) Create a sliding scale for Density Bonuses based on the total percentage of Affordable units and the Area Median Income served – the more affordable units and the lower AMI served, the greater Density Bonus;
- (III) Reduce Off-Street Parking to match general MPD parking requirements; and
- (IV) Exempt micro-units 500 square feet or less from parking requirements.

The Planning Commission forwarded a positive recommendation to City Council but requested continued work on Height, micro-unit limitations, and clarification with respect to market-rate units and the density bonus, parking restrictions, and rental units ([Staff Report](#), p. 52; [Minutes](#), p. 11).

When staff presented the proposed AMPD amendments, the City Council requested further study to demonstrate whether the proposed AMPD amendments went far

Exhibit B: Affordable Master Planned Development Background

enough to incentivize public-private partnerships. The Council directed staff to hire a consultant. The City hired Cascadia Partners to audit the proposed AMPD code (City Council [Staff Report](#); [Minutes](#), p. 12 - 13).

On November 25, 2019, Cascadia Partners submitted the [Affordable Master Planned Development Code Audit Report: Identifying Zoning and Housing Development Barriers](#). Cascadia concluded that the proposed AMPD code did not sufficiently mitigate the funding gap and could not be accommodated on certain sites. Cascadia recommended additional incentives through:

- Reduced Setbacks
- Reduced Open Space
- Increased Floor Area Ratio (allow more Height)
- Increased Lot Coverage
- Reduced Parking

On December 5, 2019, the City Council reviewed Cascadia's Audit Report and directed staff to amend the AMPD code in two phases: Phase I to reduce Setbacks, Open Space, and Parking, and Phase II to increase Height and further reduce parking.

On January 30, 2020, the City Council adopted [Ordinance No. 2020-09](#), enacting Phase I to reduce MPD Setbacks for Lots less than two acres to the Zone-Required Setbacks, to reduce AMPD Open Space from 50% to 20%, and to reduce AMPD Parking requirements to match general MPD requirements.

To implement Phase II, staff hired Cascadia Partners to evaluate land use codes that incentivize Affordable Housing through reduced parking and increased Height. Cascadia submitted [Best Practice Research on Height and Parking Code Standards for AMPD Update](#). The Planning Commission conducted three work sessions and provided input below.

Parking Reductions

On October 28, 2020, the Planning Commission considered parking reductions and provided the following direction ([Staff Report](#); [Minutes](#), p. 3):

- Reduce parking for Affordable Units and require parking mitigations based on transit access, available carshares, motorcycle/scooter parking, and bicycle parking.

Current Requirement		Recommended Requirements		
Dwelling Size	All units	Dwelling Size	Market-Rate Units	Affordable Units
<1,000 SF	1 space per unit	<600 SF	0.5 spaces per unit	None
1,000 – 2,000 SF	1.5 spaces per unit	600 SF – 1,000 SF	1 space per unit	0.5 spaces per unit

Exhibit B: Affordable Master Planned Development Background

>2,000 SF	2 spaces per unit	1,000 – 2,000 SF	1.5 spaces per unit	1 space per unit
		>2,000 SF	2 spaces per unit	1.5 spaces per unit

- Provide additional parking reductions for AMPDs on small sites: for every 15,000 square feet per floor, reduce the parking requirement for 5,000 square feet.
- Reduce Off-Street Parking Requirements for projects on Lots with an area less than 5,000 square feet if sufficient parking demand reductions can be implemented.
- Allow credit for on-street parking along the site frontage.
- Allow credit for off-site parking spaces within 800 to 1,000 feet from the AMPD that are dedicated to AMPD parking.

Increased Height

On November 11, 2020, the Planning Commission provided input on the following ([Staff Report](#); [Audio](#)):

- Allow Height up to 45 feet in:
 - Predominantly Residential Zoning Districts (RD, E, SF)
 - Mixed Residential and Resort-Oriented Zoning Districts (RDM, R-1, RM)
 - Resort-Oriented and Commercial Zoning Districts (RC, LI, GC)
 - Highway 40 Entry Corridor Zoning District (CT)
- Require Height stepdowns from the edge of Buildings to mitigate the impact.
- Apply a maximum building length and façade articulation standard.

AMPD Affordable/Market-Rate Requirements

On December 9, 2020, the Planning Commission provided input on the final phase in the amended AMPD code, including an update to the percentage of affordable versus market-rate units ([Staff Report](#); [Minutes](#), p. 14). Based on amendments to the Housing Resolution and lessons learned through City development of Affordable Housing, the code:

- (I) Separates AMPDs from MPDs and Housing Resolution obligations;
- (II) Requires at least 50% Affordable Units;
- (III) Allows only Affordable Units – not Attainable Units;
- (IV) Bases the Density Bonus on an envelope encompassing reduced Setbacks, Open Space, and increased Height rather than on base-zoning Density;
- (V) Prohibits Nightly Rentals and Timeshares in both affordable and market-rate AMPDs;

Exhibit B: Affordable Master Planned Development Background

(VI) Allows commercial development if the total is less than 10,000 square feet.

The Planning Commission then conducted two public hearings on January 27, 2021 ([Staff Report](#); [Minutes](#), p. 17) and February 10, 2021 ([Staff Report](#); [Audio](#)), and forwarded a positive recommendation to City Council.

On February 25, 2021, the City Council unanimously adopted [Ordinance No. 2021-10](#), which enacted Affordable Master Planned Developments (AMPDs) to incentivize private development and public-private partnerships in the development of affordable units, codified in LMC [Chapter 15-6.1](#) ([Staff Report](#); [Minutes](#), p. 18). The City Council directed staff to evaluate AMPDs in non-residential Historic Zoning Districts.

On April 7, 2021, the Historic Preservation Board considered Land Management Code amendments to establish AMPDs in the Historic Commercial Business and Historic Recreation Commercial Zoning Districts and unanimously forwarded a positive recommendation for the Planning Commission's consideration on April 14, 2021, and the City Council's consideration on April 29, 2021 ([Staff Report](#); [Audio](#)).

On April 14, 2021, the Planning Commission considered the Land Management Code amendments to establish AMPDs in the Historic Commercial Business and Historic Recreation Commercial Zoning Districts and unanimously forwarded a positive recommendation for the City Council's consideration on April 29, 2021 ([Staff Report](#); [Audio](#)).

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Brendan Conboy

Submitting Department: Planning

Item Type: Ordinance

Agenda Section:

Subject:

Consideration to Approve Ordinance 2021-19, an Ordinance Approving the Northstar Subdivision Lot 2 & 3 Lot Line Adjustment, Located at 1049 and 1025 Lowell Avenue, Park City, Utah
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[1049 Lowell Ave Plat Amendment Staff Report](#)

[Exhibit A: Draft Ordinance and Proposed Plat](#)

[Exhibit B: Record of Survey](#)

[Exhibit C: Existing Northstar Subdivision Plat](#)

[Exhibit D: Applicant Submittal](#)

[Exhibit E: Site Pictures](#)

[Exhibit F: Revised Plat](#)

[Exhibit G: Streetscape](#)

[Exhibit H: Public Comment](#)

City Council Staff Report

Subject: 1049 Lowell Avenue, Northstar
Lots 2 & 3 Lot Line Adjustment (Final Plat)
Author: Brendan Conboy, Senior Planner
Project Number: PL-20-04722
Date: April 29, 2021
Type of Item: Administrative – Plat Amendment

Summary Recommendation

Staff recommends the Planning Commission hold a Public Hearing for the Northstar Subdivision Lot 2 & 3 Lot Line Adjustment and consider approving Ordinance No. 2021-19, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft Ordinance for the Northstar Subdivision Lot 2 & 3 Lot Line Adjustment.

Description

Applicant: Sea & Sky Properties, LP c/o Michael Stoker, Stoker
Architecture
Location: 1049 & 1025 Lowell Avenue
Zoning: Historic Residential (HR-1) District
Adjacent Land Uses: Residential (Single Family and Multi-Unit Dwelling)
Reason for Review: Plat Amendments require Planning Commission review and City Council approval.

Executive Summary

The proposed 1049 and 1025 Lowell Avenue Plat Amendment seeks to adjust the property line between the two adjoining lots under common ownership by the applicant in order to accommodate a remodel an approximately 350 square foot addition to the existing home located at 1049 Lowell Avenue. The applicant has applied for Historic District Design Review which will be processed if Council approves the Plat Amendment. No development plans have been submitted or are proposed at this time for the adjusted Lot 3 (1025 Lowell Ave).

Background

The applicant appeared before the Planning Commission on March 10, 2021, where the Commission requested additional information from staff regarding the resulting density from the proposed adjusted Lot line relative to the surrounding neighborhood and continued the item to the April 14th Planning Commission meeting ([Minutes](#)). At the April 14th Planning Commission meeting the Commission unanimously forwarded a positive recommendation to City Council after rephrasing and adding a Condition of Approval (Please see Exhibit A, Draft Ordinance). For additional background information please see the April 14 [Staff Report](#) and [Audio](#).

Analysis

Per [Sec § 15-2.2-1](#) *The purpose of the Historic Residential (HR-1) District is to:*

- A. *preserve present land Uses and character of the Historic residential Areas of Park City;*
- B. *encourage the preservation of Historic Buildings and/or Structures;*
- C. *encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods;*
- D. *encourage single family Development on combinations of 25' x 75' Historic Lots;*
- E. *define Development parameters that are consistent with the General Plan policies for the Historic core; and*
- F. *establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.*

Staff finds that the proposed Plat Amendment complies with the purpose of the HR-1 zoning district in regards to: *preserving present land uses and character of the Historic residential Areas of Park City, encouraging construction of Historically Compatible Structures, and encouraging single family Development on combinations of 25' x 75' Historic Lots.* Any development resulting from the Plat Amendment will be required to obtain Historic District Design Review approval and must otherwise meet all other requirements of the LMC.

The purpose of this Plat Amendment is a Lot Line Adjustment between Lots 2 and 3 of the Northstar Subdivision to accommodate an addition to the existing residence at 1049 Lowell Avenue. Therefore, staff has analyzed the request according to the standards of [Sec § 15-7.1-6.\(F\) Lot Line Adjustment](#), with the exception of clause (b) requiring Owners of Property contiguous to the adjusted Lots to consent to the Lot Line Adjustment:

- a. *no new developable Lot or unit results from the Lot Line Adjustment;*
Complies. No new lot or unit is created.
- b. *all Owners of Property contiguous to the adjusted Lot(s) or to Lots owned by the Applicant(s) which are contiguous to the adjusted Lot(s), including those separated by a public Right-of-Way, consent to the Lot Line Adjustment;*
Complies, as conditioned. This application is being processed as a Final Plat in a public meeting with a public hearing, all legally noticed.
- c. *the Lot Line Adjustment does not result in remnant land;*
Complies. No remnant land results from the adjustment.
- d. *the Lot Line Adjustment, and resulting Lots comply with LMC Section 15-7.3 and are compatible with existing lot sizes in the immediate neighborhood;*
Complies. Please see the lot analysis below.
- e. *the Lot Line Adjustment does not result in violation of applicable zoning requirements;*
Complies. The Adjustment does not result in any known violation of applicable zoning requirements. Detached Single Family is an allowed use in this zone.
- f. *neither of the original Lots were previously adjusted under this section;*
Complies.

- g. *written notice was mailed to all Owners of Property within three hundred feet (300') and neither any Person nor the public will be materially harmed by the adjustment; and*

Complies. Staff mailed notice on February 22, 2021.

- h. *the City Engineer and Planning Director authorizes the execution and recording of an appropriate deed and Plat, to reflect that the City has approved the Lot Line Adjustment.*

Complies. The City Engineer and Planning Director will review the Final Plat prior to recordation. Condition of Approval X.

- i. *Extension of Approval. Applicants may request time extensions of the Lot Line Adjustment approval by submitting a request in writing to the Planning Department prior to expiration of the approval. The Planning Director shall review all requests for time extensions of Lot Line Adjustments and may grant a one year extension.*

Not applicable.

The following table compares the Lot and Site Requirements to the proposed Adjusted Lots:

Zone Allowance:	HR-1 Requirement	Lot 2 (1049 Lowell Ave)	Lot 3 (1025 Lowell Ave)
Minimum Lot Size	1,875 SF	18,750 SF Complies	6,559 SF Complies
Lot Width	25 Feet	115.5 Feet Complies	35.3 Feet Complies
Setbacks			
Min. Front /Rear Setback	Min. 15 ft./Total 30 ft.	Must Comply	Must Comply
Min. Side Setback	Lot 2: 10 ft./Total 20 ft. Lot 3: 5 ft./Total 10 ft.	Must Comply	Must Comply
Building Height	27 ft. from existing grade	Must Comply	Must Comply

As shown in the table above, the proposed Lot Line Adjustment will meet the Lot and Site Requirements. No new nonconformities are created because of the Lot Line Adjustment. Any future development will be subject to the Land Management Code and the Design Guidelines for Park City's Historic Districts.

Density

Lot 2 (1049 Lowell)	Existing	Proposed
Lot Size	14,483 SF	18,750 SF (~29% increase in Lot Size)
Allowable Footprint	3,209 SF	4,500 SF Max 3,465 Proposed (400 SF Garage Exempt for Lots > 18,750) Total: 3,865 Proposed <i>actual</i>
Existing Footprint	3,515 SF House and Detached Garage	- 638 SF (Demo existing garage) + 988 SF New attached garage/ski room = Net 350 SF addition overall
Existing/Potential Square Footage	4,802 Existing per Assessor Potentially ~6,000+ SF	Potentially ~6,500+ SF

Lot 3 (1025 Lowell)	Existing	Proposed
Lot Size	10,867 SF	6,559 SF (~40% decrease in Lot Size)
Allowable Footprint	2,950 SF Max	2,269 SF Max
Existing Footprint	N/A	N/A
Potential Square Footage	Potentially ~5,500 to 6,000 SF	Potentially ~4,500 to 5,000 SF

As the above tables demonstrate, the proposed Lot Line adjustment will remedy a nonconformity on Lot 2. Lot 2 is limited to a 3,209 SF footprint yet currently has a 3,515 SF footprint, an excess of roughly 300 SF. The adjusted Lot line will bring the building footprint into conformance with the Land Management Code. In addition, the existing detached garage is located within the Northstar Easement turnaround area. By removing the detached garage from the easement area the applicant will be resolving a nonconformity that should not have been approved with the original Building Permit.

Comparison to Surrounding Neighborhood Lots and Streetscape

The following images are included in the report as Exhibit H for larger viewing

Streetscape, facing West towards 1025 and 1049 Lowell Ave.



Figure 5. Streetscape, Lowell Avenue facing East (staff photograph dated July 7, 2020)



	1025 Lowell	1049 Lowell	Northstar Subdivision	Neighborhood in General
Average Lot Size	Existing: 0.25 Acres Proposed: 0.15 Acres	Existing: 0.33 Acres Proposed: 0.43 Acres	0.30 Acres for lots fronting Lowell Ave 0.56 Acres total including larger hillside lots	.05 Acres on Eastern side of Lowell Ave 0.08 Acres for Lots fronting Lowell Ave

Staff finds that the proposed adjusted Lots are in keeping with the existing neighborhood character in general and exceed average historic Lot sizes, however the adjusted Lots are smaller than average for the Northstar Subdivision. Nevertheless, staff is comfortable with the adjusted Lot sizes as Lot 3 is still 3.5 times the size of the minimum Lot size of 1,875 SF in the HR-1 zone. Any resulting building on either Lot 2 or 3 will be required to obtain Historic District Design Review which accounts for the proposed structures bulk and scale with surrounding development.

Access Easement and Encroachments

The applicant has included the Northstar Road (Private Access Easement) on the plat as well as the private driveway easement benefiting Lots 2 and 3 as requested by the Planning Commission. The Planning Commission included a Condition of Approval requiring that the private driveway easement include language that requires it be shared between Lots 2 and 3 should future development on Lot 3 (1025 Lowell Avenue) wish to take access from Lowell Avenue. The Planning Commission also added a Condition of Approval requiring access to Lot 3 be taken from Lowell Avenue or an easement accessed from Lowell Avenue.

Good Cause

The LMC defines Good Cause as,

Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community. ([LMC Sec 15-15-1](#))

Staff finds good cause for this Plat Amendment in that it will allow the applicant to construct a remodel and addition to their home and resolve existing issues and non-conformities. Single Family Dwelling is an allowed use in the HR-1 District. Any addition to the home will be subject to the requirements of the LMC and Historic District Design Review approval. The Plat Amendment will not result in the amendment or vacation of any Public Street, Right-of-Way, or easement. The proposed adjusted Lot

Process

Plat Amendments require Planning Commission review and City Council approval. The approval of this Plat Amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in [LMC Section 15-1-18](#). A Historic District Design Review application will need to be approved by Planning Staff prior to issuance of building permits.

Notice

On February 19, 2021, the property was posted. On February 22, 2021, notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on February 24, 2021, according to requirements of the Land Management Code.

Public Input

Staff has received public input from an adjacent landowner and attached the correspondence as Exhibit I.

Alternatives

- The City Council may approve Ordinance No. 2021-XX for the 1049 and 1025 Lowell Avenue Plat Amendment as conditioned or amended; or

- The City Council may deny the 1049 and 1025 Lowell Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the 1049 and 1025 Lowell Avenue Plat Amendment to a date certain.

Exhibits

Exhibit A: Draft Ordinance and Proposed Plat

Exhibit B: Record of Survey

Exhibit C: Existing Northstar Subdivision Plat

Exhibit D: Applicant Submittal/Statement

Exhibit E: Site Pictures

Exhibit F: Revised Plat 04/2021

Exhibit G: Streetscape Views

Exhibit H: Public Comment

Ordinance No. 2021-19

AN ORDINANCE APPROVING THE NORTHSTAR SUBDIVISION LOT 2 & 3 LOT LINE ADJUSTMENT LOCATED AT 1049 AND 1025 LOWELL AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 1049 AND 1025 Lowell Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on February 19, 2021, the property was properly noticed and posted according to the requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, on February 24, 2021, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on March 10, 2021, to receive input on the Plat Amendment and continued the item requesting more information; and

WHEREAS, the Planning Commission held a public hearing on April 14, 2021, and forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 29, 2021, the City Council held a public hearing to receive input on the Plat Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Northstar Subdivision Lot 2 & 3 Lot Line Adjustment located at 1049 and 1025 Lowell Avenue.

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

SECTION 1. APPROVAL. The Northstar Subdivision Lot 2 & 3 Lot Line Adjustment, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The subject properties are located at 1049 and 1025 Lowell Avenue.
2. The subject properties consist of Lot 2 and Lot 3 of the Northstar Subdivision.
3. The property is in the Historic Residential (HR-1) District.
4. 1049 Lowell Avenue contains an existing Detached Single Family Dwelling. 1025 Lowell Avenue is vacant land.
5. The applicant proposes to adjust the Interior Lot Line of the subject Lots.

6. The proposed Lot Adjustment meets the Lot and Site Requirement of the Land Management Code.
7. The applicant has submitted an application for Historic District Design Review, which will be processed should the Plat be approved..
8. The applicant will be subject to the Design Guidelines for Park City's Historic Districts.
9. No public Streets, Right-of-Way, or easements will be vacated or amended as a result of the proposed Plat Amendment.
10. The teepee structure on site has been erected for a period of time exceeding 180 days and is subject to code enforcement.

Conclusions of Law:

1. There is good cause for this Plat Amendment as it allows the applicant to construct a remodel and addition to their home. Any addition to the home will be subject to the requirements of the LMC and Historic District Design Review approval.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the Plat for compliance with State law, the Land Management Code, and the Conditions of Approval, prior to recordation of the Plat.
2. The applicant will record the Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the Plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.
3. New construction shall meet Site and Lot requirements of the HR-1 District per the Land Management Code in effect at the time of application submittal.
4. A Historic District Design Review application is required for any new construction proposed at the Site.
5. A shared driveway easement for the benefit of Lots 2 and 3 shall be recorded for the driveway and the retaining wall that crosses Lot 3 and shall be reviewed and approved by the City Engineer and City Attorney prior to recordation of the plat.
6. The existing teepee shall be removed prior to plat recordation. The applicant shall limit any future tent or tarpaulin structure less than 400 square feet erected on site to a maximum of 180 days within a 12-month period. Should the applicant desire to exceed the 180 day limit a Building Permit will be required. Failure to adhere to these terms will result in code enforcement.
7. The applicant shall include a plat note stating that any encroachments onto Lot 3 for the benefit of Lot 2 shall be removed from the site prior to dispossession or sale of the property to a second party or the applicant shall otherwise record encroachment agreements prior to the recordation of the plat with Summit County.

8. Access to Lots 2 and 3 shall be only from Lowell Avenue or an easement off of Lowell Avenue.

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

PASSED AND ADOPTED this ____ day of _____, 2021.

PARK CITY MUNICIPAL CORPORATION

MAYOR, Andy Beerman

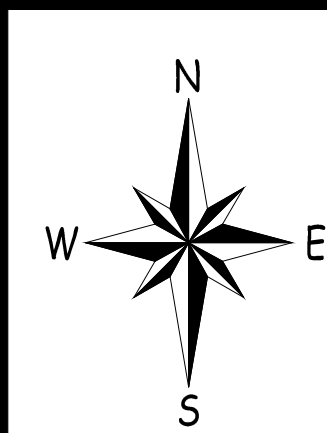
ATTEST:

City Recorder, Michelle Kellogg

APPROVED AS TO FORM:

City Attorney, Mark Harrington

[illegible]

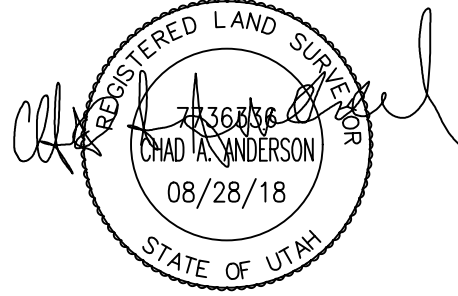


SYMBOL LEGEND	
	DEED LINE
	SURVEY BOUNDARY
	FIELD FENCE
	FOUND REBAR WITH CAP (AS NOTED)
	SET REBAR WITH CAP (7736336)

SURVEYOR'S CERTIFICATE

I, CHAD A. ANDERSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 7736336, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE HEREON DESCRIBED PARCEL AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

CHAD A. ANDERSON - PLS. DATE



SURVEYOR'S NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PROVIDE TOPOGRAPHIC INFORMATION TO AID IN THE DESIGN OF A REMODEL. SURVEY WAS PERFORMED IN AUGUST 2018.

DESCRIPTION

LOTS 2 & 3:

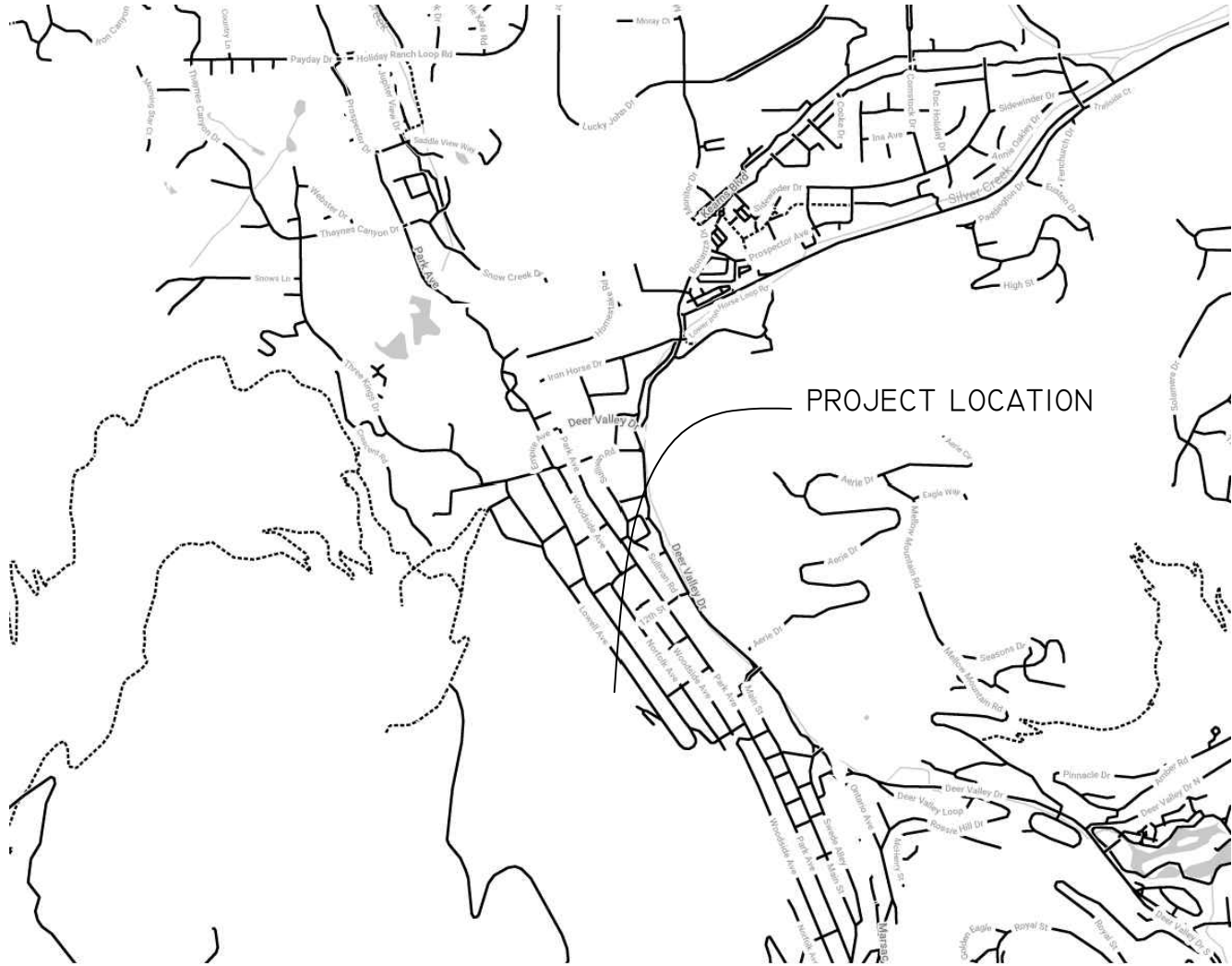
ALL OF LOTS 2 AND 3 OF THE NORTHSTAR SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY

AREA = 0.58 ACRE

BASIS OF BEARINGS

BASIS OF BEARINGS: S47°51'57"E MEASURED BETWEEN FOUND MONUMENTS AS SHOWN HEREON.

