



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
April 27, 2017**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, April 27, 2017.

CLOSED SESSION

12:00 p.m. To Discuss Property and Litigation

WORK SESSION

3:50 p.m. Police Complaint Review Committee Interviews **PAGE 4**

CLOSED SESSION

4:35 p.m. To Discuss Personnel

WORK SESSION

4:50 p.m. Council Questions and Comments

5:00 p.m. Courchevel Student Exchange Update 2017 **PAGE 8**

5:15 p.m. Discuss Proposed Public Utilities and Streets Facility Project Programmatic Goals and Project Alternatives Relating to Net-Zero Energy Goals, the Incorporation of Transit Housing, and the Project Location and Phasing Plan **PAGE 10**

REGULAR MEETING

6:00 p.m.

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Reports:

- Quarterly Budget Report-Third Quarter 2017 **PAGE 24**
- Certificate of Achievement for Excellence in Financial Reporting (CAFR) Award Announcement **PAGE 34**
- Public Art Update – PCMARC “Gravity & Gear” **PAGE 36**

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

IV. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from March 30, 2017 and April 13, 2017 **PAGE 38**

V. CONSENT AGENDA

1. Consideration of Resolution 09-2017, a Resolution Recognizing May 2017 as Mental Health Awareness Month in Park City **PAGE 72**

2. Request to Approve Resolution 10-2017, a Resolution Proclaiming May 13, 2017, as Arbor Day and Celebrating Park City's 24Th Anniversary for Recognition as a "Tree City USA Community," in Park City, Utah **PAGE 76**

3. Request to Approve Resolution 11-2017, a Resolution Proclaiming May, 2017 as Building Safety Month in Park City, Utah **PAGE 79**

4. Request to Authorize the City Manager to Enter into a Construction Agreement in a Form Approved by the City Attorney's Office with DRD Paving L.L.C., in the Amount of \$466,431 for the Main Street Improvements Project **PAGE 84**

5. Request to Waive Parking Fees in the Amount of \$49,748 for the 2017 Main Street Improvements Project **PAGE 97**

6. Request to Authorize the City Manager to Execute a Professional Services Contract with Moreton & Company Insurance Services Co., for Insurance Placement Broker Services, in a Form Approved by the City Attorney and for an Amount Not to Exceed \$80,700 **PAGE 98**

VI. OLD BUSINESS

1. Consideration to Approve Ordinance No. 2017-09, an Ordinance Amending the Land Management Code of Park City, Utah, Amending Historic Recreation Commercial (HRC) District, Section 15-2.5; Amending Historic Commercial Business (HCB) District, Section 15-2.6; and Amending Defined Terms, Section 15-15 **PAGE 102**

(A) Public Hearing (B) Action

2. Discuss Encroachment Permit and Construction Mitigation for a Crane Located at the Kimball Garage Development - 638 Park Avenue **PAGE 133**

3. Consideration to Approve the Supplemental Addendum to the Real Estate Purchase Contract (REPC) for Land for Lot 2 of the Yard Subdivision, Park City, Utah **PAGE 147**

(A) Public Hearing (B) Action

VII. NEW BUSINESS

1. Consideration to Approve Resolution No. 12-2017, a Resolution Proclaiming the Month of May as Bike Month and Bicycle Safety Month and the Week of May 15th as Bike to Work Week in

Park City **PAGE 155**

(A) Public Input (B) Action

2. Consideration to Approve the Park Silly Sunday Market 2017 Supplemental Plan **PAGE 164**

(A) Public Hearing (B) Action

3. Consideration to Approve Ordinance No. 2017-18, an Ordinance Approving the Iron Canyon Subdivision Building Pad Adjustment for Lot 43 Plat Amendment, Located at 2467 Iron Mountain Drive, Park City, Utah, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney **PAGE 203**

(A) Public Hearing (B) Action

4. Consideration to Approve Ordinance No. 2017-19, an Ordinance Approving the Courchevel Condominiums at Deer Valley Sixth Amended, Located at 2700 Deer Valley Drive East, Park City, Utah **PAGE 228**

(A) Public Hearing (B) Action

5. Consideration to Approve Extending the Street Dining on Main Program for Another Term **PAGE 259**

(A) Public Input (B) Action

6. Consideration to Approve an Amendment to the Current Special Service Contract with Park City Summit County Arts Council for \$15,000 for Services Related to the Creation of an Arts and Culture Master Plan in a Form Approved by the City Attorney's Office **PAGE 277**

(A) Public Hearing (B) Action

VIII. ADJOURNMENT

IX. REDEVELOPMENT AGENCY MEETING

ROLL CALL

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

NEW BUSINESS

1. Consideration to Authorize the City Manager to Enter into a Professional Service Provider Agreement in a Form Approved by the City Attorney's Office with Sparano + Mooney Architecture Inc., for Design of the City Park Community Center in an Amount Not to Exceed \$94,125 **PAGE 296**

(A) Public Hearing (B) Action

X. 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



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Staff requests for City Council to interview the candidates for the Police Complaint Review Committee (PCRC) vacancies and select three (3) candidates for staggered terms, including one term for two (2) years and two terms of three (3) years, starting on July 1, 2017. Staff is also requesting that Council appoint 2 alternates in the event that a candidate is not able to serve on the committee. Staff will return to the May 25, 2017 City Council Meeting for appointments.

Respectfully:

Michelle Downard, Deputy Chief Building Official



City Council Staff Report

Subject: Police Complaint Review Committee Interviews
Author: Michelle Downard, Interim Chief Building Official
Department: Building Department
Date: April 27, 2017
Type of Item: Administrative

Summary Recommendation

Staff requests for City Council to interview the candidates for the Police Complaint Review Committee (PCRC) vacancies and select three (3) candidates for staggered terms, including one term for two (2) years and two terms of three (3) years, starting on July 1, 2017. Staff is also requesting that Council appoint 2 alternates in the event that a candidate is not able to serve on the committee. Staff will return to the May 25, 2017 City Council Meeting for appointments.

Acronyms

PCRC – Police Complaint Review Committee

Background

Park City Municipal's law enforcement officers work to consistently act in accordance with established policies and procedures. Accordingly, the PCRC was created to act as an advisory body, which reviews complaints filed against police personnel and/or police procedure.

The PCRC consists of five members. Two are City Manager appointed City staff members, one of whom is the Chairperson. Three of the members are citizen members appointed by the City Council. All three of the citizen member positions are at the end of their terms. In accordance with the Policies and Procedures, staff recommends staggered terms to always maintain experienced committee members and consistency.

Analysis

The PCRC vacancies were advertised within the Park Record on Saturday, March 18, 2017, the Park City Website and social media. The application period closed on March 31, 2017.

Staff received twelve inquiries as a result of the advertisement. Five community members were not eligible to serve on the committee as a result of the eligibility criteria defined within the Policies and Procedures. (Four lived within the unincorporated area of Summit County and one was a current City staff member.) One applicant withdrew their application due to other obligations.

Ultimately, six applications were received and scheduled for interviews on April 27, 2017. Of the applicants, Don Horowitz currently serves on the PCRC and is eligible for

reappointment. Tore Steen and Mike Kaeske have both served the maximum allowed two (2) terms and are therefore not eligible for reappointment.

- Mellie Owen- Old Town
- Roger Strand- Park Meadows
- Jeremy Sheppe- Aerie
- Don Horwitz- Ridgepoint at Deer Valley (currently serving on PCRC)
- Michael J Collins- Old Town
- Dianne Walker- Fairway Hills

After Council has conducted interviews, staff will notify the selected candidates to complete and submit a background check that complies with the PCRC Policies and Procedures prior to appointments. Staff will return to the regularly scheduled City Council Meeting on May 25, 2017 for the PCRC appointments.

Department Review

The Legal and Executive Department have reviewed this report.

Funding Source

No funding is needed for appointment, as members are not compensated.

Attachments

Exhibit A- PCRC Vacancy Advertisement



POLICE COMPLAINT REVIEW COMMITTEE

**The Mayor and City Council are seeking citizen members
to serve on the Police Complaint Review Committee.**

The Police Complaint Review Committee is an advisory body, which reviews proposed dispositions of complaints filed against police personnel and/or police procedures and provides recommendations to the Chief of Police on those complaints reviewed.

Those interested in serving on this committee must be at least 21 years of age and reside within the incorporated limits of Park City. Applicants may not have any felony convictions or misdemeanor convictions in which a dishonest act or false statement is an element of the offense. The applicant must be willing to submit to a background investigation, to ensure they have no prior criminal history that would prohibit them from serving. Police officers and all other city employees are ineligible for these appointments. Members will be appointed to two and three year staggered terms. Meetings are held as needed with a minimum occurrence of once per year.

To receive an application form, please email Michelle Downard at mdownard@parkcity.org or call 435.615.5109.

Applications must be received by Friday, March 31, 2017.

Applications may be submitted by email to Michelle Downard mdownard@parkcity.org or in hard copy, to Michelle Downard City Hall Building, Building Department, 2nd Floor, 445 Marsac Ave, Park City, UT 84060.

An interview schedule will be sent out after the application deadline.





DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Tina Quayle, president, Park City Sister City Association, will offer an update on various aspects of sister city programing, as well as an update on the most recent visits of the vice Mayor of Courchevel, Jean Christophe Vidoni, and the student exchange trip.

Respectfully:

Minda Stockdale, Deputy City Recorder



City Council Staff Report

Subject: Park City Sister City Association update
Author: Minda Stockdale, Executive Analyst
Department: Executive
Date: April 27, 2017
Type of Item: Informational

Background

The Park City-Courchevel, France sister city relationship first became aligned in 1984 and is a longstanding resort and municipal based affiliation. The Park City-Courchevel Student Exchange Program, a cornerstone the sister city relationship, has been a part of this partnership since its establishment.