VICINITY MAP



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



LOTS

1 LIEBERT S. & MARIA FILAR TURNER 369-734 1-A JOHN J. & DAWN A. MCNULTY (JT) 948-106	2 RICHARD A TRIPPEER JR TR 1125-549 M183-298	3 RICHARD A TRIPPEER JR TR 1125-549 M183-299	4 SCOTT & REBECCA RICHARDS (JT) 564-363	5 W BRENT DICKENS & PATRICIA B DICKENS TRUSTEES 657-797-799
6 CAROL C. LARSON 517-755 867-317	7 ROBERT A & ANNIE LEWIS J GARDA 531-13	8 WILLIAM W. III & SUSAN W. TRUXES-(JT) 652-176 818-92	9 SULGRAVE INVEST AND TRADE & RIDGELAND BUSINESS LTD. 600-635 1150-178-9	10 ERIC R. HERMANN & SUSAN FREDSTON-HERMAN (JT) 949-546

SERIAL # NR - LOT #

Effective 6-1-1999 parcel ownership will not be updated on this plat
For current ownership see computer indexes.

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I THE UNDERSIGNED OWNER OF THE HEREIN DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS TO BE HEREAFTER KNOWN AS NORTHSTAR SUBDIVISION DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HANDS THIS 16TH DAY OF FEBRUARY A.D. 1977

Joseph E. Bernolfo III
JOSEPH E. BERNOFFO III

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF SUMMIT
ON THIS 16TH DAY OF FEBRUARY A.D. 1977 PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, JOSEPH E. BERNOFFO III WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THAT HE OWNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY.

John J. Johnson
JOHN J. JOHNSON
NOTARY PUBLIC

MY COMMISSION EXPIRES 12-30-80
RESIDING IN SUMMIT COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, JOHN J. JOHNSON DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 4416 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNER I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, HEREAFTER TO BE KNOWN AS NORTHSTAR SUBDIVISION AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BLOCKS 9, 10, 11 AND 12 OF SNYDER'S ADDITION TO PARK CITY, PARK CITY, UTAH TOGETHER WITH THE FOLLOWING VACATED STREETS AND AVENUES: CRESCENT STREET FROM LOWELL AVENUE SOUTH WEST-ERLY TO THE CENTER LINE OF QUAKING ASP AVENUE; HALLADAY STREET FROM LOWELL AVENUE SOUTH WESTERLY TO THE CENTER LINE OF QUAKING ASP AVENUE; SHEPHERD STREET FROM LOWELL AVENUE SOUTH WESTERLY TO THE CENTER SECTION LINE OF SECTION 10, THE EASTERLY ONE-HALF OF QUAKING ASP AVENUE FROM THE CENTER SECTION LINE NORTHWESTERLY TO THE NORTHERLY LINE OF CRESCENT STREET; PACIFIC AVENUE FROM THE CENTER SECTION LINE NORTHWESTERLY TO THE NORTHERLY LINE OF CRESCENT STREET. ALL THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT SOUTH 89°55'05" WEST ALONG THE CENTER SECTION LINE 2671.54 FEET FROM THE EAST QUARTER CORNER OF SECTION 10 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN AND NORTH 89°59'1" WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF LOWELL AVENUE 1446.28 FEET; AND RUNNING THENCE SOUTH 54°04' WEST 808.8 FEET; THENCE NORTH 82°18' WEST 250.00 FEET; THENCE NORTH 82°01' EAST 150.00 FEET; THENCE SOUTH 85°59' EAST 24.84 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR ACCESS BEGINNING AT A POINT WHICH IS SOUTH 81°53'05" WEST ALONG THE CENTER OF SECTION LINE 26.87, 36 FEET FROM THE EAST QUARTER CORNER OF SECTION 10 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN AND NORTH 89°59'1" WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF LOWELL AVENUE 1446.28 FEET; AND RUNNING THENCE SOUTH 54°04' WEST 808.8 FEET; THENCE NORTH 82°18' WEST 250.00 FEET; THENCE NORTH 82°01' EAST 150.00 FEET; THENCE SOUTH 85°59' EAST 24.84 FEET TO THE POINT OF BEGINNING.

John J. Johnson
JOHN J. JOHNSON
FEBRUARY 16, 1977
DATE

NORTHSTAR SUBDIVISION

LOCATED IN N.W. 1/4 SEC. 10 T2S R4E SLB 4 M

0 25 50 75 100 200

①-Denotes 5' non-exclusive utilities & improvements easement
 ②-Denotes non-exclusive utilities, improvements & access easement

BLOCK 28
SNYDER'S ADDITION

BLOCK 29
SNYDER'S ADDITION

NOTE: 107' FROM 9TH ST. & F.H.

EAST 1/4 CORNER SECTION 10
T2S, R4E, SLB 4 M

PREPARED BY:

J. J. JOHNSON & ASSOCIATES
CIVIL ENGINEERS, LAND PLANNING SURVEYING
1915 PARK AVE., P.O. BOX 1061
PARK CITY, UTAH 84060

CITY PLANNING COMMISSION

APPROVED & ACCEPTED BY THE PARK CITY PLANNING COMMISSION THIS 16 DAY OF Feb A.D. 1977

Bernie Hotta
CHAIRMAN

ENGINEERS CERTIFICATE

APPROVED & ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT THIS 2nd DAY OF Feb A.D. 1977

John Johnson
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 16 DAY OF Feb A.D. 1977

Rich J. Colanin
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

ATTEST THIS 16th DAY OF Feb A.D. 1977

Bruce E. Davis
PARK CITY RECORDER

COUNCIL APPROVAL & ACCEPTANCE

APPROVED & ACCEPTED BY THE PARK CITY COUNCIL THIS 18 DAY OF March A.D. 1977

Leon Thier
MAYOR

NO. 1382-5 RECORDED

STATE OF UTAH, COUNTY OF SUMMIT RECORDED & FILED AT THE REQUEST OF:

Summit County Title

DATE 2/23/77 TIME 2:12 P.M.

FEE \$

SUMMIT COUNTY RECORDER



November 30, 2020

Park City Municipal Corporation
Planning Department

RE: Written Statement, Subdivision Plat/Condominium Plat
Larcher Residence
1049 Lowell Avenue
Park City, UT 84060

Dear Planning Department:

The owner has requested that the property line separating his two adjoining lots be adjusted to reconfigure the area on each lot.

The South lot located at 1025 Lowell Ave is vacant and the North lot at 1049 Lowell Ave contains the owner's single family home and detached 2-story garage/storage structure.

The additional area allocated from the South lot to the North lot will enable a remodel and addition to the existing home, which includes the removal of the existing detached garage structure and the addition of a new two car garage underneath the home.

The lot line adjustment shall comply with the criteria as described in the Land Management Code, section 15-7, 1-6.

This application will be submitted concurrently with the Request for Extension or Modification of Approval application.

Please let our office know if any clarifications are required at this time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael J. Stoker', with a stylized flourish at the end.

Michael J. Stoker, AIA, NCARB – Architect
President, Stoker Architecture, Inc.









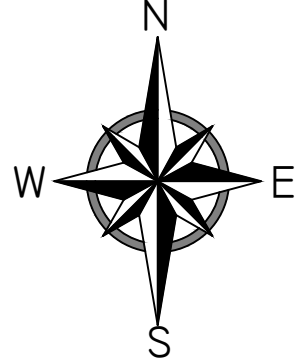






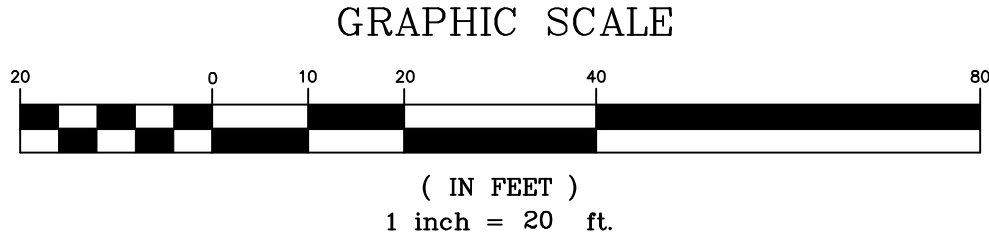


SYMBOL LEGEND	
	ADJACENT PROPERTY
	BOUNDARY
	EASEMENT LINE
	CL. STREET
	EXISTING ACCESS EASEMENT
	NEW ACCESS EASEMENT
	ENCROACHMENT EASEMENT

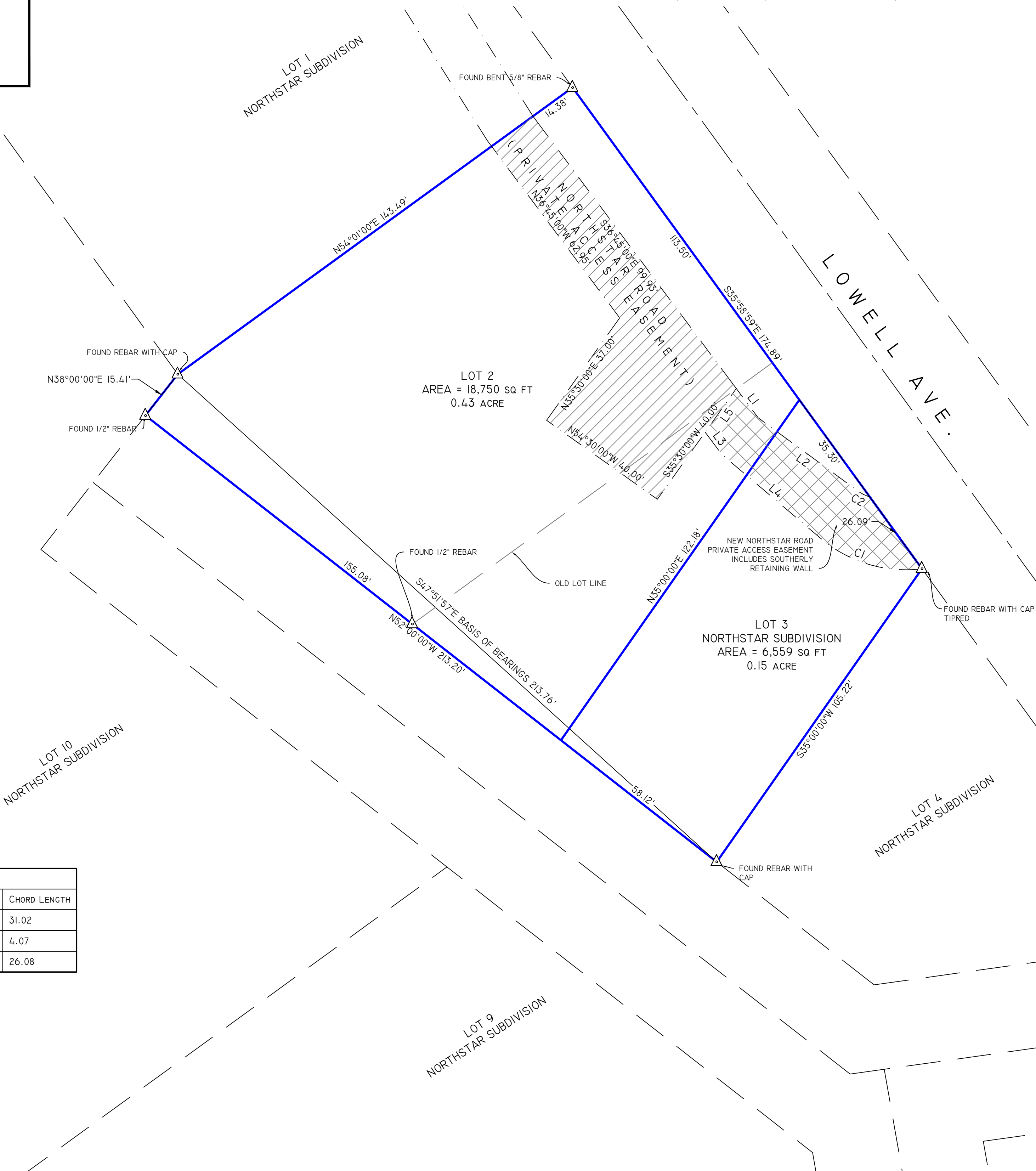
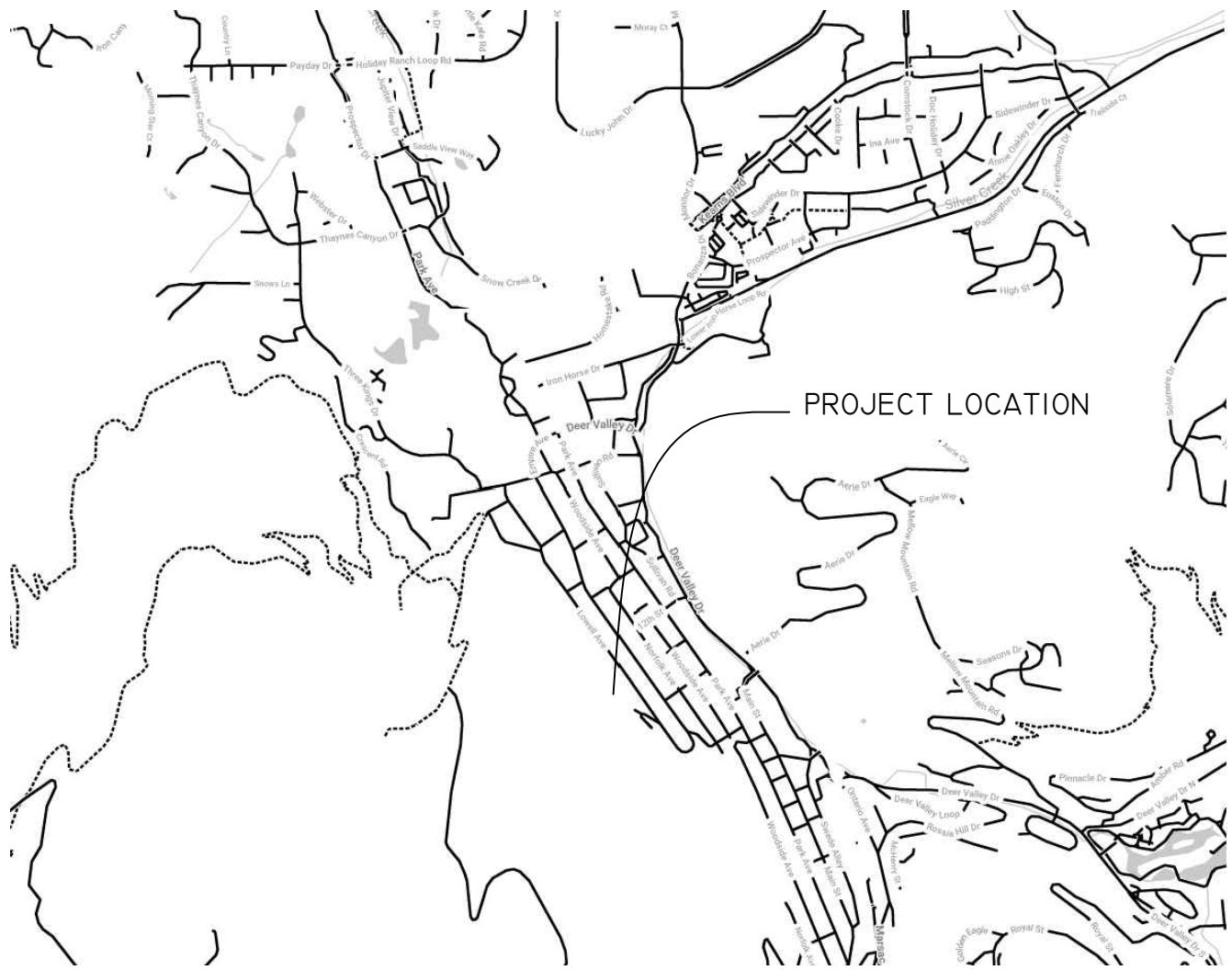


NORTHSTAR SUBDIVISION LOT 2 & 3 LOT LINE ADJUSTMENT

AN ADJUSTMENT OF THE LOT LINE BETWEEN LOTS 2 & 3
LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH.



VICINITY MAP



Line Table		
Line #	Length	Direction
L1	10.74	S36°45'00"E
L2	36.23	S53°44'18"E
L3	8.18	S36°45'00"E
L4	38.22	S49°40'46"E
L5	15.75	N35°30'00"E

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIR.
C1	31.92	38.65	047°18'57"	S73°20'15"E
C2	4.09	12.64	018°32'32"	S63°00'33"E
C3	50.98	13.64	214°07'02"	N35°00'00"E

PREPARED BY

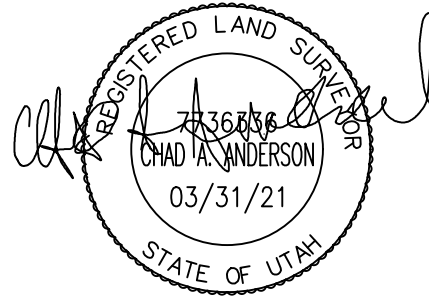
ELEMENT
LAND SURVEYING

2296 SOUTH 270 EAST, HEBER CITY, UT 84032
801 - 592 - 5975 & 801 - 657 - 8748

SURVEYOR'S CERTIFICATE

I, CHAD A ANDERSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 7736336 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I HEREBY CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO BATTLE CREEK BUSINESS PARK - PLAT "A", AN EXPANDABLE COMMERCIAL CONDOMINIUM PROJECT, THAT COMPLIES WITH THE PROVISIONS OF SECTION 57-8-13 (1) OF THE UTAH CONDOMINIUM OWNERSHIP ACT.

CHAD A ANDERSON _____ DATE _____



BOUNDARY DESCRIPTION

ALL OF LOTS 2 AND 3 OF THE NORTHSTAR SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, CONTAINING 0.58 ACRES

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF TRACT OF LAND DESCRIBED HEREON AS NORTHSTAR SUBDIVISION LOT 2 AMENDED, HAS CAUSED A SURVEY TO BE MADE AND THIS PLAT TO BE PREPARED, SAID OWNER HEREBY DEDICATES FOR THE PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS AS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNER ALSO HEREBY CONVEYS ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON. I DO HEREBY CERTIFY THAT I HAVE CAUSED THIS PLAT TO BE PREPARED AND I, _____, HEREBY CONSENT TO THE RECORDATION OF THIS PLAT

IN WITNESS WHEREOF THE OWNER HAS SIGNED THIS ____DAY OF _____20____.

NAME _____ TITLE _____ SEA AND SKI PROPERTIES LP, AN ARIZONA LIMITED PARTNERSHIP

ACKNOWLEDGEMENT

STATE OF _____ } BY _____
COUNTY OF _____ } S.S. _____
BY _____

ON THE DATE FIRST ABOVE WRITTEN PERSONALLY APPEARED BEFORE ME, _____, WHO, BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS A PARTNER OF THE FIRM OF _____, A LIMITED-PARTNERSHIP, AND THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID LIMITED-PARTNERSHIP BY AUTHORITY OF ALL PARTNERS, AND SAID GRANTOR ACKNOWLEDGED TO ME THAT SAID LIMITED-PARTNERSHIP EXECUTED THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC (SEE SEAL BELOW)

NORTHSTAR SUBDIVISION LOTS 2 & 3 LOT LINE ADJUSTMENT

AN ADJUSTMENT OF THE LOT LINE BETWEEN LOTS 2 & 3
LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 25 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH.

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 20____

SNYDERVILLE WATER RECLAMATION DISTRICT

CITY ENGINEER

I FIND THIS PLAT TO BE IN CONFORMANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 20____

PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS _____ DAY OF _____ 20____

PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS PLAT MAP WAS APPROVED BY THE LAND USE AUTHORITY THIS _____ DAY OF _____ 20____

PARK CITY RECORDER

PLANNING APPROVAL AND ACCEPTANCE

APPROVED THIS _____ DAY OF _____, 20____
ON BEHALF OF THE PARK CITY COUNCIL PER THE PARK CITY LAND MANAGEMENT CODE.

PARK CITY PLANNING DIRECTOR
LAND USE AUTHORITY

RECORDED

ENTRY NO. _____

STATE OF UTAH _____ COUNTY OF SUMMIT

DATE _____ TIME _____

RECORDED AND FILED AT THE REQUEST OF:

COUNTY RECORDER



1001 LOWELL AVENUE



1025 LOWELL AVENUE
VACANT LOT



1049 LOWELL AVENUE
PROPOSED REMODEL



1061/1063 LOWELL AVENUE



1103 LOWELL AVENUE (BEHIND)
1105 LOWELL AVENUE (FORWARD)

STREETSCAPE
ELEVATION



MICHAEL J. STOKER, AIA - ARCHITECT
KAREN BACKSTROM, AIA, LEED AP - ARCHITECT
1133 SDEWUNDER DRIVE
PARK CITY, UTAH 84060
435-641-5916
www.stokerarch.com

STOKER ARCHITECTURE, INC.

LARCHER RESIDENCE

A REMODEL AND ADDITION

1049 LOWELL AVENUE, PARK CITY, UTAH 84098 - LOT 2 NORTH STAR SUBDIVISION

Date	3/2/20
Revisions	
1	
2	
3	
4	
Drawn	
Project	18-580-1
Sheet	

STREET









From: [Brendan Conboy](#)
To: [Michael Grimme](#)
Subject: RE: Public Hearing, 1049 Lowell, Lots 2-3, Lot Line Change, Planning Commission 3/10/21-5:30 PM; City Council 4/1/21-6:00PM/Zoom Webinar
Date: Thursday, April 15, 2021 9:52:00 AM

Hi Mike,

Thanks for your comments, I will be sure to provide them to City Council.

Brendan

From: Michael Grimme <mgrimme@grimmeholdings.com>
Sent: Thursday, April 15, 2021 6:21 AM
To: Brendan Conboy <brendan.conboy@parkcity.org>; Sarah Hall <sarah.hall@parkcity.org>; John Kenworthy <john.kenworthy@parkcity.org>; John Phillips <john.phillips@parkcity.org>; Mark Sletten <mark.sletten@parkcity.org>; Laura Suesser <laura.suesser@parkcity.org>; Douglas Thimm <douglas.thimm@parkcity.org>; Christin VanDine <christin.VanDine@parkcity.org>
Cc: Gretchen Milliken <gretchen.milliken@parkcity.org>; Mark Harrington <mark@parkcity.org>
Subject: Re: Public Hearing, 1049 Lowell, Lots 2-3, Lot Line Change, Planning Commission 3/10/21-5:30 PM; City Council 4/1/21-6:00PM/Zoom Webinar

Brendan,

I appreciate your efforts in analyzing the lot line change and its impact.

Pam and I are disappointed with the final planning dept recommendation as we feel this change allows a great deal of add on benefit to lot 2, including the continued use of lot 3 as his driveway, while lot 3 will no longer be in keeping with the other North star lots even if it is in keeping with other lots on Lowell Avenue, and have a negative impact on our property value. The initial plats were developed with the set sizes for a reason, to develop high end homes in Old Town. Lot 2's continued use of the driveway also constrains further what can be developed on lot 3. Why can't a separate driveway on lot 2 to Lowell Avenue and removal of the driveway and wall on lot 3 be a condition of the lot line change as he is getting tremendous benefit from this lot line change. This will at least give some relief to the eventual developer of lot 3.