Executive Summary

Tina Quayle, president, Park City Sister City Association, will offer an update on various aspects of sister city programing, as well as an update on the most recent visits of the vice Mayor of Courchevel, Jean Christophe Vidoni, and the student exchange trip.

The student exchange trip overview will include a Park City High School teacher and student and will offer insights into the high school immersion trip to Courchevel during February winter break, as well as plans for next year's semester student exchange, and summer 2017 programming.



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

On three prior occasions, October 6, 2016, November 10, 2016, and February 2, 2017, staff presented Council with site layouts, massing models, viewshed perspectives, and programmatic goals as they relate to Council's critical priorities, for the proposed Public Utilities and Streets Facility concept master plan. Subsequently, staff received Council's feedback and direction for the Project. Staff is now returning with requested supplemental information

Respectfully:

Roger McLain, Water Engineer



City Council Staff Report

Subject: Public Utilities and Streets Facility – Project Phasing, Energy Performance, Employee Housing, and Budget
Author: Clint McAfee, Public Utilities Director
Roger McClain, Public Utilities Engineering Manager
Department: Public Utilities and Streets
Date: April 27, 2017
Type of Item: Administrative

Summary Recommendation

Staff is seeking further input from City Council on proposed Public Utilities and Streets Facility (Project) programmatic goals and Project alternatives as they relate to net-zero energy goals, the incorporation of transit housing, and the project location and phasing plan.

Executive Summary

On three prior occasions, October 6, 2016, November 10, 2016, and February 2, 2017, staff presented Council with site layouts, massing models, viewshed perspectives, and programmatic goals as they relate to Council's critical priorities, for the proposed Public Utilities and Streets Facility concept master plan. Subsequently, staff received Council's feedback and direction for the Project. Staff is now returning with requested supplemental information for the following items:

- Energy modeling and costing related to achieving a Net-Zero Energy facility;
- Transit housing alternatives and related costing, and;
- Total Project costing information.

Since the original budget was approved for the Project, several factors have resulted in the need for additional budget. As a result and in addition to the requested information above, staff is presenting an alternative Project location at the existing Public Works site on Iron Horse Drive.

During this work session, staff will be presenting a Project, a required budget, and discussing how the programmatic goals and alternatives relate to the proposed Project. Direction, with respect to these items, is needed prior to finalizing budget requests, proceeding with additional design and submitting land use applications to the Park City Planning Department and Planning Commission.

Because of the significant volume and complexity of the new information, staff is recommending Council consider this information, ask questions, answer the policy questions on the follow page of this report, and provide additional input to staff at this time, however staff can return at a later date for a formal decision from Council.

Acronyms

The following acronyms and abbreviations have been used in this report:

Work Sessions Questions for City Council

The following questions for Council are identified within the Staff Report and are discussed in greater detail in the following sections.

Questions for Council:

1. *Does Council want staff to include the recommended energy improvements into the standard compliant building design for the Public Utilities and Streets Facility?*
2. *Does Council want staff to include transit housing into the Public Utilities and Streets Facility and target associated budget from the transit fund?*
3. *Based on identified Project costing and pending budget discussions, does Council support the Phase 1 Project and the associated budget changes or does Council want staff to further pursue the Ironhorse Alternative?*

Project Energy Alternatives and Recommendations

Today's building standards provide a project baseline which incorporates many energy performance elements and provides a substantially more efficient product than in years past. To address Council's Critical Priority for Energy, the Project architect, mechanical engineer, and energy modeling consultant have identified an extensive list of potentially applicable alternatives which, if incorporated into the compliant building standards design, could enable the Project to achieve even higher levels of energy performance. Through a thorough Project specific 'energy performance/life-cycle cost evaluation' of the identified energy related alternatives and subsequent development of an energy options matrix, the more cost-effective alternatives for the Project have been identified.

These recommended energy performance upgrades which are projected to result in achieving a Net-Zero Energy facility are presented in **Attachment A**.

Question for Council:

1. Does Council want staff to include the recommended energy improvements into the Public Utilities and Streets Facility standard compliant building design?

Housing Update

In prior Work Session presentations to Council, the desire to possibly incorporate City housing into the Public Utilities and Streets Facility and issues such as site viability, applicable housing type, location proximity to amenities and transportation, and conformity with City housing inventory needs have been identified. City Housing has recently completed a City-wide housing survey. The results of the survey and Housing's findings and recommendations with respect to the Project are:

Housing staff recommends including housing into the Public Utilities Project due to the need for additional transit staff housing. The March 9th City Council Housing Needs staff report including the following:

The highest amount of turn-over occurs in the City's Transit Department. Affordable housing has been critical to attract seasonal employees to the transit department. In the current year, 28 seasonal employees are being housed and the department could have used another 10 spots: rooms or studios. Of the units being used currently, only 13 units/rooms are guaranteed for next year and those are the units built specifically by and for transit. An additional five to seven units will be available by the 2018 winter season though the purchase of the Peace House property. The Transit Department has a goal of hiring five new employees each year for the next five years to accommodate expanded bus routes. This means that in the fall of 2017 26 additional beds/rooms/studios will be needed to accommodate seasonal transit employees and over the next four years beyond 2017, that number will increase by another 20.

Project cost estimates and scope remain conceptual and preliminary and housing staff has not had the opportunity to evaluate the costs or plans in detail, however, as construction costs increase over time it is recommended to develop additional housing to further the City's affordable housing goals and meet the City's workforce needs to serve the community. This project in addition the the Peace House procurement on Marsac Avenue will fulfill 20 to 30 beds of the identified need for transit housing in two to four years if the project timing and required budgetary needs can be successfully coordinated. For this reason, continuing forward with transit housing as an additive alternate option to the project is recommended for any of the options where it is feasible.

The proposed Phase 1 Project is able to incorporate up to 12 studio-style transit housing units into the design. If implemented, transit housing is estimated to add \$3.8 million to the Project costs. These costs include associated site improvements and building energy reduction improvements, and design/construction management fees.

Question for Council:

2. Does Council want staff to include transit housing into the Public Utilities and Streets Facility and target associated budget from the transit fund?

Project Alternatives, Budget, and Phasing

In prior Work Session presentations to Council the Project has been presented as a facility master planned to meet current and future Public Utilities and Streets needs based on a comprehensive 30-year *Needs Assessment*. The project has now progressed through the schematic design (30%) phase which has enabled the architectural team to prepare an itemized cost estimate with a meaningful level of confidence. With this information, staff is able to scope Phase 1 of the project.

Recommended Project

Phase 1 of the proposed Project has been prepared consistent with the *Needs Assessment*. The Project consists of a 'phased' approach to the facility master planned improvements. The proposed Phase 1 of the facility, which is presented in **Attachment**

B, is located on the selected site at the intersection of Richardson Flat Road and SR-248. The proposed Phase 1 meets current facility vehicle & equipment storage needs, operational & administration needs, and addresses existing public utilities and streets deficiencies. For reference, the proposed Project master plan development layout is shown on the Phase 1 site plan included in Attachment B.

The estimated Project cost for the Phase 1 Public Utilities & Streets Facility as proposed exceeds the budget amount established in 2015. Pending budget discussions, staff is recommending construction of the Phase 1, to include the Public Utilities & Streets Facility (which includes recommended net-zero energy elements), the Operational Storage Basin & Amenities (including micro-hydro generation), and removal of existing contaminated soils at the site. Inclusion of Transit Housing is subject to Council direction.

It is important to note that the monies spent on design to date are not wasted dollars, as if Council chooses to move forward with either Phase 1 or even just the site improvements and pond, the design costs will be well spent.

Alternative Project

Staff has prepared an alternative, to the recommended Phase 1 Project, meeting the existing budget amount. This alternative, which is presented in **Attachment C**, consists of Public Utilities and Streets remaining at the current Public Works site on Ironhorse Drive. To address vehicle & equipment storage, and operations & administration needs and deficiencies, the alternative proposes demolition of the existing structures at the east side of the Public Works site, reconstruction of storage and operations facilities in that location and the inclusion of a second story on the existing Public Works maintenance building to house public utilities administration.

The Ironhorse Alternative does not meet several program needs including adequate on-site parking, sufficient operations yard area, bulk material storage, and sweeper/vac truck waste dewatering/disposal. The latter two items will require the installation of off-site improvements. Additionally, if Public Utilities and Streets remain at the Ironhorse Public Works site, construction of a Parks maintenance building at an off-site location is required (the proposed Phase 1 facility anticipates that Parks will locate to the existing Ironhorse Public Works site facilities).

The Ironhorse alternative also facilitates the installation of 12 transit studio-style units over the proposed vehicle storage bays.

Project Costs

Since the original budget was approved for the Project, several factors have resulted in the need for additional budget including net zero goals, potential Transit housing, higher than expected site costs, and the current construction market.

The total estimated project costs, based on the 30% design phase; includes design, construction management, soft costs, allowances, and contingencies, are summarized

in the following **Table 1**. The estimated costs attempt to reflect the impacts of the current local construction environment.