Also the owner of lots two and three has known for quite some time that the tepee was only to be up for 180 days and has made no effort whatsoever to take it down to date. He4 knows exactly what he is doing.

I hope that there will be clear wording regarding the easements for driveway easements on lots 1 through 3 as to date it appears activity took place with no documentation or approvals. It should also be clear that lots 2 and three have no access to Northstar drive as the owner left the association and the associated financial commitment many years ago.

I also hope the same disregard for the rules of the city by the owner of lots 2 and 3 will not carry

forward to lot 3 in the future as we feel we are up against a savvy developer who will push everything to the limit with utter disregard for his neighbors and the impact on them.

Mike

From: Brendan Conboy <brendan.conboy@parkcity.org>
Date: Wednesday, April 14, 2021 at 5:15 PM
To: Sarah Hall <sarah.hall@parkcity.org>, John Kenworthy <john.kenworthy@parkcity.org>, John Phillips <john.phillips@parkcity.org>, Mark Sletten <mark.sletten@parkcity.org>, Laura Suesser <laura.suesser@parkcity.org>, Douglas Thimm <douglas.thimm@parkcity.org>, Christin VanDine <christin.VanDine@parkcity.org>
Cc: Michael Grimme <mgrimme@grimmeholdings.com>, Gretchen Milliken <gretchen.milliken@parkcity.org>, Mark Harrington <mark@parkcity.org>
Subject: FW: Public Hearing, 1049 Lowell, Lots 2-3, Lot Line Change, Planning Commission 3/10/21-5:30 PM; City Council 4/1/21-6:00PM/Zoom Webinar

From: Brendan Conboy
Sent: Wednesday, April 14, 2021 3:09 PM
To: Michael Grimme <mgrimme@grimmeholdings.com>
Cc: Pam Grimme <pam@grimmeholdings.com>
Subject: RE: Public Hearing, 1049 Lowell, Lots 2-3, Lot Line Change, Planning Commission 3/10/21-5:30 PM; City Council 4/1/21-6:00PM/Zoom Webinar

Hi Mike,

I included conditions of approval regarding the teepee. In regards to Northstar access I spoke with Mike Kelly yesterday about it. Not sure why the Northstar HOA was not noticed, I imagine it was on oversight because the mailing address is only associated with the Common Area. In any event I confirmed that you and Mr. Kelly were on the list personally. We rely on applicants, typically its done by a title company, to provide us with the list of recipients within 300 ft. I will discuss this tonight.

Brendan

From: Michael Grimme <mgrimme@grimmeholdings.com>
Sent: Tuesday, April 13, 2021 3:06 PM
To: Brendan Conboy <brendan.conboy@parkcity.org>
Cc: Pam Grimme <pam@grimmeholdings.com>
Subject: Re: Public Hearing, 1049 Lowell, Lots 2-3, Lot Line Change, Planning Commission 3/10/21-5:30 PM; City Council 4/1/21-6:00PM/Zoom Webinar

Brendan,

I will make every effort to attend the zoom meeting tomorrow night.

I just arrived in town and was surprised to see the tepee is still there....years later.

What actions are being taken by the City to enforce the ordinance at this point? The owner is obviously making no effort to conform to the 180 day rule.

I also must mention that no notice was given to the Northstar Homeowners Association regarding the lot line change. The Association also has contiguous property to lots 2 and 3. The Association owns Northstar Drive. Mr. Larcher is no longer a member of this association and has not been for years. My understanding was Mr Larcher gave up the right to use Northstar Drive when he left the association and terminated paying his annual dues years ago.

Best regards,

Mike Grimme

From: Michael Grimme <mgrimme@grimmeholdings.com>

Date: Wednesday, March 10, 2021 at 4:27 PM

To: "brendan.conboy@parkcity.org" <brendan.conboy@parkcity.org>

Cc: Pam Grimme <pam@grimmeholdings.com>

Subject: Re: Public Hearing, 1049 Lowell, Lots 2-3, Lot Line Change, Planning Commission 3/10/21-5:30 PM; City Council 4/1/21-6:00PM/Zoom Webinar

Brendan

One other comment. While reading through staff comments I saw the tepee was approved for 180 days or less and was considered temporary. This is not the case and it has never come down since initial construction.

Best regards,

Mike Grimme'
954-270-7999

On Mar 8, 2021, at 18:24, Michael Grimme <mgrimme@grimmeholdings.com> wrote:

Brendan,

Thank you for taking my call today. We have owned our home at 1001 Lowell Avenue since 2005. We bought this home based on the size of the homes there, the lot sizes

and privacy around us.

My wife and I are totally against the change in lot lines being discussed. We would potentially end up with a small narrow townhouse on this lot that is not in keeping with the rest of our neighborhood at the top of Lowell Avenue.

We discussed this proposed lot line change with the owner of the lots and told him we were against it. He told us that if we were against it, his only other option was to sell both lots which would potentially mean two large homes would be built there. That is within his rights and we don't have a problem with that.

There is already a very large tepee on one of his lots (closest to us) that we consider an eyesore and not in keeping with old town history and standards. This was put up without any consulting with us.

The owner of the two lots also mentioned that he did not intend to build on the lot next to us after the lot line change. We then proposed that he make that part of the agreement for the lot line change that the smaller lot could never be built on, but he refused.

We also intend to be on the ZOOM call but in case we are not due to technical difficulties, we want to make sure our views are expressed.

Thank you,

Mike and Pam Grimme
1001 Lowell Avenue

From: Mike Kelly <KELLYJM@cooley.com>

Date: Monday, March 8, 2021 at 1:45 PM

To: Annie Lewis Garda <annielewisgarda@yahoo.com>,

"David.Vandenburgh@americanfence.com"

<David.Vandenburgh@americanfence.com>, Pam Grimme

<Aquavista57@gmail.com>, greg schott <schottgg@gmail.com>, Bill Truxes

<truxes@gmail.com>, Susan Truxes <susantruxes@gmail.com>, Michael Grimme

<mgrimme@grimmeholdings.com>, Bob Garda <bobgarda@yahoo.com>

Cc: Susan Rubash <RUEBUSHSL@cooley.com>

Subject: Public Hearing, 1049 Lowell, Lots 2-3, Lot Line Change, Planning Commission 3/10/21-5:30 PM; City Council 4/1/21-6:00PM/Zoom Webinar

All:

I received the attached Notice. I assume other members of the NSHOA did as well. I have no plans to attend this meeting which appears to be by Zoom.

Thanks,
Mike Kelly

J Michael Kelly
P O Box 2578
Park City, UT 84060

kellyjm@cooley.com
Cell: 415-999-4446

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<Lots2-3 Line change.pdf>

City Council Staff Report



PLANNING DEPARTMENT

Subject: Willow Ranch Lot 2 Plat Amendment
Project #: PL-21-04770
Author: Alexandra Ananth, Sr. Planner
Date: April 29, 2021
Type of Item: Administrative – Plat Amendment

Summary Recommendation

Staff recommends the City Council 1) review the requested Plat Amendment, 2) conduct a public hearing, and 3) consider approving the proposed Ordinance.

Description

Applicant: Crescent Vertical, LLC¹
Location: 2750 Meadow Creek Drive
Zoning: Estate (E)
Adjacent Land Uses: Residential
Reasons for Review: Plat Amendments require Planning Commission review and recommendation and City Council review and action

Executive Summary

2750 Meadow Creek Drive is also known as Lot 2 of the Willow Ranch Subdivision in the Park Meadows neighborhood and is located in the Estate (E) District. The lot is just over 7-acres and is improved with a single-family residence. The lot has a maximum house and barn size as noted in the CC&R's and Plat Notes #3 and #4 of the current recorded Plat (Exhibit C), and a maximum barn height of 18 feet as noted in Plat Note #5.

The applicant is proposing to change the current Plat Note restrictions to allow for a total maximum of 9,800 square feet which may be used between the house and barn combined but will stay within the original maximum allowed 1,800 square foot limit on the barn and the 9,300 square foot maximum allowed for the house. The applicant is also proposing that the Height of the barn revert back to the Zone Height of 28 feet to the peak of the roof, which is consistent with the original 1993 Subdivision Plat and the Willow Ranch CC&Rs.

The proposed change allows the applicant to build a larger barn if the full 9,300 square feet is not used for the house. No changes are proposed to the original building envelopes for the barn or house. The first 600 square feet of garage space is not included in the combined total square footage, which is consistent with the City's Land Management Code and the Willow Ranch Subdivision CC&Rs.

On April 14, 2021, the Planning Commission unanimously voted to recommend this item

¹ Planning Commissioner Sarah Hall is a member/owner of Crescent Vertical LLC.

to the Council for consideration.

Background

The Willow Ranch Subdivision was recorded in 1993 (Exhibit B). Plat Notes indicate that Home square footage is limited to 8,000 square feet and Barns are limited to a maximum of 1,800 square feet with no human occupancy. Building envelopes and maximum square footage are noted on the Plat. Both structures were allowed maximum Building Heights of 28 feet, which is the Zone Height.

In 1999, the then owners of Lot 2 were approved for a Plat Amendment (Exhibit C) to reallocate 1,300 square feet of barn area to the home, and the Height of the barn was restricted to a maximum of 18 feet. Plat Note #3 limits the home square footage to a maximum of 9,300 square feet, Plat Note #4 limits the barn to 500 square feet. Plat Note #5 reduced the Height of the barn to 18 feet, presumably to be consistent with a maximum barn size of 500 square feet.

Analysis

The applicant submitted a recent survey (Exhibit D) indicating that the existing house has been constructed within the allowed building envelope. The Letter of Intent (Exhibit E) states that the current application is to remove some portion of the house so that they may shift some square footage from the house back to the barn, as allowed under the original 1993 Subdivision Plat. They further state that because they are still determining which portions of the house they will remove to allow for a larger barn, they would like to amend the 1999 Replat footnotes #3, #4 and #5 and replace them with a Plat Note that allows for the combined total square footage of the house and barn to remain the same (9,800 square feet) but not be fixed between the house and the barn, and to revert back to the originally allowed Zone Height for the barn.

The applicant has stated that they are willing to agree to Conditions of Approval that floor plans for both the house and barn be submitted at the time of building permit for the any modification to the house and any new construction for the barn, showing that the combined maximum square footage will not exceed 9,800 square feet. Plans must be stamped and signed by a registered architect to ensure the maximum total square footage is not exceeded. No certificate of occupancy will be issued for the barn until all construction on the house has been completed. The barn shall not exceed 1,800 square feet as originally allowed in the Willow Ranch Subdivision Plat and CC&R's. Due to the number of Plats and Plat Notes the Planning Department is recommending that should this Amendment be approved, all relevant Plat Notes be carried forward to the new Plat.

Staff notes that the applicant submitted a Letter of Intent as well as a Letter from the Willow Ranch HOA stating that the HOA voted to approve the applicant's application (Exhibit E).

Department Review

The Development Review Committee reviewed this application on March 30, 2021. No issues were raised.

Notice

On March 31, 2021, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was published in the Park Record and on the Utah Public Notice website on March 31, 2021.

Public Input

The Planning Department did not receive any written public input prior to the publication of this Staff Report. Minutes of the Planning Commission hearing are not yet available but the [audio](#) is. Two neighbors provided public input at the hearing requesting that the Height of the barn be limited to the 1999 Replat Height of 18 feet, versus the applicant's request to revert to the original Subdivision Plat Notes which allowed for a barn height of 28 feet.

The Planning Commission discussed that in general the size and height of the barn should be proportional, and that for a smaller structure of 500 feet 18 feet in height is appropriate, but that for a larger barn structure it may be more appropriate to match the pitch of the home's roof, which is desired and stated in the CC&Rs, is in keeping with the LMC and is consistent with other barns in the Subdivision.

The applicant agreed to a new Condition of Approval (COA #18) that a Plat Note indicate that the pitch of the barn roof shall be substantially similar to the predominant pitch of the home's roof, and that under no circumstances shall the peak height of the barn exceed the Zone Height of 28 feet.

Alternatives

- The City Council may approve the Plat Amendment, as conditioned or amended.
- The Council may deny the Plat Amendment, and direct staff to make Findings for this decision.
- The Council may continue the item to a date certain.

Exhibits

Exhibit A - Ordinance

Exhibit B – Willow Ranch Subdivision Plat, 1993

Exhibit C – Lot 2 Willow Ranch Replat, 1999

Exhibit D – Lot 2 Willow Ranch Survey

Exhibit E – Applicant's Letter of Intent and HOA Approval

Ordinance No. 2021-20

AN ORDINANCE APPROVING THE LOT 2 WILLOW RANCH REPLAT, FIRST AMENDED, LOCATED AT 2750 MEADOW CREEK DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as Lot 2 Willow Ranch, located at 2750 Meadow Creek Drive, petitioned the City Council for approval of the Lot 2 Willow Ranch Replat, First Amended; and

WHEREAS, on March 31, 2021, the property was properly posted and legal notice was sent to all affected property owners; and

WHEREAS, on March 31, 2021, proper legal notice was published in the Park Record and on the Utah Public Notice website according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission, on April 14, 2021, held a public hearing and forwarded a positive recommendation to the City Council; and,

WHEREAS, the City Council on April 29, 2021, held a public hearing and took final action on the Condominium Plat; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Lot 2 Willow Ranch Replat, First Amended Plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Lot 2 Willow Ranch Replat, First Amended, as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is part of the Willow Ranch Subdivision.
2. The lot is just over 7-acres and is improved with a single-family residence.
3. The lot is considered an equestrian lot and has a maximum house and barn size as noted in the CC&R's and 1999 Plat Notes.
4. The applicant is proposing to move square footage from the house to the barn, but stay within the total square feet allocated to the lot (9,800 square feet), as well as within the building envelopes for the barn and the house.
5. The applicant is also proposing that the barn height revert back to the allowed Zone Height of 28 feet, which is consistent with the original 1993 Subdivision Plat and CC&Rs.
6. The Willow Ranch Subdivision was originally recorded in 1993.
7. 1993 Plat Notes indicate that Home square footage is limited to 8,000 square feet and Barns are limited to a maximum of 1,800 square feet with no human occupancy. Building envelope areas and maximum square footage are noted on the Plat.

8. In 1999, the prior owners of Lot 2 were approved for a Plat Amendment to reallocate 1,300 square feet of barn area to the home. Plat Note #3 limits the home square footage to a maximum of 9,300 square feet, Plat Note #4 limits the barn to 500 square feet. Plat Note #5 limits the barn height to 18 feet.
9. The applicant proposes to amend Plat Notes #3 and #4 and replace them with a footnote that allows for the combined total square footage to remain the same (9,800 square feet) but not be fixed between the house and the barn.
10. The applicant also proposes to delete Plat Note #5 and revert back to the originally allowed maximum Building Height of 28 feet for the barn.
11. The applicant submitted a letter from the Willow Ranch HOA stating that the HOA voted to approve the applicant's application.

Conclusions of Law:

1. There is good cause for this Plat Amendment as it is consistent with the total square footage allowed on the lot between the home and barn and the Zone Height.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Subdivisions.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended plat for compliance with State law, the Land Management Code and the conditions of approval, prior to recordation of the Plat.
2. The applicant will record the Plat Amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is submitted in writing and approved by the City Council.
3. A Plat Note shall indicate the Street address of Lot 2 is 2750 Meadow Creek Drive.
4. A Plat Note shall indicate the home and barn shall be constructed within the designated building envelopes.
5. A Plat Note shall indicate the total impacted area, including building footprint and additional fill, shall not exceed 17,000 square feet.
6. A Plat Note shall indicate a minimum 5-foot non-exclusive utility and drainage easement is hereby dedicated along both sides of all lot lines.
7. A Plat Note shall indicate a 10-foot non-exclusive utility easement is hereby dedicated along front lot lines.
8. A Plat Note shall indicate all footing and foundation designs shall be approved by Geotechnical engineers.
9. A Plat Note shall indicate irrigation is by sprinkler only.
10. A Plat Note shall indicate a maximum of three horses will be allowed and no grazing of horses in the wildlife corridors.
11. A Plat Note shall indicate lot line fencing is required and must be maintained in accordance with the CC&Rs and design guidelines of Willow Ranch.
12. A Plat Note shall indicate a modified 13-D fire sprinkler system is required for the home as directed by the Park City Fire Marshal.

13. A Plat Note shall indicate this lot is subject to an animal management plan and equestrian lot open space covenant executed with the Park City Municipal Corporation.
14. A Plat Note shall indicate no basements are allowed.
15. A Plat Note shall indicate the Lot is allowed an accessory dwelling unit subject to the approval of Park City Municipal Corporation and restrictions as outlined in the Willow Ranch CC&Rs.
16. A Plat Note shall indicate the home square footage is limited to a maximum of 9,300 square feet, excluding the first 600 square feet of home attached garage space per CC&Rs and the City's Land Management Code.
17. A Plat Note shall indicate the Building Height of the home is limited to 23 feet to the midpoint of the roof and 28 feet to the peak of the roof.
18. A Plat Note shall indicate the pitch of the barn roof shall be substantially similar to the predominant pitch of the home's roof, and under no circumstances shall the peak Height of the barn exceed the Zone Height of 28 feet.
19. A Plat Note shall indicate none of the Exception Parcels are rendered separately buildable by virtue of this amendment
20. A Plat Note shall indicate the combined total square footage of the home and the barn shall not exceed 9,800 square feet, excluding the first 600 square feet of home attached garage space per CC&Rs and the City's Land Management Code.
21. A Plat Note shall indicate the barn square footage will be limited to a maximum of 1,800 square feet as originally allowed in the Willow Ranch Subdivision Plat and CC&R's, with no human occupancy.
22. A Plat Note shall indicate floor plans for both the house and barn shall be submitted at the time of building permit for any modification to the house and any new construction for the barn, showing that the combined maximum square footage will not exceed 9,800 square feet. Plans must be stamped and signed by a registered architect to ensure the maximum total square footage is not exceeded.
23. A Plat Note shall indicate no certificate of occupancy will be issued for the barn until all construction on the house has been completed.
24. A Plat Note shall indicate the Lot 2 Willow Ranch Replat exceeds one (1) acre and shall meet the requirements of the municipal separate storm sewer system (MS4) storm water program. A plat note shall indicate that development shall be required to obtain a MS4 storm water permit prior to any construction activity.

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

PASSED AND ADOPTED this 29th day of April, 2021.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibits

Attachment A – Lot 2 Willow Ranch Replat, First Amended

LOT	CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
6	C1	305.00'	106.40'	105.86'	N 09°59'38" W	19°59'16"
6	C2	625.00'	192.71'	191.95'	S 11°09'16" E	17°39'59"
7	C3	625.00'	66.49'	66.46'	S 00°43'35" W	06°09'43"
7	C4	25.00'	22.39'	21.65'	N 21°53'06" W	51°19'04"
7	C5	55.00'	60.50'	57.49'	S 16°02'01" E	63°01'14"
1	C6	55.00'	62.96'	59.58'	S 48°16'19" W	65°35'25"
2	C7	55.00'	62.96'	59.58'	N 66°08'16" W	65°35'25"
3	C8	55.00'	84.89'	76.71'	N 10°52'29" E	88°26'04"
3	C9	25.00'	22.39'	21.65'	S 29°25'59" W	51°19'04"
4	C10	575.00'	182.74'	181.97'	S 05°19'50" E	18°12'33"
5	C11	575.00'	55.72'	55.70'	S 17°12'41" E	05°33'09"
5	C12	355.00'	123.84'	123.21'	N 09°59'38" W	19°59'16"
6	C13	305.00'	90.31'	89.98'	N 08°28'56" W	16°57'53"
1	C14	55.00'	24.32'	24.12'	S 28°08'33" W	25°19'54"
2	C15	55.00'	31.48'	31.05'	N 49°44'25" W	32°47'43"
1	C16	55.00'	24.81'	24.60'	S 68°08'36" W	25°50'51"

LINE	DIRECTION	DISTANCE
L1	S 00°00'00" E	6.09'
L2	N 19°59'16" W	7.29'
L3	S 19°59'16" E	7.29'
L4	N 00°00'00" E	6.10'

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into a public street and lots, together with easements as set forth on the attached plat, hereafter to be known as Willow Ranch Subdivision.

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

Executed this 12th day of FEBRUARY, 1993.

Richard Dudley - President

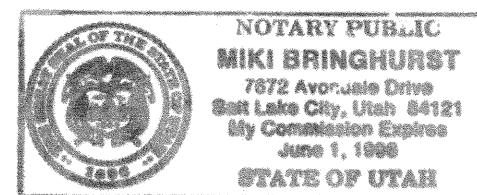
Willow Ranch Development Inc., a Utah corporation

ACKNOWLEDGEMENT

State of Utah)
County of Summit)
On the 12th day of February, 1993, personally appeared before me, Richard Dudley, who, being by me duly sworn, did say that he is the President of Willow Ranch Development Inc., a Utah Corporation and that within and foregoing Owner's Dedication and Consent to Record, was signed on behalf of said Corporation and said Richard Dudley acknowledged to me that said Corporation executed the same.

Notary Public

My commission expires: 1/6/96



LEGAL DESCRIPTION

Beginning at the East Quarter Corner of Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence along the East line of the North half of the Southeast Quarter of said Section 5, South 00°17'50" West 1338.83 feet to the Southeast Corner of the North half of the Southeast Quarter of said Section 5, said point also being the Northeast Corner of McLeod Creek Subdivision as recorded; thence along the South line of the North half of the Southeast Quarter of said Section 5, said South line also being the North line of said McLeod Creek Subdivision, North 89°58'39" West 1258.05 feet to a point on the Easterly most line of a 50 foot wide railroad right-of-way, thence along said railroad right-of-way the following two (2) calls: 1) North 28°16'38" West 694.96 feet to a point of a 855.00 foot radius curve to the left; thence 2) along the arc of said curve 75.88 feet thru a central angle of 05°05'05"; thence North, 387.86 feet; thence South 79°53'25" East 262.94 feet; thence North 82°51'53" East 140.99 feet; thence South 88°02'27" East 185.69 feet; thence North 60°24'25" East 345.20 feet; thence North 26°38'08" East 153.78 feet to a point on the center section line of said Section 5, said point also being on the south line of Ridgeview Subdivision as recorded; thence North 89°57'38" East along said center section line and said subdivision line 679.64 feet to the POINT OF BEGINNING.

Contains: 41.48 acres of land, more or less.