Table 1. Project Budget Analysis

Component	MPD Full Facility	Phase 1	Ironhorse Alternative	
	at Quinns	at Quinns	at Public Works	Off-Site
Public Utilities & Streets Facility				
Public Utilities & Streets Buildings and Site Improvements	\$23.4M	\$12.8M	\$8.5M	
Parks Department Building				\$1.0M
Facility Subtotal	\$23.4M	\$12.8M	\$8.5M	\$1.0M
Net-Zero Energy Facility Upgrades				
Building Energy Performance Upgrades	\$2.4M	\$1.3M	\$2.5M	
Micro-Hydro Power Generation	\$0.9M	\$0.9M	-	
NZE Upgrades Subtotal	\$3.3M	\$2.2M	\$2.5M	
Housing Alternative				
Transit Housing (including NZE)	\$4.1M	\$3.8M	\$3.5M	
Housing Subtotal	\$4.1M	\$3.8M	\$3.5M	
Raw Water Storage Facilities at Quinns				
Contaminated Soils Removal	\$3.0M	\$3.0M	-	\$3.0M
Operational Storage Basin & Amenities	\$5.0M	\$5.0M	-	\$5.0M
Raw Water Facilities Subtotal	\$8.0M	\$8.0M	-	\$8.0M
Total Project Cost	\$38.8M	\$26.8M	\$14.5M	\$9.0M

Comparison of Projects

A detailed comparison of the elements included in the Master Planned Development Project, the recommended Project (Phase 1), and the Ironhorse Alternative, and a ranking based on project criteria is presented in **Attachment D**. Staff will be prepared to address any questions during the Work Session.

Question for Council:

3. Based on identified Project costing and pending budget, does Council support Phase 1 Project and the associated budget changes or does Council want staff to further pursue the Ironhorse Alternative?

Background

Staff previously presented recommendations to City Council during the “New Business” and “Work Session” portion of regular meetings. The project related material previously presented at City Council meetings may be found at:

Engineering Services PSA – Bowen Collins & Associates, Inc. – May 19, 2016:
<http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2140&Inline=True>

Architectural Services PSA – RNL, Inc. – August 11, 2016:
<http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2179&Inline=True>

Public Utilities Facility – Programmatic Goals – October 6, 2016:
<http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2193&Inline=True>

Public Utilities Facility – Site Concept – November 10, 2016:
<http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2201&Inline=True>

Architectural Services PSA, First Amendment – RNL, Inc. – January 5, 2017:
<http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2215&Inline=True>

Public Utilities Facility – Employee Housing Alternatives – February 2, 2017:
<http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2222&Inline=True>

Next Steps:

- Finalize budget requests and approvals
- Proceed with the Design Development Phase of the Project and process pertinent contract amendments with RNL (architect) and Bowen Collins & Associates (site civil engineer)
- Pre-MPD submission of Phase 1 to the Planning Department.
- Project Contractor acquisition through the CMAR (Construction Manager at Risk) process.

Department Review

This report has been reviewed by representatives of Public Utilities, Transportation, Community Development, Budget, City Attorney’s Office, and the City Manager’s Office. Comments have been integrated into this report.

Funding Source

Capital Funding Analysis

The financial impact of the proposed capital improvement Project has been reviewed by the Budget Department. The initial project budget was established in FY2015. Available capital funding for the Phase 1 Project, as proposed, is not currently budgeted and will need to be authorized during the FY18 budget process. Additional funding request for this project from the “general fund transfer to capital” is significant related to the

available funding. As part of the upcoming budget discussions staff will outline a scenario which could allow the completion of Phase 1. This option will have a significant impact on currently planned capital projects in the 5-year capital improvement plan (CIP).

The Budget Office recommends staff continue to work towards the Phase 1 project, continuing to look for cost savings and efficiencies which would allow the project to meet the adopted budget. Budget further recommends that staff simultaneously continue to explore the Ironhorse alternative. While developing two alternative locations may seem to be a more costly option, this will provide the best options going forward if additional funding/budget for the Phase 1 project is not feasible. Even if not used as an alternative for the Phase 1 project, the site plans will be used in the inevitable expansion needs of the Ironhorse site for transit needs including transit housing.

Transit housing unit development is site dependent and total costs will vary upon site selection. Funding for transit housing is not currently budgeted and, if to be included in the project, budget will need to be authorized during the FY18 budget process. Transit housing has a direct impact on the department's operations ability related to hiring and recruiting needs, as such, funding for transit housing projects going forward should be discussed as a transit system need, which should include contributions at both the City and County level.

Operations Analysis

The projected financial impact on departmental annual operating budgets of the proposed Phase 1 Project is reflected in the following **Table 2**. The annual operating costs include staffing wages and benefits, materials and supplies, maintenance and repairs, and utilities. These costs would start in FY 20.

Table 2. Project O&M Budget Analysis

Expense	Example	Annual Estimate
Building and Site Maintenance *Does not include major replacements	Cleaning Services, Alarms, Plowing, Asphalt, Storm Drains	\$85,000
Utilities	Gas, Power, Sewer, Garbage, Generator	\$80,000
Office Supplies/Contracts	Printer maintenance, Phones/internet, Office Supplies, Mail	\$45,000
TOTAL O&M		\$210,000

Attachments

Attachment A – Energy Performance Upgrades

Attachment B – Public Utilities and Streets Facility – Proposed Project, Phase 1

Attachment C – Public Utilities and Streets Facility – Ironhorse Alternative

Attachment D – Public Utilities and Streets Facility – Project Criteria and Comparison
Evaluation

Attachment A – Energy Performance Upgrades

Table 1: PROJECT PHOTOVOLTAIC SIZE

	Photovoltaic Size		
	Energy (kWh)	Cost (\$)	Area (ft ²)
2013 ASHRAE Benchmark	655,354	1,321,631	29,294
Advanced Building Design	114,238	230,380	5,106
Advanced Building Design, All Electric	166,200	335,170	7,429

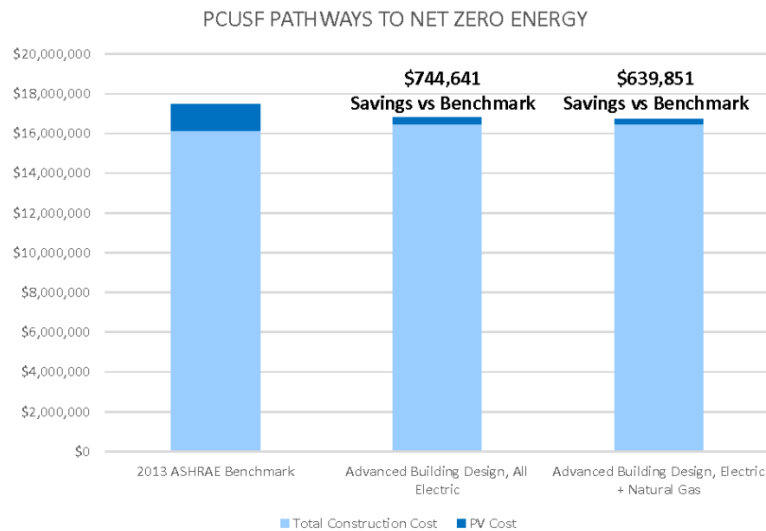
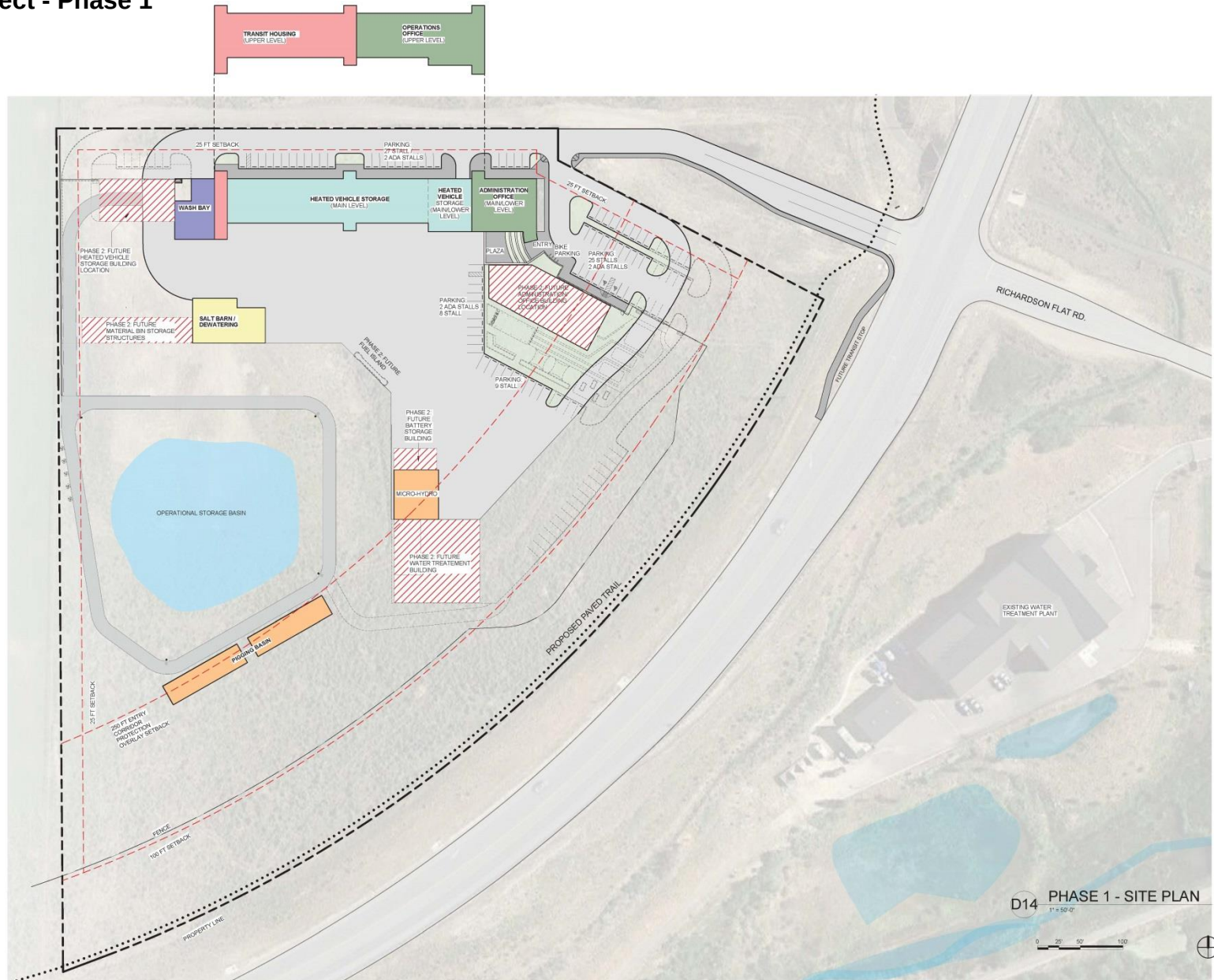


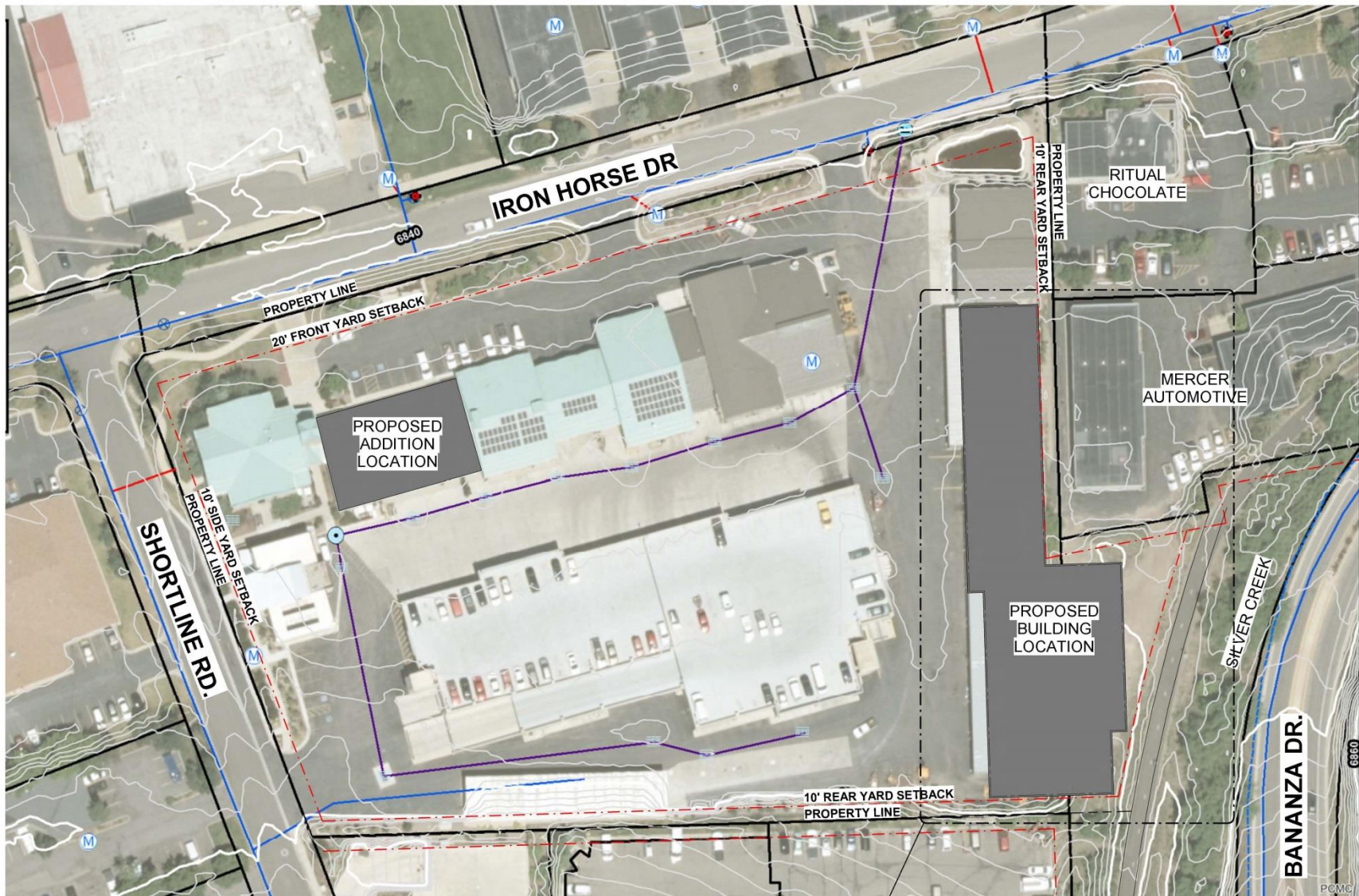
Table 3: RECOMMENDED MEASURES

Measure	Photovoltaic Savings		
	Energy (kWh)	Cost (\$)	Area (ft ²)
Variable Flow Refrigerant System	163,663	330,053	7,316
Roof Insulation, R-42	8,331	16,801	372
Wall Insulation, R-25 Continuous	9,059	18,269	405
Slab-on-Grade Floors, R-20, 2' Horizontal	-	-	-
Sunshade, PF = 0.25	(162)	(326)	(7)
Glazing System 108	41,612	83,918	1,860
Kalwall, Standard	9,095	18,342	407
Storefront System 101	12,901	26,017	577
Infiltration, 40% Reduction	13,268	26,757	593
Sectional Door, NFRC	3,941	7,947	176
Interior Lighting, 20% Reduction	14,519	29,281	649
Exterior Lighting, 80% Reduction	74,290	149,819	3,321
Exterior Lighting Controls	TBD	TBD	TBD
Plug Load, 25% Reduction	7,915	15,962	354
Service Water Heating, Heat Pump	TBD	TBD	TBD
Service Water Heating, Reduced Demand	3,967	7,999	177
Transpired Collector, Office Only	TBD	TBD	TBD
Micro Turbine	243,200	490,454	10,871
Battery Storage, 210 kWh	TBD	TBD	TBD

**Attachment B –
Public Utilities and Streets Facility
Proposed Project - Phase 1**



Attachment C –
Public Utilities and Streets Facility
Project Alternative, Ironhorse Public Works Reconstruction



Attachment D – Public Utilities and Streets Facility Project Evaluation Criteria and Compatibility Evaluation

SITE EVALUATION CRITERIA

LISTED IN ORDER OF IMPORTANCE

CRITERION	ATTRIBUTES
COMPATIBLE WITH PUBLIC UTILITIES CURRENT FACILITY NEEDS	ADHERES TO DEPT. OF PUBLIC UTILITIES CRITERIA IDENTIFIED IN THE NEEDS ASSESSMENT REPORT
COMPATIBLE WITH PUBLIC UTILITIES PROJECTED NEEDS FOR FUTURE GROWTH	ADHERES TO DEPT. OF PUBLIC UTILITIES CRITERIA IDENTIFIED IN THE NEEDS ASSESSMENT REPORT
SCHEDULE COMPATABILITY	OCCUPANCY CAN BE ACHIEVED BY 2020
SITE SIZE AND ORIENTATION	CAN ACCOMMODATE FACILITY, OPERATIONAL, AND SITE CIRCULATION NEEDS WITH GOOD SOLAR ORIENTATION
PARKING	CAN ACCOMMODATE VEHICULAR, EMPLOYEE, POTENTIAL EMPLOYEE HOUSING, AND VISITOR PARKING
SITE CONSTRUCTABILITY	SITE REQUIRES RELATIVELY LIMITED ON AND OFF-SITE IMPROVEMENTS
SITE PROXIMITY	AFFORDS GOOD TRAVEL & RESPONSE TIMES AND MINIMIZES CARBON FOOTPRINT IMPACTS
FACILITY VISIBILITY	FACILITY IMPROVEMENTS ARE COMPATIBLE WITH CITY PLANNING AND LAND MANAGEMENT CODES AND PRESENT LIMITED VISUAL IMPACTS
FACILITY EXPANDABILITY	ABLE TO BE CONSTRUCTED IN PHASES AND ALLOWS FOR FUTURE PUBLIC UTILITIES & STREETS EXPANSION
ACCOMMODATES POTENTIAL FUTURE CITY FACILITY NEEDS	SITE CAN ACCOMMODATE POTENTIAL GROWTH OF OTHER CITY INFRASTRUCTURE

ALTERNATIVES COMPATABILITY EVALUATION

		ALTERNATIVES		
+ MEETS THE REQUIREMENT. (100%) = marginally meets the requirement. (40%) - DOES NOT SATISFY THE REQUIREMENT. (0%)		A	QUINNS, FULL	
		B	QUINNS, PHASE 1	
		C	IRONHORSE	
MEASUREABLE CRITERIA		A	B	C
1	COMPATIBLE WITH PUBLIC UTILITIES CURRENT FACILITY NEEDS	+	=	=
2	COMPATIBLE WITH PUBLIC UTILITIES PROJECTED NEEDS FOR FUTURE GROWTH	+	-	-
3	SCHEDULE COMPATABILITY	+	+	=
4	SITE SIZE AND ORIENTATION	+	+	=
5	PARKING	+	+	-
6	SITE CONSTRUCTABILITY	=	=	+
7	SITE PROXIMITY	=	=	+
8	FACILITY VISIBILITY	=	=	+
9	FACILITY EXPANDABILITY	+	+	-
10	ACCOMMODATES POTENTIAL FUTURE CITY FACILITY NEEDS	+	+	-
ALTERNATIVES COMPATABILITY		RAW PERCENTAGE		
PRELIMINARY RANKING		1. A	2. B	3. C
		75	60	38



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

The attachments within this report consist of Monthly Expenditure and Revenue 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 prepared and reviewed quarterly by Council for all funds.