SURVEYOR'S CERTIFICATE

I, JACK J. JOHNSON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 4496 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT A SURVEY HAS BEEN MADE OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON. I FURTHER CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

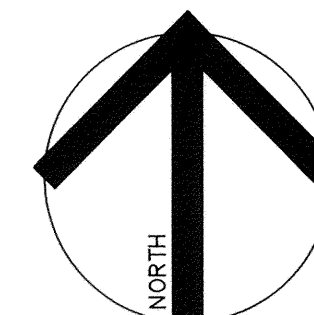
JACK J. JOHNSON

FEBRUARY 12, 1993

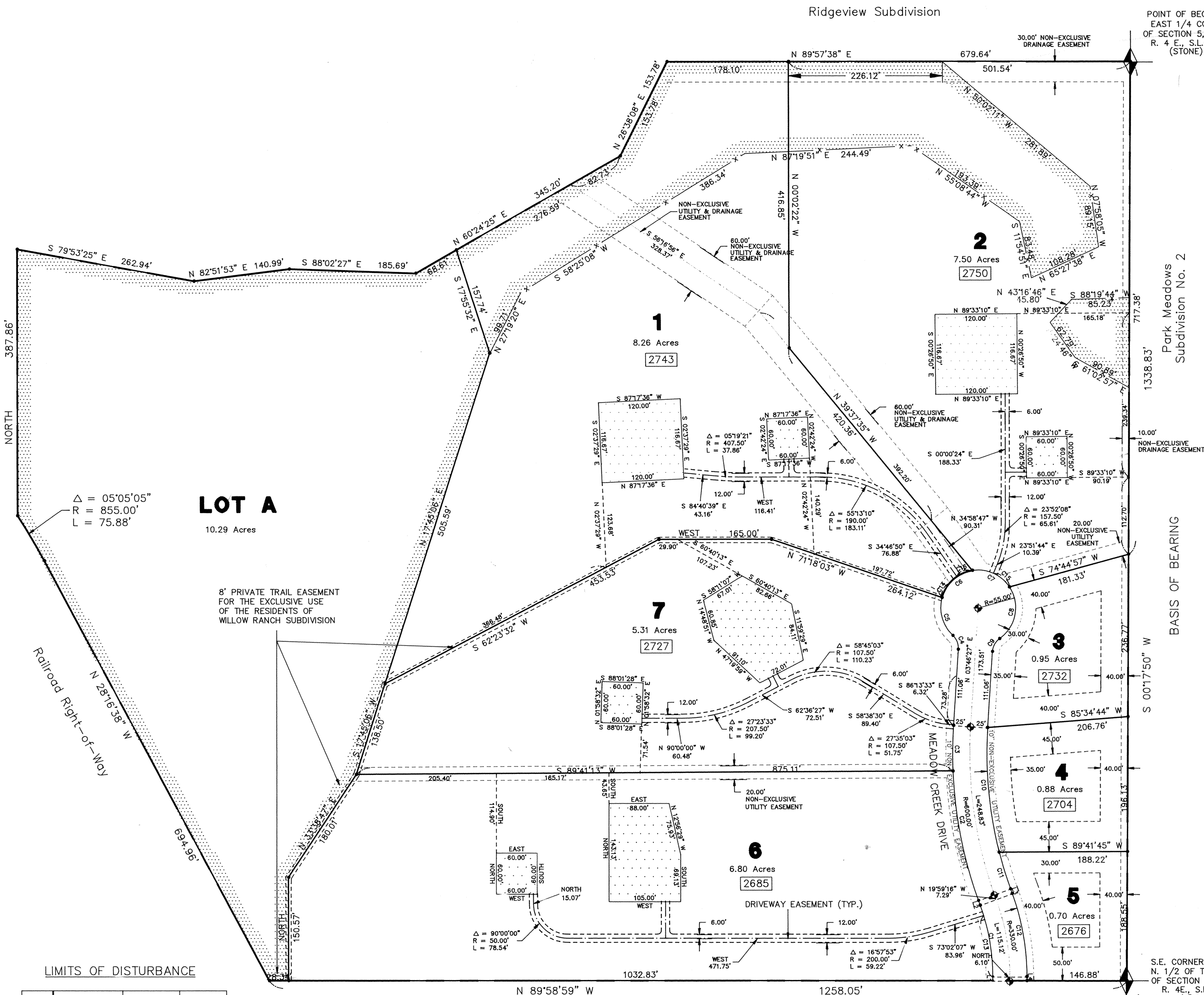
DATE:

WILLOW RANCH SUBDIVISION

A PART OF THE NORTH HALF OF SOUTHEAST QUARTER
OF SECTION 5, T. 2S, R. 4E,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



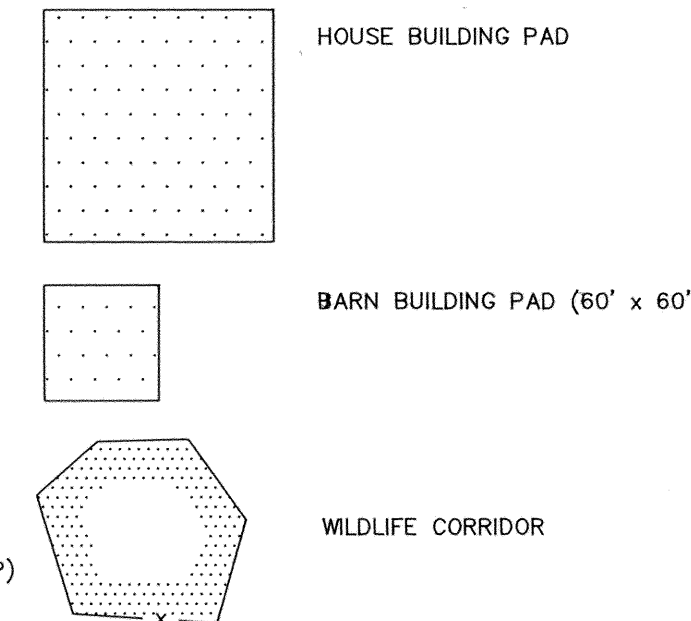
SCALE: 1" = 100'



NOTES:

- BUILDINGS SHALL BE CONSTRUCTED WITHIN THE LIMITS OF SHOWN BUILDING PADS.
- ON LOTS 1 AND 2, THE TOTAL IMPACTED AREA, INCLUDING BUILDING FOOTPRINT AND ADDITIONAL FILL, SHALL NOT EXCEED 14,000 SQUARE FEET.
- A 5 FOOT NON-EXCLUSIVE UTILITY AND DRAINAGE EASEMENT IS HEREBY DEDICATED ALONG BOTH SIDES OF ALL LOT LINES.
- A 10 FOOT NON-EXCLUSIVE UTILITY EASEMENT IS HEREBY DEDICATED ALONG FRONT LOT LINES.
- ALL FOOTING AND FOUNDATION DESIGNS SHALL BE APPROVED BY GEOTECHNICAL ENGINEERS.
- IRRIGATION IN ALL LOTS BY SPRINKLER ONLY.
- ON LOTS 1, 2, 6, AND 7 A MAXIMUM OF THREE HORSES WILL BE ALLOWED AND NO GRAZING OF HORSES IN THE WILDLIFE CORRIDORS.
- OWNERS OF LOTS 1, 2, 6, AND 7 ARE REQUIRED TO INSTALL AND MAINTAIN LOT LINE FENCING IN ACCORDANCE WITH THE C.C.&R.s AND DESIGN GUIDELINES OF WILLOW RANCH.
- HOME SQUARE FOOTAGES WILL BE LIMITED TO A MAXIMUM OF 8,000 SQUARE FEET ON LOTS 1, 2, 6, AND 7 AND 4400 SQUARE FEET ON LOTS 3, 4, AND 5.
- BARN SQUARE FOOTAGES WILL BE LIMITED TO A MAXIMUM OF 1,800 SQUARE FEET WITH NO HUMAN OCCUPANCY.
- BUILDING HEIGHTS OF HOMES AND BARN WILL BE LIMITED TO 23 FEET TO MIDPOINT OF ROOF AND 28 FEET TO PEAK OF ROOF.
- HOMES ON LOTS 1, 2, 6, AND 7 WILL BE REQUIRED TO INSTALL MODIFIED 13-D FIRE SPRINKLER SYSTEMS AS DIRECTED BY THE PARK CITY FIRE MARSHALL.
- LOTS 1, 2, 6, AND 7 ARE SUBJECT TO AN ANIMAL MANAGEMENT PLAN AND EQUESTRIAN LOT OPEN SPACE COVENANT EXECUTED WITH THE PARK CITY MUNICIPAL CORPORATION.
- NO BASEMENTS ARE ALLOWED.
- PRIOR TO OCCUPANCY OF ANY HOUSE, ITS DRIVEWAY MUST BE PAVED.
- PARK CITY MUNICIPAL CORPORATION DOES NOT NORMALLY PLOW SNOW WITHIN A SUBDIVISION UNIT 50% OF THE LOTS HAVE BEEN BUILT UPON.
- NO BUILDING PERMITS WILL BE ISSUED UNTIL MEADOW CREEK DRIVE HAS BEEN PAVED. EXCAVATION AND FOOTING/FOUNDATION PERMITS WILL BE ISSUED PRIOR TO PAVING OF MEADOW CREEK DRIVE.
- LOTS 1, 2, 6, AND 7 ARE ALLOWED AN ACCESSORY DWELLING UNIT SUBJECT TO THE APPROVAL OF PARK CITY MUNICIPAL CORPORATION AND RESTRICTIONS AS OUTLINED IN THE WILLOW RANCH C.C.&R.s.

LEGEND



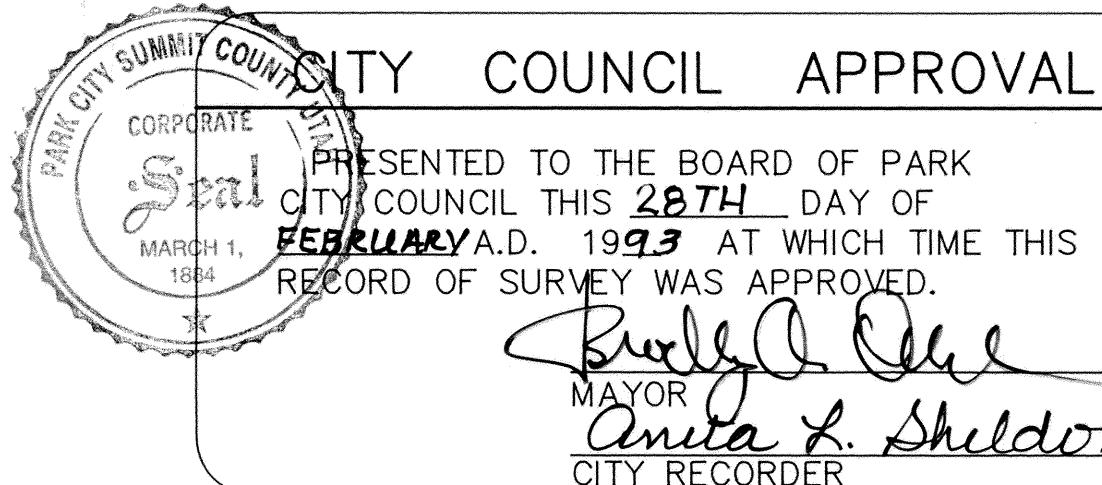
ADDRESS

STREET MONUMENT

LIMITS OF DISTURBANCE

LOT	BUILDING AREA (sq. ft.)	BARN AREA (sq. ft.)	TOTAL (sq. ft.)
LOT 1	14,000	3600	17,600
LOT 2	14,000	3600	17,600
LOT 6	14,400	3600	18,000
LOT 7	14,400	3600	18,000
TOTAL			71,200

McLeod Creek Subdivision



CITY ENGINEER

APPROVED AND ACCEPTED BY THE
PARK CITY ENGINEERING DEPARTMENT
ON THIS 26th DAY OF FEBRUARY
A.D. 1993.

Chris W. DeHaan P.E.
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK
CITY PLANNING COMMISSION ON THIS 22nd
DAY OF February A.D. 1993.

B. Wick
CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 22nd
DAY OF February A.D. 1993

Jack J. Johnson
CITY ATTORNEY

RECORDED

No. 374694
STATE OF UTAH,
COUNTY OF SUMMIT.
RECORDED AND FILED AT THE REQUEST OF:
Coalition Title
Date: 02-26-93
Time: 11:15 A.M.
Fee: 722.00
Alan Spriggs
COUNTY RECORDER



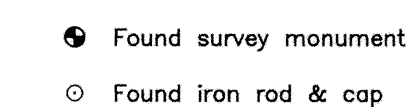
1910 Prospector Avenue • Park City, Utah 84060
(801) 645-9000 • fax (801) 649-1620

PLOTTED: JANUARY 22, 1993

SURVEYOR'S CERTIFICATE

REGISTERED LAND SURVEYOR
No. 163931
JOHN
DEMOKOWICZ
State of Utah

Beginning at a point which is South 89°57'38" West 377.71 feet from the northeast corner of said Lot 2; thence South 00°17'50" West 36.72 feet; thence South 89°57'38" West 123.61 feet; thence North 00°02'22" West 36.72 feet to the northwest corner of said Lot 2; thence North 89°57'38" East 123.83 feet to the point of beginning.



L O T 2 W I L L O W R A N C H R E P L A T

JOB NO.: 14-5-98 FILE: Z:\wil\dwg\sr\plat98\140598p.dwg

# 551979	RECORDED
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STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF Equity Title
DATE 11-3-99 TIME 8:50 AM BOOK — PAGE —
\$31.00 Alan Smith
FEE RECORDER

(435) 649-9467

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER
IMPROVEMENT DISTRICT STANDARDS ON THIS 29th

DAY OF OCTOBER, 1999 A.D.

BY S.B.S.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS 1ST
DAY OF NOVEMBER, 1999 A.D.

BY M. J. Costello
CHAIRMAN

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS 29TH
DAY OF OCTOBER 1999 A.D.

BY Eric W. O'Leary
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 2nd
DAY OF November, 1999 A.D.

BY Mel D. H. J.
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY
MAP WAS APPROVED BY PARK CITY
COUNCIL THIS 3 DAY
OF JUNE, 1999 A.D.

BY Janet M. Scott
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

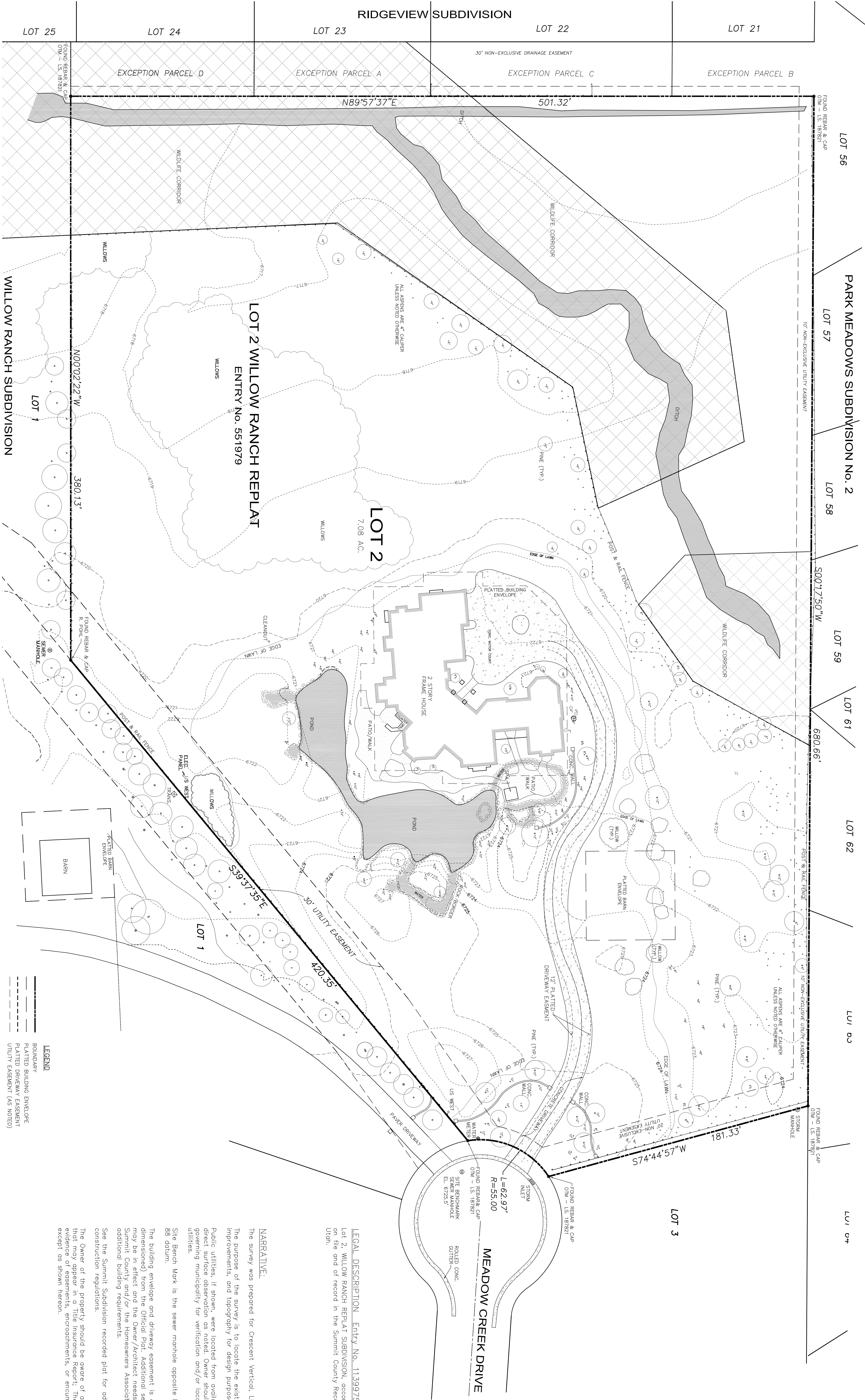
APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS, 3rd DAY OF JUNE

BY [Signature]
MAYOR



Alliance
Engineering Inc.

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664



LEGAL DESCRIPTION Entry No. 1139975, Book 2593 at Page 1517:
Lot 2, WILLOW RANCH REPLAT SUBDIVISION, according to the official plat thereof,
on file and of record in the Summit County Recorder's Office, Summit County,
Utah.

NARRATIVE:
The survey was prepared for Crescent Vertical, LLC.
The purpose of the survey is to locate the existing boundary, house, utilities,
improvements, and topography for design purposes.
Public utilities, if shown, were located from available design information and/or by
direct surface observation as noted. Owner should contact local utility company or
governing municipality for verification and/or location of any underground public
utilities.
Site Bench Mark is the sewer manhole opposite Lot 2 as shown, E.I. 6725.5", NAVD
88 datum.

The building envelope and driveway easement is as scaled (linework not
dimensioned) from the Official Plat. Additional setback and/or height restrictions
may be in effect and the Owner/Architect needs to verify these requirements with
Summit County and/or the Homeowners Association. See the Official Plat for
additional building requirements.
See the Summit Subdivision recorded plat for additional notes regarding
construction regulations.
The Owner of the property should be aware of any items affecting the property
that may appear in a Title Insurance Report. The Surveyor has found no obvious
evidence of easements, encroachments, or encumbrances on the property surveyed
except as shown hereon.

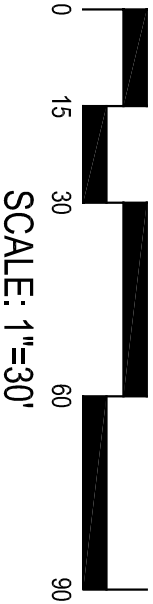
BOUNDARY & TOPOGRAPHIC SURVEY

LOT 2, WILLOW RANCH REPLAT
LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH

SURVEYOR'S CERTIFICATE:

I, Russell E. Campbell, do hereby certify that I am a Professional Land Surveyor
and that I hold Certificate No. 316833 as prescribed under the laws of the State
of Utah. I further certify that the boundary and topographic survey shown hereon
was derived from direct field observation and represents the existing conditions and
contours as of the date of survey, January 26, 2021.

Russell E. Campbell
DATE



- LEGEND**
- BOUNDARY
 - PLATTED BUILDING ENVELOPE
 - PLATTED DRIVEWAY EASEMENT
 - UTILITY EASEMENT (AS NOTED)
 - SET REBAR & CAP - BASELINE 316833
 - FOUND REBAR & CAP - AS NOTED
 - SANITARY SEWER MANHOLE
 - STORM DRAIN MANHOLE
 - TELEPHONE BOX
 - ELECTRICAL BOX
 - EVERGREEN WITH CALIPER SIZE
 - ASPEN WITH CALIPER SIZE
 - WATER
 - WILDLIFE CORRIDOR

Crescent Vertical LLC
PO BOX 681248
Park City UT 84068

February 22, 2021

Park City Municipal Corporation
ATTN: Planning Department
445 Marsac Ave,
Park City, Utah 84060

RE: Willow Ranch Lot 2 Plat Amendment Application

Dear Planning Department,

This application for the Willow Ranch Lot 2 Plat Amendment (this “**Second Replat**”) seeks to primarily change three plat notes for Willow Ranch Lot 2 (“**Lot 2**”) related to the allocated square footage between the barn and house that were changed in the Willow Ranch Lot 2 Replat dated November 3, 1999 (“**First Replat**”) from the original Willow Ranch Subdivision Plat Map dated February 22, 1993 (“**Original Plat**”). There are no proposed changes to the actual map. Fundamentally, all other notes on the Replat and Original Plat are to remain the same. The intent is to reduce the allowable square footage of the house by shifting some of it back to the allowable square footage of the barn, as originally approved in the Original Plat. The net allowable square footage would remain the same as already approved by this Planning Commission and City Council twice; first, during the Original Plat approval and, subsequently, during the First Replat approval. Per plat note #3 on the Second Replat, the total square footage would remain unchanged.

For context, in 1999, former owners of Lot 2 reallocated 1300 allowable square footage from the barn to the home. We plan to remodel the home in the near future and would like to have a functional barn for our small tractor, gardening supplies, lawnmower, snowblower, welder, and other miscellaneous tools while also reducing the size of the home. Also, by adding some square footage to the barn, we can enhance the architectural design of the barn. Essentially the current allowed 500 square foot barn would have to be a square shed in the middle of the entrance to the property.

Because this is a remodel and this is the first step in determining how we will remodel the home, we do not know the exact amount of square footage that we would like to shift from the house to the barn. We have identified about 500 square feet of the home that we would like to remove from the house to shift to the barn, but until we actually open up the walls during construction, we will not really know exactly what we have. We are asking that the same total allowed square footage to remain unchanged but allow the square footage between the house and barn to simply float so we don’t have to deal with a future request to change this. Please see plat notes #4 & 5 on the Second Replat.

This request to change the notes is consistent with the purposes and intents of the Land Management Code, particularly Chapter 15, Subdivision Regulations. As was determined by the Park City Planning Commission and City Council, first with the Original Plat and then again with the Replat, this request for an amendment to make a Second Replat to amend notes is consistent with the Park City General Plan. As was previously determined, this Second Replat is consistent with the surrounding use, scale, mass, and circulation given the large lot size acreage, existing height restrictions, existing setback requirements, and large amount of separation between structures. There are no detrimental impacts to the City with this Second Replat. Given the size of the lot, the setbacks, the limits of disturbance, building pads, CC&Rs, etc. we feel that this allocation would be a benefit to the neighborhood.

Best,
Sarah & Gerry Hall
Owners of Crescent Vertical LLC

February 22, 2021

Park City Municipal Corporation
445 Marsac Avenue,
Park City, Utah 84060

RE: Willow Ranch Lot 2 Replat Application

Dear Planning Department,

The Willow Ranch Homeowners Association voted and approved this second replat for the Willow Ranch Lot 2. Our Willow Ranch Homeowners Association governing documents allow for our members to vote by proxy; due to covid, we did vote and approve this application by proxy on February 20, 2020.

Sincerely,

Will Lange
President
Willow Ranch Homeowners Association

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Jason Glidden

Submitting Department: Community Development

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Approve the PEG Development Affordable Housing Mitigation Plan in Fulfillment of the Affordable Housing Obligation Generated by the Park City Mountain Base Area Development Project
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[PEG Housing Mitigation Plan Staff Report](#)

[Exhibit A: Housing Mitigation Plan Proposal](#)

[Exhibit B: PEG Housing Mitigation Plan Action Letter](#)

Housing Authority Staff Report

Subject: Park City Mountain Base Area Development - Affordable Housing Mitigation Plan
Author: Jason Glidden, Affordable Housing Program
Department: Affordable Housing
Date: April 29, 2021
Type of Item: Administrative

Recommendation

Review the Affordable Housing Mitigation Plan proposed by PEG Development, hold a public hearing, and consider approving the plan to fulfill the affordable housing obligation generated by the proposed Park City Mountain Base Area Development project.

Background

The Park City Base Resort

On June 25, 1997, the Planning Commission approved the PCMR Large Scale Master Plan (1997 MPD). On August 21, 1997, the City Council approved height variations for amended Conditions of Approval and modified Concept Master Plan's specific volumetric. Please see the following link for prior approvals: [Park City Mountain Resort Prior Approvals](#).

These two approvals, along with the PCMR Base Area Master Plan Study, resulted in the 1998 Development Agreement between PCMC and Powdr Corp for the development of the Park City Mountain Resort Base (1998 DA), recorded July 1998, and as amended in 2015.

The 1998 DA contains important considerations for employee housing requirements. Specifically, it requires the Developer (originally Powdr Corporation and now PEG Development to construct or provide deed-restricted off-site housing for 80 PCMR employees (roughly 10% of total employees) on or before October 1, 2003. The 80 bed requirement is referenced in the Notice of Commission Action (Planning Commission Approval of the MPD) dated June 25, 1997 ([Minutes](#)), Finding 12, and reads:

The Park City Mountain Resort Master Plan will result in a significant demand for new employees as detailed in employee generation studies conducted by both the applicant and the City. The City Council has stated that employee generation should be addressed in resort expansion. The Park City Mountain Resort has agreed to provide seasonal housing for 80 employees, which constitutes 10% of the employees generated. In addition, the Park City Mountain Resort provides an employee shuttle from Salt Lake City, Provo, and Heber and will commit to continue this service.

Currently, only Parcel A has been developed, consisting of the Marriott Mountainside Resort, a 182-unit timeshare project, a skier services building called Legacy Lodge, and 193 parking spaces 177 are in an enclosed structure. The partial buildout of the approved MPD triggered an incremental housing requirement of 23 employee beds (out of the overall 80); however, the developer never fulfilled the obligation. The housing requirement remains outstanding.

On March 25, 2015, Planning Commission approved ([Staff Report](#), [Minutes](#)) amendments to the 1998 MPD and DA, (specifically Exhibit L, known as the Mountain Upgrade Plan) and issued a new CUP for both the Interconnect Gondola (now the Quicksilver Gondola) and the expansion of the Snow Hut on-mountain restaurant (now Miners Camp). Condition of Approval #3 of the March 25, 2015, MPD amendment states:

3. Employee Housing

Unless Section 2.2 of the Development Agreement is previously satisfied by the Developer in an off-site location, which shall include employee housing required by the development of Parcel A (the "Required Employee Housing"), or an updated housing plan is approved by the Housing Authority, the Developer shall include as part of the next application for a Small Scale MPD/CUP approved after March 25, 2015, under the Development Agreement for Parcels A-E (the "next Small Scale MPD Application") an affordable housing plan subject to Park City Housing Authority approval per the Housing Resolution in effect at the time of application for the Required Employee Housing and the employee housing required for the Next Small Scale MPD/CUP Application as determined by such resolution. Unless otherwise approved in the housing plan or previously satisfied, a completion bond or letter of credit in a form approved by the City Attorney will be required for the Required Housing as a condition of building permit issues for the Next Small Scale MPD. *Nothing in this condition shall be deemed to relieve any owner or prior Developer of Parcel A from any liability that may exist to the City, the Developer, or any future developers in the MPD for failure to comply with Section 2.2 of the Development Agreement.*

PEG Development (PEG) has proposed to amend the 1998 DA by replacing the 1997 Master Plan (Exhibit D of the 1998 DA) with a new Master Plan. The proposed plan seeks to develop the existing surface parking lots and construct a mixed-use resort development consisting of for-sale condominiums, affordable and employee housing, day skier parking, hotel, retail and restaurants, ski club, public ski lockers, skier services, wayfinding, and public plazas. As part of the proposed amendment to the 1998 DA, PEG has created a new housing mitigation plan that includes satisfying the outstanding obligation of 23 beds and meeting the new requirements of the City's most current Housing Resolution in place at the time of their application ([Resolution 03-17](#)).

Staff brought the first draft of PEG's Housing Mitigation Plan to the Housing Authority in a work session on October 13, 2020 ([Staff Report](#), [Minutes](#)). At that time, the Housing Authority provided feedback on a number of issues and asked PEG to provide additional information on the dorm-style housing, the basis of their independent calculations, a more detailed phasing plan that prioritizes the outstanding obligation for the 23 beds, and to address a financial guarantee for the 23 beds in the form of a bond or letter of credit.

On April 1, 2021 ([Staff Report](#), [Minutes](#)), PEG presented an updated plan that addressed the four issues identified at the October 13th work session. At that time, Council provided positive feedback and requested one additional change that stated that the employee housing is "completed and available prior to any certificate of occupancy be issued to any market-rate units". PEG has made the edit to their plan and has submitted the updated plan for final approval.

Analysis

The proposed Housing Mitigation Plan replaces the 57 remaining beds required by the 1998 DA with a plan that meets the 03-17 Housing Resolution, including mitigating the housing needs for 20% employee generated by the new commercial uses and 15% of market-rate housing units. In addition, PEG plans to fulfill the outstanding obligation for 23 employees beds with three, 8-bed dormitories. All affordable units will be located within Parcel B.

Summary of new proposed Housing Obligation according to PEG (Exhibit B):

- 23 beds outstanding from the 1998 DA;
- 65.97 AUE's required by new commercial development; and
- 20.85 AUE's required by new residential development.

While the original plans note that the commercial development would generate between 727 to 823 employees, based on 03-17 Housing Resolution, a total of 577.4 employees will be generated through the commercial development proposed. PEG will be required to provide housing to mitigate 20% of the total number of employees or 115.6 employees. This is in addition to the 23 employee beds, bringing the total number of employees mitigated to 138.6 employees.

Staff has reviewed the calculation presented by PEG and finds that they meet the requirements outlined in the 03-17 Housing Resolution. As part of these calculations, PEG has proposed to use independent calculations for the conference center and ski club. Staff believes that because the Housing Resolution does not have specific categories for these areas, the information provided, including employee generation from similar operations in other resort towns, the independent calculation is acceptable.

Summary of PEG's proposal to meet the Housing Obligation:

- Three dormitories of 8 rooms each, totaling 24 beds; and
- Eighty-five 1, 2, and 3 bedroom condominiums ranging from 575 to 1,832 sq ft.

Eligibility and Selection Process

PEG seeks to reserve the residential housing portion of their housing obligation as for-sale units, and the commercial development housing obligation for rent. PEG has included an outline of the prioritization system for unit eligibility. The three dorm style units will be reserved for seasonal employees working at the new base development to rent. The rental and for-sale units will be offered to the new base development employees first, then offered to the rest of the Resort employees. If units remain un-rented, they will be offered to employees of other commercial businesses located at the Resort base. Staff believes the selection process meets the intent of the Housing Resolution by prioritizing housing opportunities for employees that are generated by the development and working there, thus reducing additional employee traffic.

Phasing

PEG proposes to construct all affordable units (including the outstanding obligation of 23 beds) on-site in the first phase after “occupancy” of the proposed parking structure. The affordable units will be built concurrently with market-rate units in lot B, but PEG is proposing that none of the market rate units receive Certificates of Occupancy prior to the completion of the affordable units and their availability for occupancy. Staff believes the proposed phasing plan now meets the Housing Resolution and the additional items requested by Council.

Bond/Letter of Credit

As part of the approval of the March 2015 MPD amendment, Condition of Approval #3 states that “[u]nless otherwise approved in the housing plan or previously satisfied, a completion bond or letter of credit in a form approved by the City Attorney will be required for the required housing as a condition of the building permit issued for the Next Small Scale MPD.” PEG proposes providing a letter of credit for \$2,598,000. This amount is calculated based on the square footage of the three dorm style units necessary to satisfy the outstanding obligation of 23 beds (see calculation below).

Proposed Square Footage for 23 beds = 6,000
Number of Affordable Unit Equivalents (6,000/900) = 6.667
Current Fee In-lieu per unit = \$389,700
Letter of Credit Amount (6.667 X \$389,700) = \$2,598,000

Overall, Staff believes the PEG Housing Mitigation Plan is adequate, and the additional financial guarantee requested by Council has been satisfied. Staff does not find cause for the letter of credit to include the current Housing Resolution obligation generated from the new resort base pursuant to this plan. Staff is confident that the entire housing requirement will be built based upon the financial guarantee and the phasing plan that outlines all the affordable housing being built in the first phase of construction.

Attachments

Exhibit A PEG Housing Mitigation Plan Proposal
Exhibit B Draft Action Letter

PEG Development is pleased to be able to incorporate the housing mitigation plan as a part of the proposed Master Site Plan, maximizing the base area parcels for workforce housing that is within walking distance of employment, and integrating for-sale attainable housing into the redeveloped area, creating a vibrant, year-round neighborhood compatible with surrounding residents, reducing daily traffic, enhancing the quality of life for our valued workforce and local resident, and helping to meet community environmental and housing goals. The housing mitigation plan is in response to the March 25, 2015 Master Planned Development, Development Agreement, and Mountain Upgrade Plan Amendments and Conditional Use Permit, whereby MPD Condition of Approval #3 requires that unless section 2.2 of the Development Agreement is satisfied an updated housing plan shall be presented to the Housing Authority, either independently or in conjunction with a Small Scale MPD/CUP.

Background

The 1998 Development Agreement requires the construction of 80 beds. (DA Section 2.2 Employee Housing). The Marriott Mountainside on Parcel A was constructed in 2001 without providing any beds.

The March 25, 2015 action identified the 23 beds are outstanding from the Marriott Mountainside per a pro-rata allocation based on square footage for the project (findings of fact #116) and that Vail Resorts, as the now owner of the base area parcels, would be responsible for those beds. PEG, as the developer of the base area parcels, has agreed to assume that obligation within the updated housing mitigation plan and new proposal for the base area.

Proposed Plan

PEG, in conjunction with the Master Site Plan, proposes that the 57 remaining bed requirements of the DA be replaced instead by the current 2017 Park City Affordable Housing Guidelines, as allowed by Condition of Approval #3 in the 2015 action. What this means is PEG, in meeting its obligations, will be able to deliver more housing than the other option of 80 beds. As stated in Section 14 (A) of the 03-2017 Affordable Housing Plan, PEG is also committing to delivering all of the housing in Phase 1 of construction on Parcel B and within a very dynamic plan to construct structured day-skier parking, on-site housing and innovative pedestrian connectivity through the redevelopment, before any market rate for sale condos receives Certificate of Occupancy.

The 2017 Park City Affordable Housing Resolution calls for a total affordable housing square footage for commercial uses based on an employee mitigation calculation.

The 2017 Park City Affordable Housing Resolution regarding for sale condominium mitigation calls for 15% of units to be affordable units. Each affordable unit is calculated as 900 SF per the Resolution.

Per the Resolutions methodology and PEG's classification of the square footages by use in the proposed Master Site Plan, the required affordable housing square footage is determined as shown on the attached calculations in Table 1. The square footage and number of units provided under the 2017 Resolution is significantly more than the remaining 57 beds. While a direct comparison between the DA requirement of 57 beds and the current resolution (i.e. beds vs square footage), is a little like apples and oranges, the proposed plan based on the Master Site Plan provides 77,065 sf of net affordable housing which results in approximately 86 units in a mix of 1, 2 and 3 bedroom configurations with a total of 137 bedrooms; this calculation excludes the Parcel A requirement of 23 beds which would further increase the total affordable beds included in the proposed project to approximately 161 beds. The 23-bed

PEG Housing Mitigation Plan
2.23.21

requirement would be fulfilled by building three dorm style units with 8 beds per unit totaling to 24 beds. These units will be designed with no more than two beds per bedroom and follow the 03-2017 Affordable Housing Guidelines Section C. See Exhibit A of current dorm style units in other PEG properties. The final count of units/bedrooms may adjust slightly with final preparations of plans and to address City input, however the required square footage will be provided per the Resolution. Calculations for the affordable housing are shown on Table 1.

Table 1

PEG Companies
AH Calculation Updated 2/10/2021

Employee Generation Calculation									
Category	Square Footage		Parcel	Classification	AH Calculation				Total Net SF
	Gross	Net			FTE	Rate	Household	Units	
Retail	2,100		B	Commercial/Retail	3.3	20%	1.5	0.9	832
Day Skier Lockers	1,675		B	Professions Services	1.3	20%	1.5	0.3	261
Day Skier Lockers	1,600		B	Professions Services	1.3	20%	1.5	0.3	250
Parcel B Total	0	5,375						1.5	1,343
Skier Services	10,775		C	Commercial/Retail	3.3	20%	1.5	4.7	4,267
Retail	2,691		C	Commercial/Retail	3.3	20%	1.5	1.2	1,066
Ticketing	1,500		C	Commercial/Retail	3.3	20%	1.5	0.7	594
Retail	1,334		C	Commercial/Retail	3.3	20%	1.5	0.6	528
Hotel	250 Rooms		C	Lodging/Hotel	0.6/room	20%	1.5	20.0	18,000
Ballroom	5,594		C	Independent Calculation	1.3	20%	1.5	1.0	873
Jr. Ballroom	1,819		C	Independent Calculation	1.3	20%	1.5	0.3	284
Spa	3,087		C	Other Professional Services	3.7	20%	1.5	1.5	1,371
Fitness Center	1,778		C	Professions Services	1.3	20%	1.5	0.3	277
Meeting	1,237		C	Professions Services	1.3	20%	1.5	0.2	193
Meeting	1,221		C	Professions Services	1.3	20%	1.5	0.2	190
Meeting	1,221		C	Professions Services	1.3	20%	1.5	0.2	190
Meeting	1,221		C	Professions Services	1.3	20%	1.5	0.2	190
Meeting	1,877		C	Professions Services	1.3	20%	1.5	0.3	293
Retail	2,232		C	Restaurant/Bar	6.5	20%	1.5	1.9	1,741
Hotel Bar/Lounge/Restaurant	5,450		C	Restaurant/Bar	6.5	20%	1.5	4.7	4,251
Kitchen	3,307		C	Restaurant/Bar	6.5	20%	1.5	2.9	2,579
Parcel C Total	0	46,344						41.0	36,888
Retail	2,354		E	Commercial/Retail	3.3	20%	1.5	1.0	932
Retail	4,307		E	Commercial/Retail	3.3	20%	1.5	1.9	1,706
Ski Club	14,242		E	Independent Calculation	1.7	20%	1.5	3.3	2,974
Medical Clinic	2,300		E	Medical Profession	2.9	20%	1.5	0.9	800
Ski Patrol	890		E	Other Professional Services	3.7	20%	1.5	0.4	395
Retail	3,825		E	Restaurant/Bar	6.5	20%	1.5	2.4	2,204
Parcel E Total	0	26,918						10.0	9,011
Retail	13,007		D	Commercial/Retail	3.3	20%	1.5	5.7	5,151
Retail	1,740		D	Commercial/Retail	3.3	20%	1.5	0.8	689
Dock	992		D	Commercial/Retail	3.3	20%	1.5	0.4	393
Retail	4,757		D	Commercial/Retail	3.3	20%	1.5	2.1	1,884
Parcel D Total	0	20,496						9.0	8,116
Project Total	0	99,133						61.5	55,357

Residential Generation Calculation									
Category	Units	Square Footage		Parcel	Classification	AH Calculation			
		Gross	Net			Mitigation Rate	Total Units	Total	Net SF
Condo	48	114,710		B	Residential	15%	7.2	6,480	
Condo	42	77,566		E	Residential	15%	6.3	5,670	
Condo	37	71,392		D	Residential	15%	5.6	4,995	
Condo	12	10,264		C	Residential	15%	1.8	1,620	
Total	139	273,872					19.1	18,765	

DEVELOPMENT EMPLOYEE (COMMERCIAL) AND AFFORDABLE (RESIDENTIAL) HOUSING CALCULATION

Commercial/Retail					
Use	Workers	SF/Rooms	Total Workers	Mitigation Rate	Workers per Household
Restaurant/Bar	6.5	13814	89.8	18.0	12.0
Education	2.3	0	0.0	0.0	0.0
Finance/Banking	3.3	0	0.0	0.0	0.0
Medical Profession	2.9	2300	6.7	1.3	0.9
Other Professional services	3.7	3977	14.7	2.9	2.0
Personal Services	1.3	11830	15.4	3.1	2.1
Real Estate/Property Management	5.9	0	0.0	0.0	0.0
Commercial/Retail Use	3.3	45557	157.4	31.5	21.0
Recreation/Amusement	5.3	0	0.0	0.0	0.0
Utilities	2.9	0	0.0	0.0	0.0
Lodging/Hotel (per room)	0.6	250	150.0	30	20.0
Condominium Hotel (per unit)	0.6	139	83.4	16.7	Less than Residential
Overall/General	4.4	0	0.0	0.0	0.0
Independent Calculation/Ballroom	4.86	7413	36.0	7.2	4.8
Independent Calculation/Ski Club	1.74	14242	24.8	5.0	3.3
Totals				115.6	66.0
Commercial Totals				65.97	Resultant number of Units
Residential Totals				20.85	Resultant number of Units

Residential	
Condos	15%
Units	Mitigation Rate
139	20.85

Total Employee SF	59,372 SF	(65.97 Units * 900 sf)
Total Affordable SF	18,765 SF	(20.85 Units * 900 sf)
Total SF	78,137 SF	

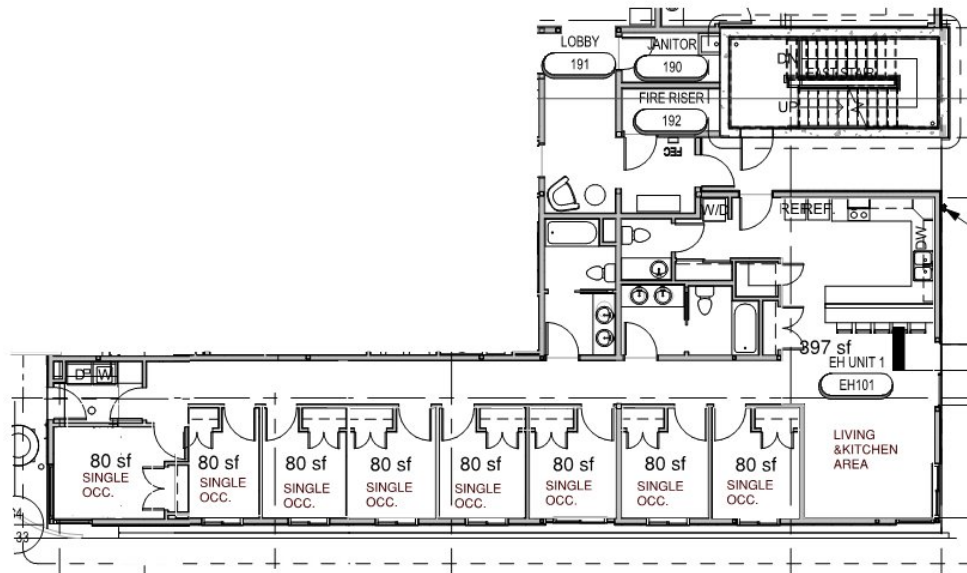
Parcel A Requirement	23 Beds
Total Parcel A Beds	24.0

All affordable housing would be deed restricted and subject to Park City affordable housing guidelines including very affordable rent and sales restrictions.

All the affordable housing will be built in the first phase, on Parcel B. An unconditional certificate of occupancy for the Project, or a temporary certificate of occupancy if it allows for operation of the affordable housing units has been issued and all other licenses, permits, authorizations and approvals required for the Owner to use the Project for its intended use have been issued.

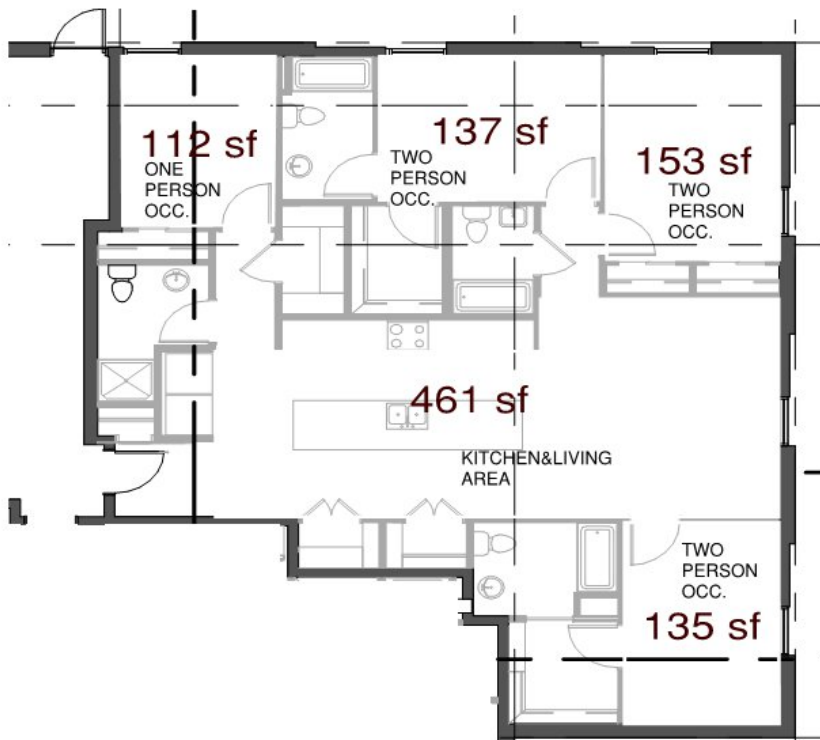
A site plan and floor plans for Parcel B, including the parking, market rate condos and affordable housing are attached as Exhibit A and B.

Exhibit A



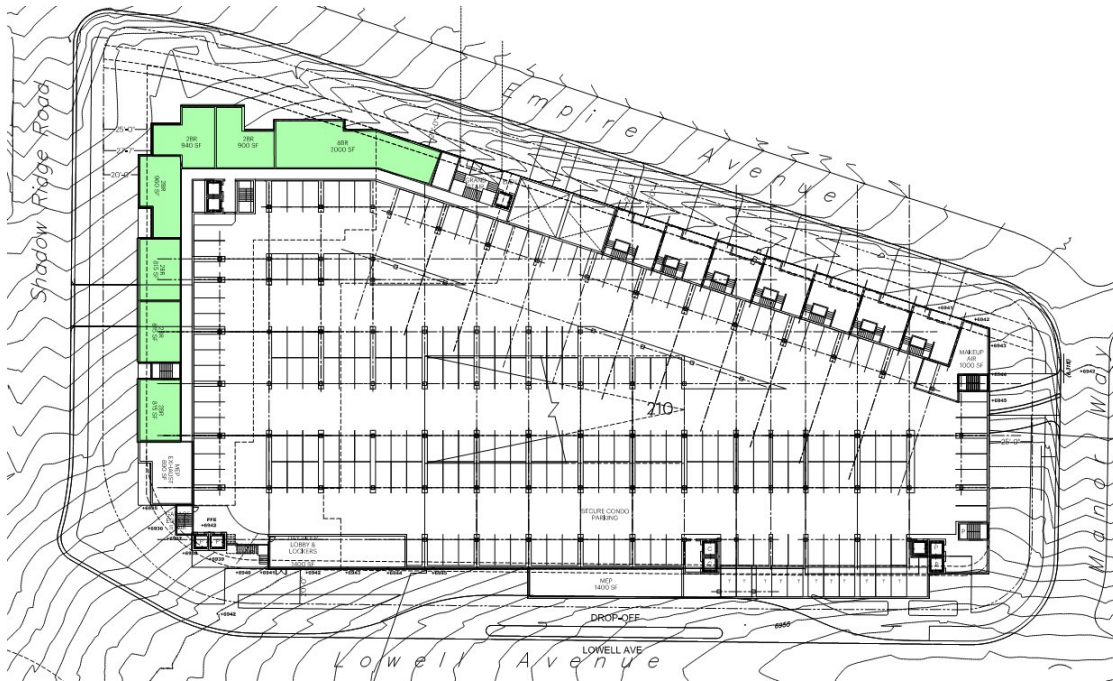
EMPLOYEE UNIT LAYOUT EXAMPLE / 8 UNIT 1698 TOTAL S.F.

Exhibit B



EMPLOYEE UNIT LAYOUT EXAMPLE 7 BEDS / 1656 TOTAL SF





Level B1



Level 1

PEG Housing Mitigation Plan
2.23.21



Level 2



Level 3

The following tables shows how we did the independent calculation of the proposed membership-only Ski Club and for the associated positions to support the ski club. As modeled after successful club operations at Deer Valley and Vail, the ski club will have valet parking, designated lockers with private locker rooms, year-round ski storage, year-round roof top pool and hot tubs. A few of the benefits will be complimentary daily continental breakfast, refreshments served daily in the club great room, special member spa and dining discounts, first tracks and club ski days in the winter, weekly club ski days with an Instructor, winter snowshoe hikes, hiking and biking in the summer and week long summer kids camps and après ski activities.

Ski Club			
Job Description	Hrs/Yr	# of Employees	Annual Emp Hours
Club Director	2080	1	2080
Club Managers	2080	2	4160
Ski/Car Valet (FT)	2080	2	4160
Ski/Car Valet (Seasonal PT)	477	10	4767
Ski/Car Valet (Seasonal FT)	953	12	11440
F&B (FT)	2080	1	2080
F&B (Seasonal PT)	477	3	1430
F&B (Seasonal FT)	953	4	3813
Front Desk	2080	2	4160
Front Desk (Seasonal PT)	477	1	477
Children's Coordinator (FT)	2080	1	2080
Summer PT Help	433	5	2167
		44	42813
FT Equivalents			21
Total Club SF			14242 excludes parking SF
# Employees/1000 SF			1.45

The independent calculation of the hotel meeting space is found below. The calculations show the staff support, the total work hours each year and the total number of employees per 1000 square feet. We have confirmed this with other resorts in the area, these numbers are shown pre- Covid-19.

Conference Center Employee Generation			
Job Description	Hrs/Yr	# of Employees	Annual Emp Hours
Banquet Hourly	1647	15	24700
Banquet Hourly (PT)	797	20	15947
Banquet Salaried	2080	1.5	3120
CSM Hourly	2080	1	2080
CSM Salaried	2080	5	10400
Culinary Hourly	1647	5	8233
Culinary Salaried	2080	1	2080
Conference Sales Salaried	2080	4	8320
		53	74880
FT Equivalents			36
Total Conf SF			7413
# Employees/1000 SF			4.86

Eligibility and Pricing

Units will be divided among affordable for rent units and affordable for sale units as defined in Resolution 03-2017. Given that the project is built as a multi-family structure with condos for sale, the required affordable housing units derived from the market rate condos will be for-sale. The affordable housing units derived from the commercial portion of the project will be for rent. The 24 proposed beds to cover the 23-bed outstanding obligation from Parcel A will be Winter Seasonal Units as defined by the Resolution in Section 9.B. **The City will pre-approve that all buyers/renters are qualified. PEG or Vail will administer the sale or rental of the units.**

Eligibility and selection of units will be determined and administered by the City's Affordable Housing Office, in accordance with current Housing Selection Process, with priority given first to employees of the new uses of the Base Area Development (i.e. from uses on Parcel B, C, D and E), then to employees of Park City Mountain Resort, then to employees of commercial uses currently at the base, then to Senior Citizens and persons who are physically and/or mentally challenged per Section 16 of the Resolution. All sales will be in accordance with the Utah Fair Housing and will be handled by the owner.