Respectfully:

Kory Kersavage, Budget Analyst

MEMO



To: City Council
From: Budget Department
Date: April 19, 2017
Subject: Quarterly Budget Reporting

Budget, Debt, & Grants

445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060
Tel 435.615.5154
www.parkcity.org

State Compliance Monthly Budget Reporting

The attachments within this report consist of Monthly Expenditure and Revenue 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 prepared and reviewed quarterly by Council for all funds.

The beginning and ending (399 Beginning Balance) fund balances (09 Interfund transfer) have not been calculated for the FY17 YTD actuals and thus do not show up in the report. We typically calculate these when we begin balancing the budget in April.

Notable Observations:

- 72% of the Personnel budget for the general fund has been spent, which means that personnel expenditures are on track for FY 2017.
- 60% of the General Fund Materials budget has been spent so far, which means materials have been underspent so far in FY 2017.
- 67% of the total General Fund budget has been spent. Spending is on track for closing in on the end of the Fiscal Year.
- Sales Tax revenues are received on a 2 month lag. The sales tax revenues in this report are for Sales Tax revenue that was remitted through January 2017.

Attachment A: Expenditure Summary by Object and Type

Attachment B: Revenue Summary by Object and Type

Object Type	Actuals FY 2015	Actuals FY 2016	Actuals FY 2017	YTD Actual FY 2017	Annual Budget FY 2017	Remaining Budget FY 2017
011 GENERAL FUND						
01 PERSONNEL SERVICES	595,865,400	650,635,426	497,507,774	15,075,993	21,034,661	5,958,668
02 MATERIALS, SUPPLIES AND SERVICES	49,697,300	45,381,950	31,494,512	749,869	1,221,351	471,482
03 UTILITIES	26,988,616	27,149,148	8,718,950	458,892	1,501,178	1,042,286
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	128,068,428	143,215,558	93,436,220	1,354,148	2,749,669	1,395,521
05 PARTS/MAINTENANCE SUPPLIES	85,552,207	76,864,239	65,909,311	686,555	1,040,811	354,256
06 SPECIAL SERV CONTRACT/MISC CHARGES	25,896,830	24,046,460	22,171,827	886,873	1,005,400	118,527
07 CAPITAL OUTLAY	4,220,756	2,001,672	4,572,976	217,761	431,390	213,629
09 INTERFUND TRANSFER	449,530,020	473,210,496	61,985,736	1,721,826	12,117,400	10,395,574
Total 011 GENERAL FUND	1,365,819,556	1,442,504,949	785,797,306	21,151,918	41,101,860	19,949,942
012 QUINNS RECREATION COMPLEX						
01 PERSONNEL SERVICES	22,118,997	23,860,009	17,844,639	540,747	854,411	313,664
02 MATERIALS, SUPPLIES AND SERVICES	2,300,080	2,096,493	1,510,135	35,956	56,365	20,409
03 UTILITIES	3,227,371	2,850,502	1,918,662	100,982	179,563	78,581
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	6,655,595	3,354,570	4,283,323	62,077	71,933	9,856
05 PARTS/MAINTENANCE SUPPLIES	5,767,110	8,170,154	3,689,940	38,437	47,275	8,838
06 SPECIAL SERV CONTRACT/MISC CHARGES	311,630	304,558	215,938	8,638	12,141	3,504
07 CAPITAL OUTLAY	1,647	43,794			6,000	6,000
09 INTERFUND TRANSFER	-125,893,584	-137,310,156	32,400	900	-4,340,371	-4,341,271
Total 012 QUINNS RECREATION COMPLEX	-85,511,154	-96,630,077	29,495,036	787,736	-3,112,683	-3,900,419
021 POLICE SPECIAL REVENUE FUND						
07 CAPITAL OUTLAY	4,200					
09 INTERFUND TRANSFER	1,077,984	1,161,144			31,374	31,374
Total 021 POLICE SPECIAL REVENUE FUND	1,082,184	1,161,144			31,374	31,374
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT						
07 CAPITAL OUTLAY	21	102,200				
09 INTERFUND TRANSFER	621,252	589,896			18,128	18,128
Total 022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	621,273	692,096			18,128	18,128
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND						
01 PERSONNEL SERVICES	213,181	738,980	1,023,542	31,016	25,161	-5,855
02 MATERIALS, SUPPLIES AND SERVICES	501,900	428,400	394,800	9,400	20,000	10,600
03 UTILITIES	187,493	209,259	135,600	7,137	12,000	4,863
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	4,627,919	7,787,574	3,986,796	57,780	150,000	92,220
06 SPECIAL SERV CONTRACT/MISC CHARGES		12,136,280			568,000	568,000
09 INTERFUND TRANSFER	79,346,700	68,226,192	44,310,240	1,230,840	1,772,191	541,351

Object Type	Actuals FY 2015	Actuals FY 2016	Actuals FY 2017	YTD Actual FY 2017	Annual Budget FY 2017	Remaining Budget FY 2017
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	84,877,192	89,526,685	49,850,977	1,336,173	2,547,352	1,211,180
024 MAIN STREET RDA SPECIAL REVENUE FUND						
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC		2,295,233	48,924	709	80,000	79,291
06 SPECIAL SERV CONTRACT/MISC CHARGES	7,752,155	6,902,054			405,000	405,000
09 INTERFUND TRANSFER	34,555,860	36,448,092	20,304,108	564,003	821,638	257,635
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND	42,308,015	45,645,379	20,353,032	564,712	1,306,638	741,926
031 CAPITAL IMPROVEMENT FUND						
01 PERSONNEL SERVICES	1,490,591	2,174,006	1,662,811	50,388		-50,388
07 CAPITAL OUTLAY	392,391,203	185,375,668	251,159,367	11,959,970	18,820,204	6,860,234
09 INTERFUND TRANSFER	1,195,239,672	1,375,906,356	34,718,220	964,395	10,769,498	9,805,103
Total 031 CAPITAL IMPROVEMENT FUND	1,589,121,466	1,563,456,030	287,540,398	12,974,753	29,589,702	16,614,949
033 REDEVELOPMENT AGENCY-LOWER PRK						
01 PERSONNEL SERVICES	259,426	254,994	56,696	1,718		-1,718
06 SPECIAL SERV CONTRACT/MISC CHARGES	13,590,506					
07 CAPITAL OUTLAY	185,772,277	38,790,136	13,907,787	662,276	17,881,858	17,219,582
09 INTERFUND TRANSFER	31,769,892	38,547,036			56,658	56,658
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	231,392,100	77,592,165	13,964,484	663,994	17,938,516	17,274,522
034 REDEVELOPMENT AGENCY-MAIN ST						
06 SPECIAL SERV CONTRACT/MISC CHARGES						
07 CAPITAL OUTLAY		998,356			50,000	50,000
09 INTERFUND TRANSFER	79,956,036	73,948,140	21,764,376	604,566	1,868,101	1,263,535
Total 034 REDEVELOPMENT AGENCY-MAIN ST	79,956,036	74,946,496	21,764,376	604,566	1,918,101	1,313,535
035 BUILDING AUTHORITY						
07 CAPITAL OUTLAY	1,398,082	168,234	56,596	2,695		-2,695
09 INTERFUND TRANSFER	16,520,796	16,347,132			416,713	416,713
Total 035 BUILDING AUTHORITY	17,918,878	16,515,366	56,596	2,695	416,713	414,018
038 EQUIPMENT REPLACEMENT CIP						
07 CAPITAL OUTLAY	21,408,293	26,255,795	25,378,218	1,208,487	1,023,700	-184,787
09 INTERFUND TRANSFER	65,957,832	58,561,596			372,030	372,030
Total 038 EQUIPMENT REPLACEMENT CIP	87,366,125	84,817,391	25,378,218	1,208,487	1,395,730	187,243
051 WATER FUND						
01 PERSONNEL SERVICES	76,074,699	83,024,075	61,792,528	1,872,501	2,958,603	1,086,102
02 MATERIALS, SUPPLIES AND SERVICES	8,292,612	10,705,784	8,669,094	206,407	294,927	88,520
03 UTILITIES	18,162,541	18,527,043	11,794,869	620,783	1,183,005	562,222