Pricing of for-sale units will be based on the Park City Affordable Housing Resolution 03-2017 Section 17.C. For Sale Units. *"In general, the initial sale price for an affordable unit in any one development shall average a price affordable to a household earning 80 percent of Summit county AMI "Target Household Income Sale Price shall be calculated according to the following guidelines: mortgage payment for the Owner Occupied Unit, including principal, interest, taxes and insurance ("PITI"), shall not exceed 30% of the Target Household Income. The assumptions used to calculate the sales price shall be: (i) a 5% down payment; (ii) a 30-year term; and (iii) an interest rate equal to the prevailing FirstHome rate, or its program equivalent, of the Utah Housing Corporation (www.utahhousingcorp.org) at the time of the offer."*

Appreciation of the for-sale units will be limited to the lesser of the CPI, or the value of the unit by calculating the sales price in accordance with the then current Affordable Housing Resolution See Exhibit.

(For Sale)

Bedrooms	Occupants	AMI (80%)	Percent of Income	Yearly Mortgage	Monthly Mortgage
1	1.5	\$ 68,340.00	30%	\$ 20,502.00	\$ 1,708.50
2	2.5	\$ 77,452.00	30%	\$ 23,235.60	\$ 1,936.30
3	4	\$ 91,120.00	30%	\$ 27,336.00	\$ 2,278.00

*AMI is based on 2020 Summit County AMI. Affordable housing is defined as not consuming more than 30% of the household income. \$91,120.00 (80% AMI) x .30 (30%) = \$27,336.00 (Yearly Mortgage); \$27,336.00 (Yearly Mortgage) / 12 = \$2,278 (Monthly Mortgage)

For rent housing will be managed by a professional property management company. Eligibility for the affordable for-rent housing will be based on the AMI standards of for-rent affordable housing with priority given first to employees of the new uses of the Base Area Development (i.e. form uses on Parcel B, C, D, and E), then to employees of Park City Mountain Resort, then to employees of commercial uses currently at the base. All rentals will be conducted in accordance with the Utah Fair Housing Act.

Rents for the for-rent affordable housing will be established in accordance with the Park City Affordable Housing Resolution 03-2017 Section 17.B *"In general, inclusionary rental units in any one development shall be rented at a price, which, on average, is affordable to a household with an annual income of 45 percent of Summit County AMI."* Renters will need to qualify based on these criteria.

Eligibility for the 24-bed dorm style units will be based on employment at the new hotel on Parcel C, or employment at Park City Mountain Resort. Should there remain vacancies the next priority would be for employees of existing commercial uses at the base.

Rents for the 24-bed dorm style unit will be based on 03-2017 Section 9.C, and set by Special Review of the Housing Authority. See Exhibit B.

(For rent)

Bedrooms	Occupants	AMI (45%)	Percent of Income	Yearly Rent	Monthly Gross Rent	Utilities	Net Rent
1	2	\$ 41,004.00	30%	\$ 12,301.20	\$ 1,025.10	\$ 125.00	\$ 900.10
2	3	\$ 46,129.50	30%	\$ 13,838.85	\$ 1,153.24	\$ 125.00	\$ 1,028.24
3	4	\$ 51,255.00	30%	\$ 15,376.50	\$ 1,281.38	\$ 125.00	\$ 1,156.38

*AMI is based on 2020 Summit County AMI. Affordable housing is defined as not consuming more than 30% of the household income. \$46,129.50 (45% AMI) x .30 (30%) = \$13,838.85 (Yearly Rent); \$13,838.85 (Yearly Rent) / 12 = \$1,153.24 (Monthly Gross Rent); \$1,153.24 (Monthly Gross Rent) – \$125 (Utilities) = \$1,028.24 (Net Rent).

Bedrooms	Occupants	Yearly Income	Percent of Income	Yearly Rent	Monthly Gross Rent (per room) includes utilities	Total Unit Rent Amount
8	each occupant	\$ 24,960.00	30%	\$ 7,488.00	\$ 624.00	\$ 4,992.00

**Per section of 9 (c) of the 03-2017 Affordable Housing Plan, Rents for dormitory units will be set by special review and on a case-by-case basis, given the unique and varying characteristics of dormitory units, with affordability as the key issue. In this example we have taken the hourly wage (\$12/hr) x yearly hours worked (2080) = \$24,960 (Yearly Income); \$24,960 (Yearly Income) x percent of income (30%) = \$7,488 (Yearly Rent); \$7,488 (Yearly Rent)/12 (months of the year) = \$624 (Monthly Gross Rent per person including utilities); \$624 (Monthly Gross Rent per person including utilities) x 8 (number of occupants in the unit) = \$4,992 (Total Unit Rent Amount.)

Letter of Credit

PEG will get a letter of credit in place for the 23 beds that are required to be built per the 2017 agreement. These units will be first to receive Certificate of Occupancy. The credit will be in the amount of \$2,598,000. This was calculated by the square footage of the total 23 bed units (6000 SF) divided by 900, the sq footage used to calculate an Affordable Unit equivalent (AUE), and multiply by the fee in lieu amount (\$389,700). This equals \$2,598,000.



April 29, 2021

PEG Companies, LLC
180 N. University Ave. Suite 200
Provo, UT 84601
Attn: Nick Blayden

NOTICE OF HOUSING AUTHORITY ACTION

<u>Description:</u>	Affordable Housing Mitigation Plan - Amended
<u>Project Title:</u>	Park City Resort Base Area
<u>Date of Action:</u>	April 29, 2021

Summary of Recommendation

On April 29, 2021, the Park City Housing Authority approved a Housing Mitigation Plan proposed by PEG Companies, LLC. The Mitigation Plan proposes the construction of eighty-five 1, 2, and 3 bedroom condominiums ranging from 575 to 1,832 square feet, and three eight-person dorm style units on Parcel B of Park City Resort Base. All sale units will be priced affordable to households earning 80% of AMI or below and all rental units will be rented at a rate of 45% AMI or below. All affordable units being constructed are in fulfillment of the affordable housing obligation for the Park City Area Base Development.

Findings of Fact:

1. The original Development Agreement was recorded July 21, 1998 for the Park City Resort Base Planned Development (MPD).
2. The partial buildout of the approved MPD (Parcel A – Marriot Mountainside) triggered an incremental housing requirement of 23 employee beds (out of the overall 80); however, the developer never fulfilled the obligation.
3. On March 25, 2015, Planning Commission approved amendments to the 1998 MPD and DA, (specifically Exhibit L, known as the Mountain Upgrade Plan) and issued a new CUP for both the Interconnect Gondola (now the Quicksilver Gondola) and the expansion of the Snow Hut on-mountain restaurant (now Miners Camp).
4. Condition of Approval #3 of the March 25, 2015, MPD amendment states:
3. Employee Housing: Unless Section 2.2 of the Development Agreement is previously satisfied by the Developer in an off-site location, which shall include

employee housing required by the development of Parcel A (the "Required Employee Housing"), or an updated housing plan is approved by the Housing Authority, the Developer shall include as part of the next application for a Small Scale MPD/CUP approved after March 25, 2015, under the Development Agreement for Parcels A-E (the "next Small Scale MPD Application") an affordable housing plan subject to Park City Housing Authority approval per the Housing Resolution in effect at the time of application for the Required Employee Housing and the employee housing required for the Next Small Scale MPD/CUP Application as determined by such resolution.

5. Housing Resolution 03-2017 Section 8 requires that affordable housing shall be provided equal to 15% of the market residential units in an MPD. The total residential units proposed in the MPD are one hundred thirty-nine (139), 15% of which equals 20.85 Affordable Unit Equivalents (AUEs). The commercial development triggers a total of 65.97 AUEs. The total housing requirement for the proposed development is 86.82 AUEs. In addition, the applicant will be required to satisfy the outstanding 23 beds obligation from the development of Parcel A. This entire housing requirement will be met by providing a total of 78,137 square feet of affordable housing.
6. The Applicant proposes to build a total of 86 units in a mix of 1, 2 and 3 bedroom configurations with a total of 137 bedrooms. In addition, PEG will construct three 8 bedroom dorm style units to satisfy the outstanding 23 beds obligation.
7. The Applicant proposes to sell a number of units. Pricing of for-sale units will be based on the Park City Affordable Housing Resolution 03-2017 Section 17.C. For Sale Units. "In general, the initial sale price for an affordable unit in any one development be set at a price affordable to a household earning at or below 80 percent of Summit county AMI "Target Household Income Sale Price shall be calculated according to the following guidelines: mortgage payment for the Owner Occupied Unit, including principal, interest, taxes and insurance ("PITI"), shall not exceed 30% of the Target Household Income. The assumptions used to calculate the sales price shall be: (i) a 5% down payment; (ii) a 30-year term; and (iii) an interest rate equal to the prevailing FirstHome rate, or its program equivalent, of the Utah Housing Corporation (www.utahhousingcorp.org) at the time of the offer."
8. The Applicant proposes to rent a number of units. Rents for the for-rent affordable housing will be established in accordance with the Park City Affordable Housing Resolution 03-2017 Section 17.B "In general, inclusionary rental units in any one development shall be rented at a price, which, on average, is affordable to a household with an annual income of 45 percent of Summit County AMI." Renters will need to qualify based on these criteria.
9. Unit descriptions as required by Housing Resolution 03-2017, Section 13 are attached here as Exhibit A.
10. In addition, in order to meet the spirit of the housing resolution timing requirements, applicant proposes that:
 - a. PEG will provide a Letter of Credit in an amount of \$2,598,000 equal and in a form acceptable to the City for the completion of the outstanding obligation of 23 beds.

- b. If the construction timing of the affordable housing building deviates more than 120 days from the proposed construction, the Applicant shall appear before the Park City Housing Authority within 30 days to explain the timing discrepancy and propose a remedy. The Housing Authority shall at that time have the right to require that the applicant post a 100% cash (or cash equivalent) guarantee for the remaining portion of the affordable housing building to be constructed.

Conclusions of Law:

1. The conditions of the Development Agreement between CRH Partners, LLC and Park City Municipal Corporation recorded on June 14, 2018 related to Affordable Housing has been met by this plan
2. This plan complies with Park City Housing Resolution 03-2017.

Conditions of Approval:

1. Parcel B will be the first parcel to be draw and building permits requested.
2. No Certificate of Occupancy will be granted for any market rate residential or commercial spaces prior to completing and making available all of the affordable units.
3. PEG will provide a letter of credit in the amount of \$2,598,000 in a form approved by the City Attorney's Office prior to any building permits being issued.
4. If the construction timing of the affordable housing building deviates more than 120 days from the proposed construction, the Applicant shall appear before the Park City Housing Authority within 30 days to explain the timing discrepancy and propose a remedy. The Housing Authority shall at that time have the right to require that the applicant post a 100% cash (or cash equivalent) guarantee for the remaining portion of the affordable housing building to be constructed.
5. Deed Restrictions shall be recorded against all affordable units in a form approved by the City Attorney.
6. CCRs for the units on Parcel B shall state that the affordable housing unit shall only be assessed monthly dues and other shared assessments based on whichever of the following two (2) formulas results in the lower cost for the affordable housing unit:
 - a. Size: the size of affordable housing unit in square feet as compared to the total size of the other units in the development; or the size of the lot on which the affordable housing unit is located as compared to the total size of the other lots in the development.
 - b. Par Value: the affordable housing units pay a pro rata share based on their value at sale. This provides an inherent discount for affordable units which are proportionally less compared to their market rate neighbors.
7. CCRs for units on Parcel B will include a provision that HOA fees won't increase more than three percent (4%) per year on all affordable units.
8. All sales shall be approved in writing by the City Affordable Housing Office.

9. The approval of this plan is contingent on the approval of the pending Master Planned Development (MPD) application. If the MPD is not approved, PEG will need to resubmit the proposed housing mitigation plan for approval.
10. Any changes to this plan will require the approval of the Park City Housing Authority.

Sincerely,

Jason Glidden
Housing Development Manager

Attachments:

Exhibit A = Housing Mitigation Plan proposed by PEG Companies LLC., dated April 29, 2021

Council Agenda Item Report

Meeting Date: April 29, 2021

Submitted by: Jonathan Weidenhamer

Submitting Department: Sustainability

Item Type: RDA

Agenda Section:

Subject:

Consideration to Approve an Economic Development Grant Contract for \$20,000 for Offset Bier LLC in a Form Approved by the City Attorney
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Offset Bier Grant](#)

[Exhibit A: Draft Grant Contract](#)

[Exhibit B: Offset Bier Grant Study](#)

[Exhibit C: Application](#)

[Exhibit D: Business Plan](#)

[Exhibit E: Previous Grant Recipients](#)



City Council Staff Report

Subject: Economic Development Grant Application – Offset Bier
Author: Jonathan Weidenhamer, Economic Development Manager
Department: Economic Development
Date: April 29, 2021
Type of Item: Administrative - Award of Economic Development Grant

Summary Recommendations

Staff recommends City Council hold a public hearing and approve an Economic Development Grant Contract for \$20,000 for Offset Bier LLC pursuant to Utah Code Section 10-8-2 and the applicant's ability to meet the City's Economic Development Grant Criteria (Exhibits B), in a form approved by the City Attorney.

Executive Summary

Conor Brown, co-founder and managing member of Offset Bier Company, requests \$20,000 in new business startup assistance for a brewery and tasting room in the Iron Horse District (Exhibit C). The grant will help with the acquisition of specialty canning equipment and offset costs for the remodel of leased space at 1755 C Ironhorse (Red Flower's space before they relocated within Ironhorse District). Staff finds the canning equipment will improve quality, significantly increase canning volumes, and drive canned beer sales revenues.

Background

On January 18, 2021, staff received a grant proposal from Conor Brown of Offset Bier LLC (Exhibit A). Over a series of months, we have worked with the applicant to gather additional information while Mr. Brown was completing lease negotiations, liquor permits, building permits, and tenant improvements. A panel of staff, including Economic Development and Council Liaisons Becca Gerber and Steve Joyce completed a site visit. The panel has reviewed the application and business plan and supports the recommendation.

Offset Bier will focus on a "taproom, direct to consumer" approach they believe is missing in Park City's market. The model allows customers to consume low alcohol by volume (ABV) beer on-site and purchase fresh, low, and high ABV beer to-go. The costs for equipment and tenant finishes are over \$230,000. The applicant specifically seeks grant funds to supplement the canning equipment, which costs \$33,642, and offset water impact fees. The funds will allow the applicant to upgrade his canning equipment over what was initially planned. The new canning line improves quality by minimizing exposure to oxygen during canning, and greatly improves canning volumes, and reduces labor. Mr. Brown's current canning line can produce one beer per minute. The new equipment cans 12/13 beers per minute.

As detailed in Exhibit C, Offset Bier will operate and provide services consistent with our community ethos, critical priorities, and economic development goals. Examples include:

- Engaging and educating customers on mental and physical wellness.
- On-going donation of portions of sales to non-profits.
- Diversifying the economy within the culinary tourism field while providing great beer locally.
- Encouraging alternative modes of transportation on a local scale.
- Environmentally responsible operations.
- Including "made in Park City" on cans, website, and some promotional material.

Prior PCMC Economic Development Grant awards can be found in Exhibit E.

Analysis

Staff is recommending a one-time grant of \$20,000 for business startup costs, namely for the purchase of specialized equipment and offsetting building permit and impact fees.

Staff finds awarding the grant:

- a. Removes barriers and costs that typically limit the ability of small business owners to grow a sustainable business in Park City.
- b. Enables a 15-year resident of western Summit County to establish and own a business that meets a market need.
- c. Is consistent with stated goals of the City's general plan and critical priorities.
- d. Is consistent with stated goals in the City's Economic Development Plan.
- e. Meets state code 10-8-2 in which it is considered a corporate purpose to appropriate money for any purpose that, in the judgment of the municipal legislative body, provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality.

Staff's analysis according to Grant criteria is included as Exhibit B. Staff believes there will be significant benefits in taxable revenues and for our tourism and culinary brand by helping to establish this business. The direct sales tax revenues over three years offset the \$20,000 investment. There are also indirect benefits from the multiplier effect of a local business and the positive branding of having a brewery in Park City. The applicant agrees to have his canned beer labels recognize Park City.

Public notice of the Council's consideration of this contract was published on April 14, 2021. We have received no input on the matter.

Contract Deliverables

If awarded the grant, Offset Bier's success will be measured on deliverables stated below and in Section II of the attached draft contract and submitted to Park City Municipal annually by June 30 during the term of the grant, starting in 2022.

These deliverables are:

- Document annual sales revenues by product type (can, tap, keg) and volumes.

- Provide an annual overview of marketing, branding, and social media plan.
- Document amount, type, and percent of Offset materials that include a reference to "Park City".
- Document amount and type of group recreational activities.

Funding Source

Due to the business location, the applicant is eligible for grant monies from the Lower Park Redevelopment (LPRDA) fund (\$20,000). This approach is consistent with the award of four previous grants in this district. This amount is already budgeted and available for granting.

Attachments

Exhibit A	Offset Bier LLC Draft Grant Contract
Exhibit B	Study - Staff analysis of application, State Appropriation and Park City Grant Criteria
Exhibit C	Grant Application o Projected Profit and Loss Statements FY 21-23 (redacted as protected, confidential info.)
Exhibit D	Business Plan o Offset ownership structure, Financial Plan and Statements (redacted as protected, confidential info.)
Exhibit E	PCMC Economic Development Grant Program Overview

ECONOMIC DEVELOPMENT GRANT CONTRACT

ECONOMIC DEVELOPMENT GRANT CONTRACT BETWEEN OFFSET BIER LLC AND PARK CITY MUNICIPAL CORPORATION FOR BUSINESS START UP

THIS AGREEMENT is made and entered into this _____ day of June, 2021, by and between Offset Bier LLC, a Utah limited liability company, (hereinafter "Offset Bier") and **PARK CITY MUNICIPAL CORPORATION**, a Utah municipal corporation, (hereinafter "City").

WITNESSETH:

WHEREAS, as part of the budget process, the City Council appropriates Economic Development funds to contract with organizations who meet the economic development grant program requirements outlined by the City's Budget Policy;

WHEREAS, organizations must meet specific criteria to be eligible for an Economic Development Grant Contract;

WHEREAS, applicants are eligible to apply for an Economic Development Grant Contract year-round, and the City will award contracts through an application process administered by the Economic Development Grant Program Committee;

WHEREAS, pursuant to Section 10-8-2 of the Utah Code Annotated, the City Council hereby finds that the provision of City funds herein is consistent with the Park City General Plan and provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City;

WHEREAS, notwithstanding the recitals above, the City desires to provide grant funds in exchange for positive economic impact benefit at least equal to the current fair market value to the City's contribution; and

WHEREAS, the Economic Development Grant program committee and the City Council evaluated and approved the Economic Development grant request by Offset Bier for assistance in purchasing specialty canning equipment to improve retail sales and to offset water impact fees.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth, the sufficiency of which is hereby acknowledged, that parties agree as follows:

ARTICLE I TERM AND ALLOCATION

Offset Bier shall have an Economic Development Grant contract with a term of three (3) years. The City will allocate the full grant amount upon execution by both parties.

TOTAL amount available for allocation: \$20,000; payable in year one.

ARTICLE II
SERVICES TO THE COMMUNITY

In exchange for the City's contribution, Offset Bier agrees to by June 30 each year of the term of the contract, starting in 2022:

- Document annual sales revenues by product type (can, tap, keg) and volumes.
- Provide a yearly overview of marketing, branding, and social media plan.
- Document amount, type, and percent of Offset materials or labels that include a reference to "Park City".
- Document amount and type of group recreational activities.

Both parties agree that the above service provided to the community represents a good-faith exchange of current fair market value for the City's contribution.

ARTICLE III
HOLD HARMLESS/NO AGENCY

Offset Bier agrees to defend, indemnify, and hold harmless City, its officers, agents, and employees from and against all losses and expenses, including costs and attorney's fees, resulting from any injury, including death, to any person or damages to property of others arising out of the acts or omissions of Offset Bier in the performance of work under this Agreement. Offset Bier is an independent entity and nothing herein shall be construed to create any agency, nor employee relationship with the City.

ARTICLE IV
DISSOLUTION

On dissolution of the organization or project prior to three (3) years, any remaining funds attributable to the City shall revert to the City in a prorated amount.

ARTICLE V
RECORD KEEPING/AUDIT

Offset Bier agrees to keep accurate books and records of expenditures related to its operation. The City or its independent auditor reserves the right to conduct its own audit of books and records at reasonable times and places during ordinary business hours. If the grant money has not been used as agreed herein, the City shall be entitled to a full or partial refund of the grant.

ARTICLE VI
AMENDMENT

This Agreement may not be amended except by approval by City Council and an instrument in writing signed on behalf of each of the parties hereto.

ARTICLE VII
EFFECTIVE DATE

The effective date of this Agreement is the date first written above.

PARK CITY MUNICIPAL CORPORATION

Matt Dias, City Manager

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

City Attorney's Office

Offset Bier LLC, a Utah limited liability company

By: _____
Conor Brow

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On this ____ day of May, 2019 before me, the undersigned notary, personally appeared Conor Brown, allowed by law, to be the person whose name is signed on the preceding or attached document, and he acknowledged that he signed it voluntarily for its stated purpose as Owner of Offset Bier LLC, a Utah limited liability company.

Notary Public

Appropriation Study to Award \$20,000 to Offset Brewing LLC.

Prepared by: Jonathan Weidenhamer, PCMC Economic Development Manager

Date: April 12, 2021

Pursuant to Section 10-8-2 of the Utah Code Annotated, the following factors and analysis were considered in award of this contract and are the basis for its consideration. More specifically, staff finds the following statutory requirements within Section 10-8-2 have been considered:

- (3) It is considered a corporate purpose to appropriate money for any purpose that, in the judgment of the municipal legislative body, provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality subject to this Subsection (3).
 - (a) The net value received for any money appropriated shall be measured on a project-by-project basis over the life of the project.
 - (c) The municipality may consider intangible benefits received by the municipality in determining net value received.
 - (e)
 - (i) Before a municipality provides notice as described in Subsection (3)(d)(ii), the municipality shall perform a study that analyzes and demonstrates the purpose for an appropriation described in this Subsection (3) in accordance with Subsection (3)(e)(iii).
 - (ii) A municipality shall make the study described in Subsection (3)(e)(i) available at the municipality for review by interested parties at least 14 days immediately before the public hearing described in Subsection (3)(d)(i).
 - (iii) A municipality shall consider the following factors when conducting the study described in Subsection (3)(e)(i):
 - (A) what identified benefit the municipality will receive in return for any money or resources appropriated;
 - (B) the municipality's purpose for the appropriation, including an analysis of the way the appropriation will be used to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality; and
 - (C) Whether the appropriation is necessary and appropriate to accomplish the reasonable goals and objectives of the municipality in the area of economic development, job creation, affordable housing, and elimination of a development impediment, job preservation, the preservation of historic structures and property, and any other public purpose.

Analysis

Conor Brown, co-founder and managing member of Offset Bier Company, requests 20,000 in new business startup assistance for a brewery and tasting room in the Iron Horse District. The grant will help the acquisition of specialty brewing equipment and offset costs for the remodel of the leased space at 1755 C Ironhorse.

On January 18, 2021, staff received a grant proposal from Conor Brown of Offset Bier LLC (Exhibit C). Over a series of months, we have worked with the applicant to gather additional information while Mr. Brown completed lease negotiations, building permit approvals, and tenant improvements. Staff including Economic Development, Community Engagement, and Council Liaisons Becca Gerber and Steve Joyce completed a site visit,

and reviewed the application. That staff group and the Budget and Planning Departments support the appropriation recommendation of \$20,000 based on the findings in this study.

Offset Bier will focus on a "taproom, direct to consumer" approach they believe is missing in Park City's market. The model allows customers to consume low alcohol by volume (ABV) beer on-site and purchase fresh, low, and high ABV beer to-go. The costs for equipment and tenant finishes are over \$230,000. The applicant explicitly seeks grant funds to supplement purchasing canning equipment, which costs \$33,642 and offset water impact fees of approximately \$15,000. The owner stipulates the canning line is fundamental to meeting sales projections because it will improve the quality and volume of canning efficiency.

As detailed in their attached application and business plan, Offset Bier will also operate and provide services consistent with our community ethos, critical priorities, and economic development goals. Examples include:

- Engaging and educating customers on mental and physical wellness.
- Ongoing donation of portions of sales to non-profits.
- Diversifying the economy within the culinary tourism field while providing fresh beer locally.
- Encouraging alternative modes of transportation on a local scale.
- Environmentally responsible operations.
- Including "made in Park City" on cans, website, and some promotional material.

Staff finds awarding the grant:

- a. **Removes barriers and costs that typically limit small business owners' ability to grow a sustainable business in Park City.**
- b. **Enables a 15-year resident of western Summit County to establish and own their own business.**
- c. **Is consistent with stated goals of the City's general plan and critical priorities.**
- d. **Is consistent with stated goals in the City's Economic Development Plan.**
- e. **Will increase the quality of canned beer.**
- f. **Will increase the volume efficiency of canning beer, reducing labor costs.**
- g. **Meets state code 10-8-2 in which It is considered a corporate purpose to appropriate money for any purpose that, in the judgment of the municipal legislative body, provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality.**

Staff finds:

1. In the judgment of the municipal legislative body, this grant provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality subject to detailed findings at the end of the report.
2. The net value received for any money appropriated has been measured over the life of the project. Staff finds the direct taxable value to PCMC exceeds the \$20,000 appropriation.
3. The municipality has considered intangible benefits received by the municipality in determining net value received, including the value of: organized social gatherings, additional gains in culinary tourism, and branding of a "made in Park City" brewery.

Staff published Public notice of the Council's consideration of this contract on April 14, 2021. We received no input on the matter.

The grant request is considered pursuant to Utah Code Section 10-8-2 and evaluated by an internal staff committee comprised of the Economic Development Manager, Budget Manager, Planning Staff and the City Council Liaisons to Economic Development per the following PCMC criteria:

Criteria #1 – The organization must demonstrate a sound business plan that strongly supports prioritized Goals of the current City Economic Development Plan.

The applicant has lived in the community for over 15 years and worked for an outdoor retail company. He has demonstrated strong competency in an understanding of the craft brewing market. He has also shown excellence in brewing fresh, unique, and quality products by providing tastings to the grant committee.

The applicant bases revenue projections on sales of a comparison brewery in Big Sky, Montana, which has virtually the same size footprint as Offset and has similar size equipment. Big Sky is 1/3 the size (population) of Park City and draws 25% of the visitors we do. The Big Sky Brewery had net profits of approximately \$75,000 in year two and over \$200,000 in year 3.

The applicant's business plan, self-described as "very conservative", projects the following revenues:

- a) A year one loss of \$138,594.
- b) A year two net profit of \$157,912.
- c) A year three net profit of \$235,309.

As described in the Business Plan Exhibit D, under the Competition and Our Advantages Section, the applicant describes a focus on producing fresh, hop-forward beer styles, which are "by far the best selling category in craft beer." Further, a focus of Mr. Brown has been establishing relationships to secure the best hops available, which are a vital

ingredient to brewing. Staff believes there is a huge opportunity in our market for this niche.

The City's Economic Development Strategic Plan recognizes the strategy of providing a sustainable business environment by upholding a healthy business environment that allows current businesses, especially small businesses, to thrive. Even more critical staff research yields a strong belief in the quality of the product. Having tasted several of the applicant's products, we find them fresh, unique, and of quality production. We believe Mr. Brown will be able to meet his sales and growth projections.

Criteria #2 – Organizations must commit to and demonstrate the ability to do business in the City limits no less than three years. Funding cannot be used for one-time events. Mr. Brown recently entered a five-year lease with the owners of the Iron Horse District. The applicant agrees to maintain a business in Park City limits for a minimum of three years and is willing to reimburse a pro-rated share of any grant if not.

Criteria #3 — The organization must produce items or provide services that are consistent with the Economic Development Work Plan and align with the City's General Plan to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City. The organization must either conditionally agree to participate in or to expand programs or services, or otherwise provide evidence of existing services and initiatives consistent with the goals stated in Park City's Biennial Strategic Plan in the sectors of: Housing, Transportation, Energy and Social Equity.

As described in the application and business plan, the applicant intends to:

- 1. Engage with and educate customers on mental and physical wellness by providing multiple weekly outdoor group activities such as bike rides, runs, and ski trips.*
- 2. Provide ongoing donation of portions of sales to non-profits.*
- 3. Brew fresh, market competitive, craft beer.*
- 4. Encourage alternative modes of transportation on a local scale.*
- 5. Conduct environmentally responsible operations.*
- 6. Include "made in Park City" on cans, website, and some promotional material.*

Staff finds the applicant meets the criteria based on being consistent with or forwarding:

PCMC Critical Goals - The Park City Council Goals, Priorities and Long-Term Strategic Plan can be found here ([PCMC Strategic Plan and Community Priorities](#)). Under the goal of Inclusive and Healthy Community, the desired outcomes of "live and work locally", "distinctive sense of place", Walkable and bike-able community", "mental, physical and behavioral health, and "vibrant arts and culture", are noted.

Under Thriving Mountain Town, the desired outcome of a "resilient and sustainable economy is stated.

Under Preserving and Enhancing the Natural Environment, the desired outcome of "environmental pollution mitigation" is stated.

PCMC Economic Development Plan - Committing funds is consistent with the City's Economic Development Plan ([ED Plan link](#)), p.3 which notes, "Attention will be focused on the complimentary industries listed below to help to diversify the local economy, [including] Agra tourism & Boutique Industry, craft brewing/distilling, candy, skis, etc."

Additionally, Strategy Two of the Economic Development Plan prioritizes developing a "Business retention and attraction plan", with a specific deliverable being an updated Grant program. Providing funds to support the startup of a local business aligns with community moral well-being goals for a Thriving Mountain Community. Staff finds that Offset Bier's existing community partnerships and anticipated local programming of group activities provide for the economic health and prosperity, comfort, and convenience of many of the City residents by providing fresh, locally produced beer.

More recently noted in City Council's 2018 mid-year retreat regarding economic development were recommendations to:

- a. Diversify within the current destination economy; and*
- b. [Keep a] specific focus on culinary tourism.*

Art & Culture District - The City Council is considering creating an Arts and Culture District on adjacent property ([A&C Overview](#)). Recommendations associated with the District's creation include creating a community kitchen and food court, potentially paired with an incubator program. Investing in Offset Bier allows us to continue investing in, testing the market for, and supporting culinary economic diversification.

In summary, staff finds that Offset Bier is a unique business, started up a local resident as a part-time hobby, then a passion, and now a market-ready opportunity to diversify our economy, consistent with multiple community critical priorities and PCMC's Economic Development Plan.

Criteria #4 – The organization must demonstrate substantial contribution to the central goals of the City's General Plan, including specific and significant commitment to the majority of the main sectors of:

- a. Fostering a strong sense of community vitality and vibrancy.***
- b. Respecting and conserving the natural environment.***
- c. Promoting balanced, managed, and sustainable growth.***
- d. Supporting and promoting diversity in people, housing, and affordability.***
- e. Supporting a diverse, stable, and sustainable economy.***
- f. Preserving a strong sense of place, character, and heritage.***

Staff finds the goals and business plan of Offset Bier align with the future development plan of Park City through the applicant's intention as a western

Summit County resident to operate a small business within City limits. Doing so supports a diverse, stable, and sustainable economy. The applicant intends to bring the community together via quality craft beer, focusing on social responsibility. The applicant will offer recreational group activities and donate a significant portion of their proceeds to non-profits. These efforts will allow patrons to build community ties and relationships further.

Criteria #5 – Fiscal Stability and Other Financial Support: The organization must have the following: (1) A clear description of how public funds will be used and accounted for; (2) Other funding sources that can be used to leverage resources; (3) A sound financial plan that demonstrates managerial and fiscal competence.

The applicant intends to use the funds for:

Equipment - Offset Bier proposes to apply the \$20,000 grant to supplement the purchase of a \$45,000 canning machine, which is critical for efficient to-go sales, which make up the largest portion of their volume and projected revenue stream. The funds will allow Mr. Brown to buy a better, more efficient canning line than he originally planned on. Mr. Brown's description of the benefit of the new canning line is:

Volume. A canning line allows us to sell more volume. We can make/sell beer faster, and it also allows us to offer customers beer to take home that's higher in ABV. They can't consume it onsite but can take it home and drink it. One of two places you will be able to buy cold "high point" beer in Park City that you can take home with you.

Quality: Yes, we could offer beers in cans using the equipment I presently have. However, the quality of the product would suffer considerably. The rudimentary equipment I have provides very little quality control just due to its design. Maintaining the quality of the beer over time is all about managing oxygen exposure. Oxygen is incredibly bad for beer, especially hoppy beer. This canning line is the least expensive option to ensure we can get the beer in the can while maintaining exceptionally low TPO (total packaged oxygen), which is critical to preserving beer quality. This is very important to me. You only have one chance to make a first impression, and I want to be confident that the first impression is good. This line allows us to be much more efficient. With my present setup, I can one beer per minute. With this machine, we can package 12-13 cans per minute. Savings is a considerable amount of time and labor.

Allows more revenue: Our space is small, we have limited parking and limited hours. Having packaged beer to go will drastically improve our total sales volume and revenue. I don't necessarily want to encourage people to hang out and drink a bunch of beer. I'd like them to have a beer or two and head home with beer in cans so they can consume safely at home. Beer in cans also allows us to drastically increased our brand exposure. It will enable tourists to take beer back home with them and share with friends and family that they may never get to experience our beer if they didn't come to Park City.

Additionally, there were unanticipated fees as part of the building permit process, namely \$15,000 in water impact fees that the applicant had not budgeted.

Sales Projections - The applicant projects a profit of \$157,912 in year 2. Projections for year three identify profits of \$235,309. **Staff finds that the appropriation is appropriate to accomplish the municipality's reasonable goals and objectives in the area of economic development, job creation, and remove typical impediments such as high rents and other overhead that may potentially preclude the applicant from finding success and creating a sustainable business. Furthermore, staff finds the applicant will promote and further goals stated in the arts and culture plan, and the communities' critical priorities of Preserving the environment, providing an inclusive community, and supporting a thriving mountain town.**

Criteria #6 –The organization can forecast at the time of application the ability to achieve direct or indirect economic/tax benefits equal to or greater than the City's contribution.

In terms of direct financial benefit to the municipality, the applicant is forecasting \$110,370 in sales at the end of their FY2021, which equates to \$2,207 in direct sales tax to Park City (\$137,000 x .02 (City's direct sales tax percentage)). Because staff is recommending a grant term of three years, at the end of year 3 (2023), sales are projected at \$408,194 and \$523,300 for a 3 year total of \$20,837 of taxes directly to PCMC.

year	gross sales	% change	direct taxes to PCMC
2021	\$110,370		\$2,207
2022	\$408,195	270%	\$8,164
2023	\$523,300	28%	\$10,466
			\$20,837

When combined with the indirect benefits of a small business operated by a local resident, adding up to 10 additional employees, coupled with just under a 4x multiplier effect¹ of local spending, staff forecasts benefits greater than the grant appropriation of \$20,000. These direct revenues to PCMC amount to approximately a 2% annualized return over the first three years of operations on PCMC's \$20,000 investment.

Criteria #7- The organization should show a positive contribution to diversifying the local economy by increasing year-round business opportunities, creating new jobs, and increasing the local tax base.

*If the applicant realizes their sales projections, the applicant will add approximately 8-10 new jobs in the service sector. Staff believes that hiring numerous part-time servers, adding additional equipment, and expanding marketing efforts will increase sales year over year, paving the way for a more sustainable business plan. When coupled with stated culinary tourism goals and diversification within the arts and culture space, **staff finds***

¹ Wikstrom Economic Impact of Tourism 2009 – Wikstrom Economic & Planning Consultants Inc.

the municipality will have numerous intangible benefits, and direct economic benefits will be received by the municipality.

Exhibits

Grant Application and Business Plan

- Application
 - o Projected Profit and Loss Statements FY 21-23 (redacted as protected, confidential info.)
- Business Plan
 - o Offset ownership structure, Financial Plan and Statements (redacted as protected, confidential info.)

Offset Bier Co.

Park City Municipality Grant Application

January 18, 2021
Jonathan Weidenhamer
Economic Development Manager
Park City Municipal Corporation

Dear Mr. Weidenhamer,

I'm excited to submit the attached proposal for the Park City Municipal Corporation's Development Fund Grant. In founding Offset Bier Co I hope to provide a unique space for Park City residents and visitors to congregate and enjoy fresh locally made beer after a bike ride or a day at the hill. It is critical to our business plan that the brewery is located in town and is easily accessible by bike, foot, or public transportation. We are requesting \$20,000 in New Business Start-up Assistance. The grant will help us with the purchase and acquisition of our brewing equipment and the remodel of our leased space in the Ironhorse Park Commercial Subdivision. In the tumultuous times we find ourselves in these funds will be critical to us successfully opening our doors in early summer of 2021.

Thank you for considering our application.

Sincerely

Conor Brown
Co-Founder, Managing Member
c.brown999@gmail.com



Offset Bier Co. was founded in January of 2020. After years dreaming of starting my own small business I finally decided to set my ideas in motion and open a brewery. Unfortunately soon thereafter those ambitions were put on hold when the Covid-19 pandemic struck. While incredibly devastating, the pause actually allowed me to focus on the brand and to create a unique story that will help to separate Offset and build a stronger tie to consumers in the community and hopefully a healthier more sustainable business.

There are over 9000 craft breweries in the United States now. It is virtually impossible to be original or authentic in beer anymore. Just about everything has been done and said when it comes to the beer itself. However it was really important to me in starting Offset that I was able to create a unique story. A story that was authentic and would help the local consumers want to engage with and support the brand. As I spent countless hours brewing hundreds and hundreds of batches of beer, trying to learn every aspect about the science behind crafting world-class beer I started to realize the toll all of the alcohol consumption was taking on me. My obsession for knowledge was starting to become an unhealthy endeavor. The alcohol was starting to affect both my physical and mental health. I was torn. How could I start a business that essentially produces a drug that in moderation is not harmful but in excess could be detrimental to my own customers?

This is really where the idea and story for Offset Bier Co. began. I'd actually chosen the name Offset months earlier. I thought it accurately reflected the beer I wanted to make, beer that was slightly "offset" from normal. Creative, modern beers that weren't being produced here in UT but you could find in larger metropolitan areas with more robust beer culture. Nothing that was too crazy or out in left field but just a bit "offset" from normal. As I was struggling with this moral dilemma about creating a business around beer, it dawned on me that Offset can mean so much more. What if I could be transparent with my customer that we are aware that the products we produce could be harmful but that we would do everything in our power to promote "offsetting" those potential negative side effects? I felt like I had an obligation or a responsibility to do so. There was much more depth and meaning to this than just the beers themselves being "offset" or unique. This would allow us to engage with and educate our consumers. It would allow us to give back to the community and hopefully leave it in a better place than when we started.

It is our goal to not only produce world-class beer to the best of our ability but to also promote both mental and physical wellness as much as we can. We are planning to organize weekly group activities that either originate or terminate at the brewery. With so many activities available right outside our front door the possibilities will be endless. In the winter months these activities could be skinning up the resort before or after operating hours, XC skiing or Fat Biking on all the awesome trails nearby in Round Valley. In the summer months, Mountain Bike or Road Bike rides that start and end at the brewery will be a fixture in our weekly group activities. We are thinking about starting a running club as well. We have spoken to local business like Jans, White Pine Touring, and Colesport to organize demo products that can be available to people who want to participate in these activities but might not own the gear. Our social media feed will be focused on documenting all the amazing outdoor activities in Park City and the positive affects experiencing them can have. We will advocate riding your bike to the brewery and will be installing a number of bike racks outside of our building. We will also promote the awesome public transportation system we have here in Park City with easily accessible links on our website to the bus route and schedule as well as posting the bus route near the entrance to the building.

We are fortunate that the craft beer market is thriving at the moment. Visiting breweries has become a very popular past time all around the country. People even plan vacations around brewery visits. This popularity of craft beer and all the relationships that my wife and I have been able to form in the 15 years we've lived in Park City will mean we don't necessarily need to spend much money on marketing. As long as our brewery information is easy accessible and our website has effective SEO we will have no problem creating traffic to our business and selling the modest amount of beer we will make. It is our goal to instead allocate what would normally be "marketing" funds to donations to local Non Profits that help create and maintain all the awesome outdoor activities we can enjoy here in Park City. As a small brewery we are fortunate to be able to easily produce small batches of experimental and interesting beers. It is our plan to have two nights per month where we serve these small batch one-off creations and donate 100% of the proceeds on those evenings to either Mtn. Trails Foundation or Basin Rec. We are also planning to launch a series of Mixed Fermentation beers where we donate 100% of the proceeds to Summit County Connect to support mental health awareness in the community.

We feel it is our responsibility as a modern brand to offset any negative affects our business and it's products could have on the community, whether they be environmental or physical. I believe the ideologies of Offset Bier Co align with the Park City Economic Development Work Plan and Park City General Plan. We intend to support other local business within the community and do our part to promote everything that makes Park City such an awesome place to live.

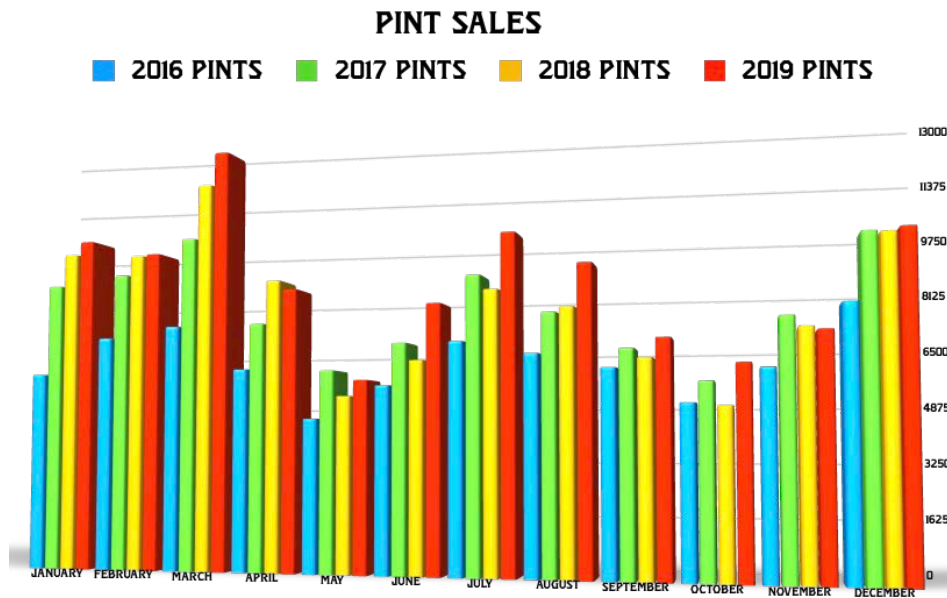
Proposal Summary

Offset Bier Co. is looking to open a small 2000 sq foot brewery and tasting room at 1755 Bonanza Dr Unit C. We are hoping to open our doors to the public by early summer. We will be a small team to start with. Co founder, Tim Chappell, and myself will be the main employees. We will be doing all of the brewing as well as serving of the beer and running the business. To begin with we will have limited part time work available but hope to grow to a team of 4 or 5 after we get our feet under us and can determine the optimum number of employees to handle the workload. Locating Offset in down town Park City is critical to our business model. Outside of providing a few key accounts in town with kegged beer we hope to sell almost every drop of beer we make either over the bar or through packaged beer to go sales. We are operating on a small scale. In order to provide the margins necessary to be successful we need to be located in an area that's easily accessible to the largest number of customers. We also need to be located in an area that seems authentic to the brand and is home to other business of similar size and ethos. We feel like the Ironhorse Park Commercial Subdivision is perfect for our business and that our business is a good fit for the Economic Development Grant. We feel like our business meets the criteria laid out by the Park City Municipal Corporation as is outlined below.

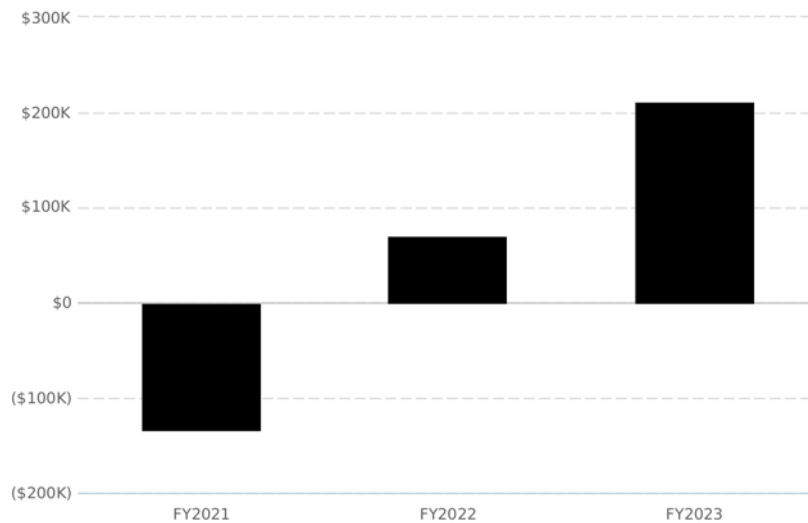
I. Sound Business Plan

Offset Bier Co. has modest goals. We will be brewing beer on an oversize 3.5bbl system (1bbl = 31.5 gallons) and brewing twice per day to produce batches that are 7bbls in size (roughly 220 gallons). Our maximum possible yearly production in this location is somewhere between 400 and 500 bbls. In order to maximize the return on such a small amount of beer we need to sell almost all of it direct to consumer either by draft beer sales in our taproom or packaged beer To Go sales. Visiting brewery taprooms has become a popular past time all over the world in the last 5 years. This “tap room only”, direct-to-consumer model has become a very popular and successful business model for small breweries. The Craft Beer market has shifted to smaller more local producers that customers can visit and purchase beer onsite that they know is as fresh as possible. We feel like this need isn’t being met in Park City and that we can capitalize on this unmet demand by providing an easily accessible place for people to consume a few low ABV beers on site and potentially take higher alcohol packaged beer home with them that was been kept cold since it was produced and is as fresh as possible. Even with very conservative projections based on available data provided by breweries in the Mountain West we should be profitable in Fiscal Year 2.

The common metric small DTC breweries use to gauge how much beer they can sell is a bbl/seat metric. Meaning how many bbls of beer are you selling per seat in your taproom. This includes pints sold across the bar and packaged beer to go in either growler or bottle/can format. We are fortunate that the craft brewing industry is a very open and sharing industry. People are willing to share as much knowledge as possible with other breweries. I believe the saying goes a Rising Tide Raises all ships. Breweries around UT and the Intermountain west have been very forthcoming with their production volume and bbl/seat estimates. We’ve seen numbers anywhere from 6-11 bbls/seat in Salt Lake City but we had some really great info provided to use by a brewery in Big Sky, MT. They provided us with a total number of pints sold per month since they opened. I had reached out to them to try to get some specifics on operating a brewery in a ski town as our peak volumes times are often completely the opposite from most breweries in the US with all the winter traffic ski towns get. This particular brewery has virtually the same size footprint as we have and has similar size equipment. We used this data they provided us to really hone in on our production projections. Our projections are even more conservative than the data they provided us even though the population of Park City is 3 times the size of Big Sky and Park City draws more than 4 times as many visitors per year. Below is the graph that the brewery in Big Sky provided us for reference.



Net Profit (or loss) by year



Offset Profit and Loss Statement - Redacted

II. Organization In Line With Economic Development Work Plan and Park City General Plan

As has already been stated Offset Bier Co. is aligned with and will contribute to many of Park City's Development Objectives.

Direct complimentary land use and development into existing neighborhoods that have available infrastructure and resource capacity

Offset Bier Co has found a space in the Ironhorse Park Commercial Subdivision. This is an awesome location that will be easy accessible by foot, bicycle, or public transportation for patrons and employees. It's also home to many similar sized businesses that will benefit from additional traffic in the development. We have signed a five year lease with Mary Wintzer and have plans to extend it for as long as she'll have us. We have chosen to not have a restaurant component to our business but instead partner with the 3 restaurants/bakeries that share our parking lot by offering easy access to their menus on site and allowing customers to bring food from these businesses into ours to consume with their beer. We also plan to purchase baked good from Windy Ridge Bakery to serve on sight, specifically German style pretzles.

Park City will encourage alternative modes of transportation on a regional and local scale to maintain our small town character

Due to the parking limitations at our space as well as the negative consequences of drinking and driving we will be focused on promoting public transportation and walking or riding to the brewery. We will be installing numerous bike racks and potentially even offering discounts on merchandise for people choosing alternative modes of transportation to arrive at the Brewery. Easy access to the city bus route will be found on our website and a bus route map posted on the premises.

Environmental Mitigation: Park City will be a leader in energy efficiency and conservation of natural resources reducing greenhouse gas emissions by at least fifteen percent (15%) below 2005 levels in 2020

With Offset as the name it is our mission as a brand to reduce our environmental impact on the community. Our spent grain will be collected by local farmers to feed to their pigs or cows. Our spent hop and yeast material can also be collected by local farms to spread on their fields as fertilizer. Yeast produce Co2 as a byproduct of fermentation. We will be recapturing this Co2 and using it to carbonate our beers, eliminating excess Co2 release into the atmosphere and saving money by having to purchase less Co2 throughout the year. Our packaging materials will all be made from recycled materials and be easily recycled or compostable. We will sell growlers at just above our cost in hopes of encouraging customers to reuse these glass growlers as often as possible in hopes of limiting excess single use package

waste.