Object Type	Actuals FY 2015	Actuals FY 2016	Actuals FY 2017	YTD Actual FY 2017	Annual Budget FY 2017	Remaining Budget FY 2017
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	42,589,958	64,520,432	47,673,404	690,919	1,116,944	426,025
05 PARTS/MAINTENANCE SUPPLIES	57,868,699	61,997,721	56,962,012	593,354	849,980	256,626
06 SPECIAL SERV CONTRACT/MISC CHARGES	561,463	821,040	661,570	26,463	42,000	15,537
07 CAPITAL OUTLAY	126,999,367	145,317,237	104,570,318	4,979,539	17,013,429	12,033,890
08 DEBT SERVICE	49,615,253	49,538,286	19,894,606	1,808,601	4,507,304	2,698,704
09 INTERFUND TRANSFER	375,891,300	320,209,956	25,055,244	695,979	16,057,179	15,361,200
Total 051 WATER FUND	756,055,893	754,661,573	337,073,646	11,494,545	44,023,371	32,528,826
052 STORM WATER FUND						
01 PERSONNEL SERVICES			12,088,667	366,323	653,223	286,900
02 MATERIALS, SUPPLIES AND SERVICES			433,196	10,314	60,000	49,686
03 UTILITIES			175,143	9,218	27,100	17,882
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC			4,225,844	61,244	157,000	95,756
05 PARTS/MAINTENANCE SUPPLIES			1,336,325	13,920	51,300	37,380
07 CAPITAL OUTLAY			672,924	32,044	31,500	-544
09 INTERFUND TRANSFER			2,160,108	60,003	119,877	59,874
Total 052 STORM WATER FUND			21,092,207	553,067	1,100,000	546,934
055 GOLF COURSE FUND						
01 PERSONNEL SERVICES	24,043,092	22,818,552	15,891,062	481,547	928,410	446,863
02 MATERIALS, SUPPLIES AND SERVICES	2,210,804	2,792,468	1,724,253	41,054	74,900	33,846
03 UTILITIES	892,927	1,021,066	433,303	22,805	58,387	35,582
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	4,932,012	4,974,495	2,924,793	42,388	93,942	51,554
05 PARTS/MAINTENANCE SUPPLIES	20,048,741	22,723,251	11,837,700	123,309	240,800	117,491
06 SPECIAL SERV CONTRACT/MISC CHARGES	635,006	650,496	593,357	23,734	30,500	6,766
07 CAPITAL OUTLAY	977,449	721,329	573,976	27,332	114,565	87,233
08 DEBT SERVICE	396,883	297,662				
09 INTERFUND TRANSFER	47,355,984	51,923,196	3,444,444	95,679	1,182,028	1,086,349
Total 055 GOLF COURSE FUND	101,492,898	107,922,515	37,422,888	857,850	2,723,532	1,865,683
057 TRANSPORTATION & PARKING FUND						
01 PERSONNEL SERVICES	161,580,190	194,070,267	152,183,238	4,611,613	6,523,387	1,911,774
02 MATERIALS, SUPPLIES AND SERVICES	14,568,571	15,385,698	9,605,595	228,705	253,734	25,029
03 UTILITIES	2,505,820	2,567,773	1,820,569	95,819	150,744	54,925
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	53,128,427	60,396,241	36,944,557	535,428	746,473	211,045
05 PARTS/MAINTENANCE SUPPLIES	2,909,310	1,158,390	1,754,214	18,273	21,000	2,727
06 SPECIAL SERV CONTRACT/MISC CHARGES	1,807,428	1,958,940	1,003,017	40,121	36,000	-4,121
07 CAPITAL OUTLAY	14,232,926	23,461,592	249,228,755	11,868,036	18,384,045	6,516,009

Object Type	Actuals FY 2015	Actuals FY 2016	Actuals FY 2017	YTD Actual FY 2017	Annual Budget FY 2017	Remaining Budget FY 2017
09 INTERFUND TRANSFER	815,815,224	789,126,012	70,874,028	1,968,723	6,372,103	4,403,380
Total 057 TRANSPORTATION & PARKING FUND	1,066,547,896	1,088,124,913	523,413,972	19,366,718	32,487,486	13,120,768
062 FLEET SERVICES FUND						
01 PERSONNEL SERVICES	26,409,991	29,432,608	22,842,432	692,195	964,100	271,905
02 MATERIALS, SUPPLIES AND SERVICES	2,945,478	3,125,908	2,523,735	60,089	70,100	10,011
03 UTILITIES	18,896,133	14,547,734	11,112,834	584,886	837,900	253,014
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	251,063	452,405	51,750	750	4,200	3,450
05 PARTS/MAINTENANCE SUPPLIES	64,167,673	69,589,864	60,788,848	633,217	713,420	80,203
07 CAPITAL OUTLAY	156,207	128,436	15,120	720	10,000	9,280
09 INTERFUND TRANSFER	41,235,012	40,458,816			990,767	990,767
Total 062 FLEET SERVICES FUND	154,061,558	157,735,771	97,334,719	1,971,857	3,590,487	1,618,630
064 SELF INSURANCE FUND						
02 MATERIALS, SUPPLIES AND SERVICES	1,619,533	1,320,178	1,096,940	26,118	50,500	24,382
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	48,349,045	15,043,057	10,757,342	155,904	636,000	480,097
06 SPECIAL SERV CONTRACT/MISC CHARGES	14,568,029	16,009,812	15,474,640	618,986	660,000	41,014
09 INTERFUND TRANSFER	21,868,200	34,857,864			20,313	20,313
Total 064 SELF INSURANCE FUND	86,404,806	67,230,912	27,328,922	801,007	1,366,813	565,806
070 SALES TAX REV BOND - DEBT SVS FUND						
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	29,626,778					
08 DEBT SERVICE	96,063,128	28,515,188	3,884,238	353,113	2,261,013	1,907,901
09 INTERFUND TRANSFER	669,496,896	236,101,500			2,791,417	2,791,417
Total 070 SALES TAX REV BOND - DEBT SVS FUND	795,186,802	264,616,688	3,884,238	353,113	5,052,430	4,699,318
071 DEBT SERVICE FUND						
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	5,147,832					
08 DEBT SERVICE	91,105,850	46,359,968	5,018,929	456,266	4,224,985	3,768,719
09 INTERFUND TRANSFER	36,108,648	20,692,008			1,120,892	1,120,892
Total 071 DEBT SERVICE FUND	132,362,330	67,051,976	5,018,929	456,266	5,345,877	4,889,611
TOTAL	6,507,063,852	5,807,571,970	2,286,769,943	75,149,455	188,841,428	113,691,973

Revenue Type	Actuals FY 2014	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Annual Budget FY 2017	Remaining Budget FY 2017
011 GENERAL FUND						
311 Property Taxes	9,279,024	9,268,604	11,108,571	10,285,947	10,670,557	384,610
312 Sales Tax	7,314,413	7,408,763	7,437,258	5,408,936	9,875,419	4,466,483
313 Franchise Tax	3,158,716	3,061,207	3,185,820	2,017,074	3,225,000	1,207,926
321 Licenses	422,747	412,605	456,599	311,841	543,000	231,159
322 Planning Building & Engineering Fees	2,154,168	2,578,017	1,873,987	1,363,901	2,437,000	1,073,099
326 Other Fees	41,961	36,865	133,288	79,838	59,000	-20,838
331 Federal Revenue	69,654	44,557	64,321	13,963	48,000	34,037
332 State Revenue	69,198	66,218	66,806	68,587	106,000	37,413
333 County/SP District Revenue				50,000	25,000	-25,000
344 Cemetery Charges for Services	26,250	38,188	21,937	17,767	38,000	20,234
346 Recreation	1,836,326	1,913,310	1,982,640	1,126,107	2,138,900	1,012,793
349 Other Service Revenue	86,364	99,640	90,239	42,869	91,000	48,131
352 Library Fines & Fees	16,124	12,456	21,407	8,581	20,000	11,419
353 Fines & Forfeitures	100	150				
361 Misc. Revenues	348,604	192,873	307,055	153,427	370,000	216,573
381 Interfund Transactions (Admin)	1,346,991	2,166,534	2,256,360	1,261,908	2,397,547	1,135,639
391 Special Revenues & Resources	42,800	42,048	42,428	60,384	55,000	-5,384
399 Beginning Balance	8,367,681	9,789,256	10,255,105	10,522,730		-10,522,730
Total 011 GENERAL FUND	34,581,121	37,131,290	39,303,819	32,793,860	32,099,423	-694,437
012 QUINNS RECREATION COMPLEX						
333 County/SP District Revenue	23,000					
346 Recreation		13,815	2,826	3,696		-3,696
347 Ice	787,773	757,271	749,880	562,155	788,000	225,845
361 Misc. Revenues	58	-24	1,131	-79		79
391 Special Revenues & Resources				697		-697
399 Beginning Balance	-2,919,038	-3,204,132	-3,497,044	-3,814,171		3,814,171
Total 012 QUINNS RECREATION COMPLEX	-2,108,208	-2,433,071	-2,743,207	-3,247,703	788,000	4,035,703
021 POLICE SPECIAL REVENUE FUND						
332 State Revenue	500	1,000	2,310	700		-700
399 Beginning Balance	28,644	29,144	29,944	32,254		-32,254
Total 021 POLICE SPECIAL REVENUE FUND	29,144	30,144	32,254	32,954		-32,954
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT						
332 State Revenue	-1,875		3,996	9,685		-9,685
399 Beginning Balance	19,133	17,258	17,257	16,386		-16,386

Revenue Type	Actuals FY 2014	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Annual Budget FY 2017	Remaining Budget FY 2017
Total 022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	17,258	17,258	21,253	26,071		-26,071
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND						
311 Property Taxes		2,298,631	2,399,605	2,251,646	2,413,792	162,146
361 Misc. Revenues		793	3,962			
399 Beginning Balance			133,527	254,047		-254,047
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND		2,299,425	2,537,094	2,505,693	2,413,792	-91,901
024 MAIN STREET RDA SPECIAL REVENUE FUND						
311 Property Taxes		1,266,718	1,259,760	1,204,782	1,242,000	37,218
361 Misc. Revenues		3,254	2,395			
399 Beginning Balance			59,638	260,447		-260,447
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND		1,269,972	1,321,793	1,465,229	1,242,000	-223,229
031 CAPITAL IMPROVEMENT FUND						
311 Property Taxes	283,345					
312 Sales Tax	6,184,909	7,389,182	8,897,706	1,850,355	7,459,250	5,608,895
322 Planning Building & Engineering Fees	397,737	817,666	425,365	232,005	765,000	532,995
331 Federal Revenue	12,613	4,091	1,044	1,044		-1,044
332 State Revenue	1,302,855	2,385,239	285,873	290,129	360,000	69,871
333 County/SP District Revenue	341,001	100,000	50,000	137,316	50,000	-87,316
361 Misc. Revenues	1,785,454	1,713,671	509,139	15,725	230,000	214,275
382 Interfund Transactions (CIP/Debt)	7,164,160	12,069,371	3,715,347			
391 Special Revenues & Resources	408,647	345,772	278,416	84,643	302,500	217,857
392 Bond Proceeds					17,000,000	17,000,000
399 Beginning Balance	18,771,186	27,106,574	32,950,023	36,922,033		-36,922,033
Total 031 CAPITAL IMPROVEMENT FUND	36,651,907	51,931,567	47,112,913	39,533,251	26,166,750	-13,366,501
033 REDEVELOPMENT AGENCY-LOWER PRK						
311 Property Taxes	2,203,448					
361 Misc. Revenues	44,598	26,634	728,943			
382 Interfund Transactions (CIP/Debt)		2,070,548	1,641,125	1,230,840	1,641,125	410,285
392 Bond Proceeds					14,500,000	14,500,000
399 Beginning Balance	9,877,290	8,183,095	555,559	746,751		-746,751
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	12,125,336	10,280,277	2,925,627	1,977,591	16,141,125	14,163,534
034 REDEVELOPMENT AGENCY-MAIN ST						
311 Property Taxes	1,263,060					
361 Misc. Revenues	6,927	18,035	9,067			
382 Interfund Transactions (CIP/Debt)		900,247	752,000	564,003	752,000	187,997

Revenue Type	Actuals FY 2014	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Annual Budget FY 2017	Remaining Budget FY 2017
399 Beginning Balance	1,237,956	1,302,719	1,340,589	1,250,230		-1,250,230
Total 034 REDEVELOPMENT AGENCY-MAIN ST	2,507,943	2,221,001	2,101,656	1,814,233	752,000	-1,062,233
035 BUILDING AUTHORITY						
361 Misc. Revenues	2,513	2,359	3,187			
399 Beginning Balance	523,457	523,127	458,911	454,087		-454,087
Total 035 BUILDING AUTHORITY	525,970	525,486	462,098	454,087		-454,087
038 EQUIPMENT REPLACEMENT CIP						
361 Misc. Revenues	146,554	23,812	33,825	114,253		-114,253
382 Interfund Transactions (CIP/Debt)	905,000	925,000	1,011,000	767,772	1,023,700	255,928
399 Beginning Balance	1,586,254	1,902,793	1,832,162	1,626,711		-1,626,711
Total 038 EQUIPMENT REPLACEMENT CIP	2,637,808	2,851,605	2,876,987	2,508,736	1,023,700	-1,485,036
051 WATER FUND						
322 Planning Building & Engineering Fees	1,225,961	2,303,997	1,140,313	724,038	1,000,000	275,962
331 Federal Revenue	485,097	1,445,229	42,874			
341 Water Charges for Services	13,128,172	14,125,896	15,162,429	12,059,673	16,748,500	4,688,827
361 Misc. Revenues	435,958	508,095	422,545	157,314	178,023	20,709
392 Bond Proceeds					16,500,000	16,500,000
399 Beginning Balance	9,860,717	7,317,437	8,909,527	7,275,494		-7,275,494
Total 051 WATER FUND	25,135,905	25,700,655	25,677,688	20,216,520	34,426,523	14,210,003
052 STORM WATER FUND						
341 Water Charges for Services				634,220	1,100,000	465,780
Total 052 STORM WATER FUND				634,220	1,100,000	465,780
055 GOLF COURSE FUND						
333 County/SP District Revenue	11,000					
346 Recreation	1,327,549	1,426,520	1,411,819	993,705	1,489,596	495,891
361 Misc. Revenues	62,941	25,829	25,428	7,138	51,350	44,212
382 Interfund Transactions (CIP/Debt)	25,000	25,000	25,000	18,747	25,000	6,253
399 Beginning Balance	927,168	1,054,654	1,187,987	1,325,234		-1,325,234
Total 055 GOLF COURSE FUND	2,353,658	2,532,002	2,650,234	2,344,824	1,565,946	-778,878
057 TRANSPORTATION & PARKING FUND						
312 Sales Tax	4,019,133	4,398,879	4,877,097	2,144,243	5,092,500	2,948,257
321 Licenses	951,713	1,040,014	1,032,191	750,709	916,183	165,474
326 Other Fees	1,500	320	2,125	218		-218
331 Federal Revenue	2,827,961	1,630,990	457,917	7,529,731	7,930,119	400,388

Revenue Type	Actuals FY 2014	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Annual Budget FY 2017	Remaining Budget FY 2017
342 Transit Charges for Services	2,175,148	2,200,248	2,312,576	1,631,000	3,671,378	2,040,378
353 Fines & Forfeitures	739,204	970,338	1,080,705	628,215	1,469,200	840,985
361 Misc. Revenues	108,100	142,300	201,922	39,754	92,500	52,746
391 Special Revenues & Resources	452,727	408,972	315,322	168,224	300,000	131,776
399 Beginning Balance	18,038,096	18,794,937	20,105,652	19,381,363		-19,381,363
Total 057 TRANSPORTATION & PARKING FUND	29,313,582	29,586,998	30,385,507	32,273,457	19,471,880	-12,801,577
062 FLEET SERVICES FUND						
381 Interfund Transactions (Admin)	2,576,000	2,728,700	2,448,000	1,859,400	2,479,200	619,800
399 Beginning Balance	874,294	961,174	1,145,417	1,123,856		-1,123,856
Total 062 FLEET SERVICES FUND	3,450,294	3,689,874	3,593,417	2,983,256	2,479,200	-504,056
064 SELF INSURANCE FUND						
361 Misc. Revenues	204,000	258,000	258,000	193,500	258,000	64,500
381 Interfund Transactions (Admin)	349,998	463,227	992,665	515,241	686,997	171,756
399 Beginning Balance	1,423,816	1,208,215	607,450	968,274		-968,274
Total 064 SELF INSURANCE FUND	1,977,814	1,929,442	1,858,115	1,677,015	944,997	-732,018
070 SALES TAX REV BOND - DEBT SVS FUND						
361 Misc. Revenues	2,747	4,669	33,338	15,764		-15,764
381 Interfund Transactions (Admin)	181,247	168,616	164,089	120,042	160,058	40,016
382 Interfund Transactions (CIP/Debt)	1,380,741	1,428,429	2,425,473	1,568,961	2,091,955	522,994
392 Bond Proceeds		24,992,543				
399 Beginning Balance	1,160,392	1,165,265	6,527,765	2,843,028		-2,843,028
Total 070 SALES TAX REV BOND - DEBT SVS FUND	2,725,127	27,759,521	9,150,665	4,547,795	2,252,013	-2,295,782
071 DEBT SERVICE FUND						
311 Property Taxes	5,082,714	5,321,592	3,723,453	4,220,158	4,220,158	
361 Misc. Revenues	94,732	65,958	62,849	29,293	62,645	33,352
392 Bond Proceeds	9,243,543	3,539,845				
399 Beginning Balance	407,093	432,580	1,003,018	574,778		-574,778
Total 071 DEBT SERVICE FUND	14,828,082	9,359,975	4,789,320	4,824,229	4,282,803	-541,426
TOTAL	166,752,742	206,683,419	174,057,233	149,365,318	147,150,152	-2,215,166



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

The Certificate of Achievement for Excellence in Financial Reporting has been awarded to Park City Municipal Corporation by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to Lori Collett, finance manager, and Diane Foster, city manager, for preparing the award-winning CAFR.

Respectfully:

Linda Jager, Community Engagement Manager



Contact: Linda Jager, Park City Municipal Corporation
linda.jager@parkcity.org , 435-901-2311

Todd Buikema, Government Finance Officers Association
tbuikema@gfoa.org, 312-977-9700

Park City Municipal Corporation Honored for Excellence in Financial Reporting

PARK CITY, Utah (April 27, 2017) – The Certificate of Achievement for Excellence in Financial Reporting has been awarded to Park City Municipal Corporation by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to Lori Collett, finance manager, and Diane Foster, city manager, for preparing the award-winning CAFR.

The CAFR has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive “spirit of full disclosure” to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

###

About Park City Municipal Corporation

Park City Municipal Corporation is the government seat for Park City, Utah. A former silver mining town, Park City is now home to two world-class ski resorts and was the mountain host for the 2002 Salt Lake City Olympic Winter Games. The town of 7,500 also hosts many special events, including the Sundance Film Festival and the Kimball Arts Festival. For more information, please visit www.parkcity.org.

About The Government Finance Officers Association

The Government Finance Officers Association is a major professional association servicing the needs of nearly 19,000 appointed and elected local, state, and provincial-level government officials and other finance practitioners. It provides top quality publications, training programs, services, and products designed to enhance the skills and performance of those responsible for government finance policy and management. The association is headquartered in Chicago, Illinois, with offices in Washington, D.C.



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

This report gives an informational update of the progress of the artwork for the MARC.

Respectfully:

Michelle Kellogg, City Recorder



City Council Staff Communications Report

Subject: Public Art Update – PCMARC “Gravity & Gear”
Author: Jenny Diersen, Staff Liaison to the Public Art Advisory Board
Department: Economic Development
Date: April 27, 2017
Type of Item: Informational

On [March 9, 2017](#) (page 253 – 265) City Council approved a contract for artwork for the interior of the PC MARC. Staff is returning to Council for an informational update of the progress of the artwork for the space. Due to the full agenda, this update is being provided as a Staff Communication Report; Mike Wong will be present for the 6pm Public Input section of the agenda and will provide a brief update to City Council during that time.

Artist Mike Wong has been leading Park City High School students who are involved in the PCCAPS program to develop the project. The completed project will be entirely constructed of up-cycled (repurposed) sporting equipment such as skis, bikes, tennis rackets, and hockey sticks. Mike Wong and students will give a demonstration with a project model and report on the work they have done.

The Public Art Advisory Board, and staff involved with the project are excited about the progress of this project, and are impressed by the leadership of Mike Wong and the work of the students.