Parks & Recreation: Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors^[1]_{SEP}

Promoting exercise and all the outdoor activity that Park City has to offer is key to our brand message and will be a focus of our external communication with consumers.

Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience^[1]_{SEP}

As has already been discussed breweries are increasingly becoming destinations for visitors. People enjoy trying new local beer from producers in the locations they're going to visit and will often alter their plans based on the availability of fresh local well made beer. We aim to provide a unique, authentic, world class (albeit small) destination for those traveling here to experience everything else that Park City has to offer. We aim to add to the authentic Park City experience for visitors and locals alike. Our focus is to provide fresh high quality beer to our local community. Hopefully our authenticity resonates with the local community and visitors alike.

Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City^[1]_{SEP}

While we are a small business we have plans to grow. A small team of 3 should soon become 6 or 7 as we settle into a rhythm and better understand our employee needs. It is our goal to employ a diverse staff of all colors, races, nationalities, and gender. I have been moved by the diversity of the staff at 5Seeds here in Park City and aim to eventually have a staff that's equally as diverse. Mountain towns are becoming more diverse by the day and I'm like my staff to represent the changing landscape that our town embodies.

Budget and Allocation of Funds

Opening a brewery is a capital intensive project. There are considerable up front costs associated with equipment and the retro fitting of our space to accommodate the equipment and its use. The budget for this project is \$360,000 and is funded in its entirety by Conor Brown through personal savings and both personal and business loans. There are no outside investors. The budget for equipment and construction alone is over \$230,000.

▼ Assets Excluding cash, accounts receivable, etc.	FY2021	FY2022	FY2023
Current assets			
▼ Long-term assets	\$164,800	\$169,808	\$162,033
Packaging Equipment (filling hardw...	\$43,950	\$42,150	\$40,350
Startup Brewing Equipment	\$82,733	\$79,333	\$75,933
Kegs & Hardware	\$9,188	\$8,813	\$8,438
Glycol system	\$16,504	\$15,654	\$14,804
SN Skid (HLT/WP/HX)	\$4,950	\$4,400	\$3,850
New Tanks/equipment	\$7,475	\$19,458	\$18,658

Due to the Covid-19 pandemic and the uncertainty of when we might be able to gather inside and not have to adhere to social distancing measures we have been forced to invest in a small Canning Line from Wild Goose. Due to our small space we don't foresee being able to have as many customers inside of our space at one time as would be necessary to reach our profitability goals so we will be packaging more beer for offsite consumption than we had planned pre pandemic. There are more inexpensive ways to package beer but the quality of our beer is of utmost importance to us. This canning line we've chosen is the most inexpensive option that we feel comfortable packaging our beer in that will help us maintain the quality standards we have determined for our brand. As the saying goes: "You only have one time to make a first impression". We are determined to always make that first impression a positive, impactful, and lasting. The cost of this line is \$33,642. The ED Grant funds will be directly applied to the cost of this canning line allowing us to meet our sales and profitability goals even if we have limited capacity requirements in our location for months or years after our opening.

Company Name:
Offset Bier
Assembly Required:
Yes

Status:
Pending Fulfillment
Ship Via:
FedEx Ground® - Domestic

PO#:

Priority:
Standard

Quote Name:
Quote #QT10362
Order Due at Customer By:

Product Details	Qty	UOM	List Price	Total
Gosling Quick Change-Base Unit	1	ea	\$26,394.00	\$26,394.00
Gosling Quick Change-Base Unit				
A0-00321	1	ea	\$1,474.00	\$1,474.00
Cart-Gosling 32"x 48" HDPE top, welded frame w/ casters				
K0-00206	1		\$899.00	\$899.00
This kit is an Add On to the base Gosling Unit that includes pre and post rinsing assemblies,				
K0-00207	1		\$1,482.00	\$1,482.00
This kit is an Add On to the base Gosling Unit that includes the DO buster and CO2 regulating equipment.				
K0-00208	1		\$2,637.00	\$2,637.00
This kit is an Add On to the base Gosling Unit that allows low flow and high flow separately using a pneumatic actuator.				
K0-00210	1	ea	\$395.00	\$395.00
Gosling Tools - (imperial)				
Subtotal				\$33,281.00
Discount - Gosling Bundle			-4%	\$(1,331.24)
Discount - Gosling Bundle				
GOS-SHIP-USA	1		\$548.00	\$548.00
GOS-SHIP-USA				
WG Crate	1		\$495.00	\$495.00

Product Details	Qty	UOM	List Price	Total
Gosling Training-Silver Egg Package	1	ea	\$650.00	\$650.00
Gosling Training-Silver Egg Package -Includes the ops manual, an installation video, and a 4 hour personalized video chat training				

Subtotal \$33,642.76
Tax \$2,995.08
Shipping \$0.00

Grand Total **\$36,637.84**

CONFIDENTIAL

OFFSET BIER COMPANY

LIQUID FOR THE OFFSET MINDSET

Business plan

Prepared January 2021

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Appendix 18

Execution

Marketing & Sales

Marketing Plan

The marketing plan for Offset Bier Company will focus primarily on our carefully curated social media accounts. Interesting, original content centered around high quality photo and video assets that accurately reflect the brand identity and it's unique story will be where almost all of our "marketing" dollars will be spent. Our goal with the social media feed is to focus on not only the brewery and the beer that we produce but the active, outdoor lifestyle we live and Park City itself represents.

"Offsetting" the potential negative side effects that alcohol can have, both physically and mentally is a key component to the brand's story. This will be depicted frequently on our social feeds with photos and videos taken by employees and friends of the brewery while enjoying all the awesome outdoor activities that Park City has to offer. It is our goal to also organize group rides, skins, runs, and other outings that either originate or terminate at the brewery at least once per week. Doing all we can to encourage and promote fitness and exercise by our employees and customers is a key pillar in our brand story and one of the fundamental reasons we chose the name Offset. We plan to have 2 nights per month where we want to showcase some small batch experimental beers and donate 100% of the proceeds on those nights to local nonprofits that help to facilitate all the awesome outdoor activities in town. We also plan to donate 100% of the proceeds from a line of mixed fermentation beers to a local mental health focused nonprofit to help promote mental health advocacy and awareness.

Organizing group "offset" activities centered around the brewery is not only important to our brand story but it's also critical to establishing a community of loyal brand warriors. These loyal customers help to spread the stoke for the brand through Word of Mouth, the most valuable form of marketing a brand can have.

Since there are so few breweries in Park City we are not worried about having to draw attention to our brewery. Breweries are incredibly popular destination for both locals and visitors. We will be focused on ensuring that our business information is easily available through all relevant search functions and that our website is Search Engine Optimized to ensure that anyone in Park City searching for craft beer will be able to easily find our location and pertinent business information.

Sales Plan

Our goal is to sell as much of our product direct to the consumer as possible through our taproom. The method to which we're able to get the product in the consumers hands hinges on the existence of a vaccine and the state of the present Covid-19 Pandemic. If by the time we open our doors we are able to welcome customers into our taproom with limited social distancing concerns then we will be trying to sell as much beer from our taps as possible. Tap beer is where the largest margin exists and will allow us to be more profitable much faster. We will also have a select amount of prepackaged beer available to go as well as Growler options. It is our plan to self distribute to a few select bars and restaurants in Park City to carry one of our brands on tap at all times. These will be carefully selected business that share similar philosophies on food and drink and crafting a unique experience for the customer. These business will be integral in creating awareness for our brand. It is our goal to educate the staff at these business about our brand and the beer we make through on site visits and events hosted at our brewery.

If we are not able to offer indoor seating to customers we will be focusing on packaging 80-90% of our production volume for customers to purchase from our tap room to take home with them. The margins in packaged beer aren't quite as good as selling the same amount of beer from our taps but it is still sufficient enough to be able to turn a decent profit.

We will attempt to avoid distributing as much of our beer as possible. Being such a small brewery we simply don't have the equipment to package beer and expect it to maintain it's quality while sitting on a warm shelf for months at a time. Freshness is an important part of our communication with the customer. Selling everything directly to the customer via our taproom allows us to educate the customer about freshness and that the beer needs to be kept cold at all time to maintain the highest quality for the longest period. This model has become increasingly popular with craft breweries in the US and is the fastest growing business model in craft beer. Higher margins and complete control over the consumer experience are the two fundamental reasons for choosing this model. Higher margins mean better ingredients and complete control over the beer means the consumer receives the highest quality product and experience.

Operations

Locations & Facilities

Offset Bier Company will be located at 1755 Bonanza Dr Unit C in Park City, UT. The 1900 sq foot location will consist of a small tasting room and our brewery production space. We will most likely require additional storage which can be rented within the same complex as the brewery. We feel this location is perfect for the brewery in that it's close to downtown, adjacent to the bike path, and close proximity to Park City Ski Area. The development where the brewery will be located is home to numerous, small, artisanal businesses that help to create a unique environment that aligns with the Offset Bier company brand identity. We feel the location meets all of our needs and is perfect for our targeted direct to consumer business model.

Equipment & Tools

Offset Bier Company will be a small operation with the initial capacity to create 300-400bbls of beer per year. We will be operating a Portland Kettle Works oversized 3.5bbl steam brewhouse. We have 3 7 bbl Portland Kettle Works Unitanks, 1 5 bbl Blichmann Unitank, as well as 2 Blackstone Ventures 7bbl Bright tanks. We will have to brew twice in one day to fill these tanks. We will also have (2) 1bbl Spike brewing Unitanks and 2 1/2 bbl SS Brewtech Unitanks. These small tanks will allow us to brew smaller, more experimental beers to learn more about specific ingredients or process variables before scaling these up into larger more expensive batches. All of this equipment is used and has already been procured. Sourcing used equipment has allowed us to save a significant amount of money over new. All equipment is in great used condition. We will be starting out with these tanks but will have room to install one or two more 7 bbl Unitanks to increase our capacity if need be. Initial investment is \$30,000 for the Brewhouse and 3 Unitanks from Portland Kettle Works. \$20,000 has already been paid with the remaining \$10,000 due in August of 2021. The small batch equipment has been purchased for \$4500. The two Blackstone Bright tanks were recently purchased for \$6250. The remaining large capital expenditures on equipment will be a small canning line from Wild Goose, a Glycol Chiller from G&D Chillers, a water treatment system from Water Science here in Park City, and a malt mill from More Beer. Numerous other small parts and equipment will be needed to get the brewery up and running. Total budget for the production and packaging aspect of the business is \$185,000 with \$34,000 being the canning machine alone.

Build out and installation of the Brewery and Tap Room is budgeted at \$110,000. These estimates are based on similar projects at other breweries and include a 20-30% buffer. Tap room build out will depend on the state of Covid-19 as we get closer to an opening date. Build out and installation of the brewery itself will begin first with the tap room projected to start closer to opening day to allow budget flexibility depending on the virus. We will be hiring the necessary contractors to meet the requirements of the local permits but will try to complete as much of the project ourselves to save money.

Competition

Current Alternatives

Craft breweries have begun to pop up at an increasing rate here in UT but very little has changed in Park City itself. If anything the number of breweries has declined with the closing of the Park City Brewing tap room at Jeremy Ranch. Wasatch Brewing at the top of Main Street is the only operating brewery in town. Squatter's also has a brewpub here although some might consider that more of a restaurant than a place to go for a brewery experience as nothing is brewed on site. The goal with Offset Bier Company is to provide an easily accessible location for customers to purchase modern, fresh, local craft beer that's brewed on sight.

It is very hard to find fresh local beer here in Park City and especially higher ABV hoppy beers. Presently the Wasatch Brewpub is the only location in town to purchase high ABV beer to go that's cold. All other beer over 5% is sold at the liquor store and is sitting on a shelf warm. Regardless of how good the packaging practices and equipment a brewery has, beer starts to degrade in as little as 4 days at room temp. Shelf stability of well brewed and packaged beer can be 90 days or longer if stored cold. That same beer stored warm has only 30 days of shelf life. It will be critical to the Offset story to educate consumers about how important it is to drink beer fresh and store it cold. They will soon realize that the 2 month old IPA at the liquor store tastes nothing like it did when it left the brewery.

Our Advantages.

We will focus a large amount of our attention on brewing hop forward beer styles. Hop forward beers are by far the best selling category in craft beer. It is what consumers seek out and a great way for a brewery to establish themselves as a progressive modern brand in a very competitive landscape. The issue with brewing hop forward beer styles, especially for a brewery our size, is the access to quality hops. Like any

natural product there can be sizable differences in the quality of hops. The best hops are often taken by all the larger breweries with bigger contracts and buying power. What's left for small breweries like ours is often times of far less quality. Through connections we have in the brewing world with one of the most acclaimed hoppy beer breweries in the US we have access to some of the best hops money can buy. We plan to showcase the quality of these hops and use it as a major point of differentiation between Offset and the competition.

We bring a very focused and scientific approach to brewing our beer, much more so than a lot of other breweries our size in the local market. Since beer is 95% water, the water itself is incredibly important to quality of the beer. Even if the water is perfectly safe to drink and tastes great doesn't mean it's great for brewing all styles of beer. Here in UT the water is very alkaline. This water is fine for making darker beer styles but without manipulation it's very hard to brew smooth, easy drinking, flavorful pale beer. We will be investing in a very robust water treatment program for our brewery consisting of a carbon filter, water softener, and reverse osmosis system. This will allow us to strip the water of 98% of its minerals and build water profiles that are optimum for each beer style. This is relatively uncommon for a brewery our size but we feel it's critical to brew the best beer we possibly can across all styles and give us a leg up on the competition. While this seems rather rudimentary as beer is mostly water it is often the first aspect of brewing to be overlooked by small craft brewers.

The most important advantage we offer is a brand story that goes beyond just the quality of the product that we produce and a unique logo and progressive design. Social responsibility is a very important pillar of our brand identity. As a brewery we are producing a product that in moderation can be enjoyed with some say even positive health benefits. However in excess alcohol can have a serious negative affect on both the mental and physical health of our customers. We feel it's our responsibility as a brand to create awareness about alcohol's potential negative affects and do everything we can to promote "offsetting" the potentially detrimental side effects of the product we create. Organizing group activities, promoting exercise on our social channels, and donating a significant portion of our proceeds to local non profits that support the mental and physical well being of our customer base is critical to who we are as a brand.

Milestones & Metrics

Milestones Table

Milestone	Due Date
Sign Lease	November 01, 2020
Complete TTB Licensing Application	December 15, 2020
Seek bids on building improvements	December 15, 2020
Submit Building Permit	February 01, 2020
receive building permit	March 01, 2021
Seek bids on Utility Subcontracting	January 01, 2021
Buildout and Design of Tap Room	March 01, 2021
Receive TTB Approval	March 15, 2021
Apply for DABC approval	May 1 2021
Begin Brewery Installation	April 15, 2021
Brewery Install and Building Improvements Completed	June 15, 2021
Receive Final Permits	June 15, 2021
Brew First Batches	June 15, 2021
Open brewery	July 15, 2021

Key Metrics

Success for Offset Bier Company will be determined by how efficiently and cost effectively we can reach the capacity that our leased space is capable of producing and selling. Our budget is modest yet very conservative at the same time. Similar sized breweries in our area have been able to open their doors for considerably less than what we are projecting. While their circumstances aren't exactly the same, they have provided us with a realistic expectation that if we are able to do a lot of the work ourselves we should have no problem staying under our projected budget for the brewery. Our capacity will be rather small to start at somewhere between 300 and 400 bbls annually. In order to be effective at that modest annual volume we

will need to maximize our margins by selling as much of our product direct to the end consumer as possible and getting the most out of each tank of beer. Our estimation for spillage and loss is conservative yet realistic for a brewery our size. As we learn more about our system and start to dial in our process we should be able to minimize our loss in order to maximize our profit. It is key to our brand that we are not forced to sell beer that we're not happy with. You only have one opportunity to make a first impression on a customer and we always want that impression to be beer of the highest quality that we are capable of producing at the time.

Due to the uncertainty surrounding the Covid-19 virus we are going to have to be incredibly nimble in how we can effectively get our beer to the end consumer. Margins are the greatest when serving beer off the tap to a consumer in our tasting room. However this may not be a realistic expectation in 6 to 9 months depending on social distancing requirements as our space will be rather small. This will force us to package as much as 100% of our product for to-go options for customers. This has been very successful for other local breweries our size and even though margins aren't quite as good the demand for fresh local beer is there and breweries have been increasing production to meet demand. Choosing our packing format will be another critical step in determining our success. We have narrowed our search down to the Gosling canning line from Wild Goose. We feel like this is the most cost effective way for us to package our beer and still maintain the quality and integrity of the product. There are much more inexpensive options but we don't feel the quality meets our standards. We do have to be cognizant of the potential can shortage due to the increased number of beverage manufacturers having to put their products into cans that would normally be sold on draft. This is a realistic concern and could lead to us having to transition to another format or purchase an extended supply of cans well ahead of when we might need them.

Keeping our staff small and our costs down will allow us to grow in an efficient manner. As we establish our customer base, become efficient on our system, and hopefully return to somewhat normal every day life we will be able to add more employees and increase our capacity as more of our beer can be sold on draft to customers in our tasting room. Our goals are modest in that we hope to effectively meet the needs of our local market here in Park City. This is where our focus will lie and will hopefully allow us to be more effective and maximize the capacity that we are able to produce in our relatively small location. If we can provide a decent living wage for staff, give as much back to our community as possible, and produce a product that we are very proud of and that meets the demand of our local market then we will be successful.

Company

Overview

Offset Brewing LLC is registered as a limited-liability corporation in the state of UT.

Founder - Conor Brown will own 80%

Co-Founder and Head Brewer – Patrick Bourque will own 20%

Conor Brown will provide XXX% of the funding for the project.

Patrick Bourque's ownership in the company will be

Team

Management Team

With such a small team consisting of just two members to start with there will be very little division of labor. It will require both Patrick and Conor to tackle almost every aspect of the getting the brewery off the ground together from sourcing equipment, to working with sub contractors, applying for the correct licensing, performing the buildout of the tasting room, to formulating the beer we will produce. We both bring unique skillsets to the table that complement each other quite well.

Patrick brings years of experience as a professional brewer here in UT. He has commissioned three different brewhouses of different sizes and been the head brewer at 3 locations in UT. Patrick's knowledge of professional brewing, and brewery startup logistics will be critical in the success of Offset especially during the build out phase of the brewery where budgets can quickly go out the window with one wrong decision. Once the brewery is up and running Patrick will oversee all brewing operations and be responsible for ordering ingredients, brewing beer, establishing a brewing schedule, maintaining the brewing equipment, submitting Quarterly brewing reports to the TTB, and ensuring that the beer produced meets predetermined quality standards and is on brand in its execution and presentation. Until revenue reaches a certain level Patrick will also be required to help in the Front of House operations, working behind the bar and selling beer for customers to go. These duties will be delegated to additional staff once it's financially feasible to do so.

Conor brings 20 years of sales and marketing experience to Offset as well as 4 plus years of homebrewing with multiple state and regional awards for his beer. Conor will be responsible for creating and maintaining the brand identity and voice, overseeing all creative execution and establishing brand standards across all platforms. Conor will oversee all front of house operations from scheduling to accounting, HR, serving beer and tap room sales, as well as marketing/communication. Conor will also assist Patrick in all brewing operations and recipe formulation. We will work together to establish the quality and brand standards for the beer as well as the SOPs for beer production, packaging, and serving. Until revenue goals are met both Patrick and Conor will be wearing many hats and sharing a lot of the work load. We will be hiring part time employees to help out in the tasting room to begin with hopes of hiring a full time employee to help with brewing and in the tasting room after the first few months of operation and eventual goals of employing 8-10 full time and part time employees as the business grows.

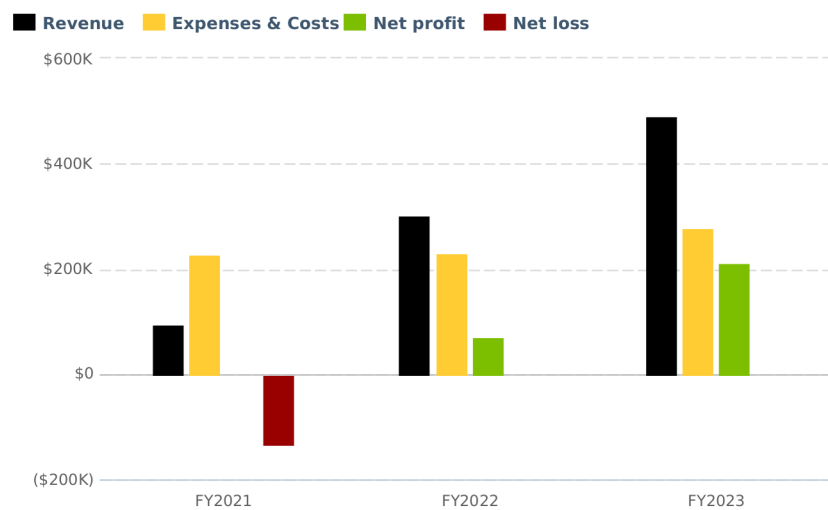
Financial Plan

Expectations

Forecast

Our Financial projections are based on local

Financial Highlights by Year



Forecast

Key Assumptions

Our financial forecast represents the total production volume that we are confident will reach the market after studying similar-sized breweries in the area and in other similar ski towns in the western US. We were provided some valuable sales data from a four year old brewery in Big Sky, MT that is similar in size to our space. We used this data to build our forecast taking into consideration the population and number of tourist each respective town sees in a year. We are purposely planning a conservative growth in comparison to

what other breweries have experienced. This will allow for room to make any adjustments to our product that may arise during our first few months and save us from being forced into selling a product we are not happy with. This is why it is months before we are at our full production volume of four brews per week. This benchmark may very well be achieved earlier if everything goes well however, Offset will plan for the worst and hope for the best. Realistically we will be someplace in the middle.

Our projections already account for a substantial amount of cellaring loss, spillage, and packaging loss. These numbers are accounting for a 1BBL loss per 14BBL batch of beer brewed as well as an additional loss of .25BBL per 14BBL lost to packaging. As our brewery becomes more efficient we will be able to limit these losses and increase the amount of product that reaches the market. Our goal is to limit our total loss to .5BBL and package 13.5BBL of finished beer per 14BBL. Our cost of goods is based off recipes suitable to make beers under 5% as well as higher ABV beers averaging 6.5% and on the projected efficiency of the system we will be installing. We have also accounted for utility costs, chemical usage, water treatment, and taxes.

Pricing is based on what other breweries around UT are charging and what is correct for the Park City market. We will be focused on selling virtually all of our beer directly to the consumer out of our taproom via draft sales and/or packaged beer to go. We are projecting very small self distribution footprint consisting of a select few draft accounts around Park City. This number will be small in order to be able to efficiently supply them with fresh kegs whenever they run out.

Exhibit E – Background of PCMC Economic Development Grants

In 2006 Park City created the Economic Development Grant program. Economic Development Grants give businesses financial assistance to grow themselves aligned with critical community goals and State criteria. The following funds are available annually within the program but are absorbed back into their respective fund if not awarded before the end of the fiscal year. The same amount starts over with the advent of the next fiscal year:

Anywhere in city limits (general fund)	\$10,000
Lower Park RDA	\$20,000
Main St. RDA	\$20,000

Since the inception of the program, the following received PCMC Economic Development Grants:

Year	Who	Amount	Term Exp.	Succeed through term	Still Operating (or some derivative)
2006	Center for Applied Media	\$18,000		y	y
2007	Oquirrh Institute for Public Policy	\$10,000		n	n
2008	Park Silly Sunday Market	\$7,000		y	y
2009	High West	\$11,000		y	y
2009	PC Performing Arts Foundation	\$9,000		y	y
2010	Local Tourist*	\$15,000		n	y
2014	Soul Poles	\$20,000	June 2017	y	y
2015	Ritual Chocolate	\$20,000	April 2018	y	y
2016	Avatech	\$30,000	July 2021	y	n
2016	Anomaly Action Sports	\$20,000	Nov 2019	Y	y
2017	Motherlode	\$11,600	June 2020	n	y
2018	Red Flower	\$15,000	May 2021	y	y
2019	Auntie Em's	\$10,000	Aug 2022		y
*\$10,000/year for FY 16,17,18 of General Fund \$					

*Local Tourist, a marketing company, was awarded a \$15,000 grant (\$5,000 for developing local content, \$10,000 for a trip planning tool). While the business didn't succeed its entire term, the owner, Alan Mao, grew it into a holding company after acquiring Special Request & Grocery Girls. Both acquisitions were aimed at servicing high-end clientele with concierge-level services available for the first time to Vacation Rental customers. In 2012 Local Tourist brought on an operating partner and the owner joined RealtyTrac as Vice President in charge of business development. Mr. Mao continues to participate in the local economy as part of Lazlo Group.