Staff currently anticipates that this project will be installed in the PCMARC by the end of May. Staff is working to create a timelapse video of the project installation, and the Public Art Advisory Board currently plans to organize a public reception for the artwork as we get closer to the project completion.



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Attached for your approval, please find the minutes for the March 30, 2017 and April 13, 2017, City Council meetings. Thank you for your consideration.

Respectfully:

Michelle Kellogg, City Recorder



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

March 30, 2017

The Council of Park City, Summit County, Utah, met in open meeting on March 30, 2017, at 1:30 p.m. in the City Council Chambers.

Council Member Henney moved to close the meeting to discuss property at 1:30 p.m. Council Member Matsumoto seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting. Council Member Beerman seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

STUDY SESSION

Discuss Budget Financial Impact Assessment Report (FIAR):

Nate Rockwood, Capital Budget Manager, presented this item and reviewed that the FIAR was the 10 year projection of revenues and expenses. He noted that there was a shift in increased revenue from sales tax. Property tax revenue was also up from the estimate. There was a 2.5% growth in revenues this year, and for the past 10 years, growth averaged 3.7%.

Council Member Henney commented that it was interesting to see the City's vulnerability with regard to dependency on sales tax revenue, so this projection was good. Rockwood stated a year-over-year growth in sales tax revenue was unsustainable and he predicted the sales tax numbers would stabilize.

Council Member Worel asked if the recent alcohol legislation would be taken into consideration as the Budget Department assessed next year's FIAR. Rockwood had not considered the legislation affecting the budget. He did want to analyze the property tax rate and review that with Council at a future date. He also hoped to address some of the City's general capital needs.

Joint Meeting with Recreation Advisory Board (RAB) to Discuss Work Plan for the Coming Year:

Ken Fisher, Recreation Manager, and the Recreation Advisory Board members presented this item. Fisher reviewed that RAB was involved in the Library Field study. Jane Campbell stated there were no restrictions on desired adjustments to the parks, and felt there should be a few steps involved before features were added. Council Member Henney favored having certain steps set up when assessing City owned property for possible development, especially for the park parcels.

Council Member Beerman stated a lot of preservation the City was involved in was for ecological and aesthetic values, but urban parks were conserved for community values. He encouraged further study of the urban park concept, noting it could preserve the flexibility for future community desires. Council Member Henney stated an action should be taken by Council after the public process, so that there was transparency and support for any action taken.

Fisher also discussed the community center that was being developed, and expressed hope that a RAB board member could sit in on the process. With regard to the Rec Master Plan, Fisher asked to have Council's support to move the plan forward and to implement some of the recommended facilities. Mayor Thomas felt the current recreation facilities were in good shape. He knew recreation was important, but it wasn't a critical need, like the transportation, housing and energy goals. Council Member Gerber felt community engagement sometimes began with recreation and she felt there was room for growth, citing the example of the senior program. Council Member Worel stated it was her perception that recreation was woven throughout the community. Council Member Henney explained the importance of the critical priorities and noted that recreation would move up on the City's priority list as the community spoke up about it. He thought the master plan was going to be a lot of work and the City would look to that for guidance in the future.

Mayor Thomas stated recreation was important and Council was not trying to be resistant, but he explained all the pulls on the budget. Council Member Beerman thought the MARC was a place where the community gathered and he was pleased to see the sense of community building that went on there. He suggested RAB could start the discussion with the community on a potential bond to fund some of the master plan projects. He also noted that the bulk of the recreation facility users lived outside the City limits and he felt that wasn't fair to the City voters. Council Member Gerber stated the master plan included a list of projects that the City would be responsible for and another list of projects for which Snyderville Basin Recreation would be responsible.

Council Member Matsumoto stated the Council could be willing to carve out a budget for smaller projects if there was consensus on a specific need, such as additional playing fields or an addition to the MARC. Fisher noted 70% of those using the fields lived in the County. Amanda Angevine, Ice Arena Manager, stated the Ice users were 20% City

1 residents, 60% County residents and 20% Wasatch County residents. Fisher stated he
2 could run a report on MARC attendees.

3
4 Fisher reviewed that Council was comfortable having RAB perform outreach to get a
5 sense of responsiveness to bonding for recreation. Mayor Thomas thanked the board
6 for their contributions. Council Members Worel and Gerber volunteered to be Council
7 liaisons on the Regional Recreation Committee.

8 **WORK SESSION**

9 **Council Questions and Comments:**

10 Council Member Worel met with the Trailside Girls Club along with Mayor Thomas. She
11 assisted in the interview process for the new mental health coordinator for Summit
12 County, and she noted the new name for the group was the Summit County Mental
13 Wellness Coalition. She and Mayor Thomas met with the Latino Outreach Coordinator
14 at the School District. She met with Women in Leadership at the City. Council Members
15 Worel and Matsumoto and some staff met with school board members as well.

16
17 Council Member Matsumoto indicated she attended meetings with the School Board
18 and Sewer Board. She asked staff if there was an ordinance in place that prohibited
19 businesses from renting space if they weren't open all year long. Weidenhamer stated
20 the ordinance was not yet in place, but it was being looked at.

21
22 Council Member Henney stated he attended the Recycle Utah Board meeting and
23 announced Carolyn Wawra was the new executive director. He attended the Historic
24 Park City Alliance (HPCA) meeting where sidewalks and the Brew Pub Plaza were
25 discussed, and he noted the meeting was well attended by the local merchants. He
26 attended the Board of Adjustment (BOA) meeting where the status of non-mining
27 structures was discussed. Council Member Gerber requested that Council discuss ski
28 structures. Erickson stated the Planning Department was prepared to discuss this topic.
29 Council Member Henney attended the Planning Commission meeting where a third way
30 in and out of town was discussed. He also attended the Chamber Board meeting and
31 reported business was doing great. He attended the Prospector Square Property
32 Owners Association Board meeting, and indicated the group was pleased with the
33 competency and professionalism of City Staff. He went to a regional housing meeting
34 with Council Member Gerber, and stated it was a good first meeting with the County,
35 and the programs would be leveraged by working together.

36
37 Council Member Gerber attended the Youth City Council (YCC) tour of the Police
38 Department. She attended the Joint Housing Meeting with Council Member Henney.
39 She was at the Après with Council with Mayor Thomas and indicated it was nice to talk
40 with members of the community. She noted there were many questions about employee
41 parking. She talked with a constituent taking the Connect PC/SLC and she would like to
42 talk about the restructure of routes. Alfred Knotts indicated people could call him or
43 Blake Fonnesbeck with those questions.

Council Member Beerman went with Mayor Thomas to lunch with a group from Courchevel, France. Also, he and Mayor Thomas met with the Leadership class and indicated the class project would be to fundraise for Bonanza Flat. He and Mayor Thomas also met with Rocky Mountain Power (RMP) about how to meet the City's net zero energy goals. Council Member Beerman noted there were many regulatory hurdles, but he knew the City could attain its 2022 goal.

Mayor Thomas thanked the Council members for being liaisons with the community and on the City boards.

Main Street Plaza Project Update:

Council Member Beerman recused himself from discussing this item due to the proximity of his business to this plaza. Matt Twombly, Senior Project Manager, and Clio Reynar, GSBS Architects, presented this item. Reynar showed a layout of the plaza and noted the solar panels. She proposed having a brick area as well as a wood plank deck near the water feature. There would also be a green area for play. Also displayed was a bench that would be parallel to the street. Twombly explained the curb would be tiered and no parking would be allowed on that side of the street. The Council Members liked the water feature. Council Member Henney stated the HPCA was interested in having a robust water feature and he deferred to that group's definition. He thought having a larger flat area in the water feature would be more desirable than the cascading part of the feature. Council Member Worel asked about the energy use associated with the water feature. Reynar indicated this feature would use a good amount of energy and she was talking to Sustainability about offsetting that feature. Mayor Thomas really liked the water feature design and the use of timbers which connected the plaza to the past. He did not mind having asphalt instead of pavers next to the plaza.

Twombly stated the transportation study and the trolley would be discussed at a future date. Council Member Gerber indicated part of the appeal of the plaza was that it could go out into the street and she was concerned that the curb would limit the plaza space. Council Member Worel asked if the outcome from public outreach for traffic, circulation and transit might affect the decision on the type of curb that would be constructed. Twombly stated when the transportation study was completed, he would come back to discuss it further. Knotts stated that part of the process would be changes to the trolley routes.

Council Member Matsumoto stated there would need to be some curb for water drainage. Council Member Henney stated the circulator street was a must to make the traffic flow. He also thought repurposing the street would make this a flexible space. He didn't have a problem using portable bollards that could be moved, depending on the event. He didn't like the granite curbing and preferred having a rolling curb. Anne Laurent stated bollards would have a significant visual impact and the granite curb would save money and would be better for handling storm water.

1 Council Member Matsumoto stated programming would define when the street was
2 opened up for pedestrians. She thought the curb was less intrusive than the bollards.
3 Erickson stated the design had not gone through the historic district approval process,
4 but indicated he preferred the standard curb over the rolled curb. He also noted that if
5 the street was closed, it would prohibit traffic to the merchants at the top of Main Street.
6 Council Member Henney indicated the street wouldn't be closed all the time. Council
7 Members Matsumoto and Worel favored keeping the granite curbing. Council Members
8 Henney and Gerber preferred the rolled curb and bollards but stated they would be o.k.
9 with the granite in the interest of infrastructure and safety. Mayor Thomas asked the
10 architect to look at alternatives to the road.

11
12 **Council Top Priorities Discussion on Citizen Involvement:**

13 Mayor Thomas indicated this item would be continued to the April 13th meeting.
14

15 **Council Top Priorities Discussion on Multi-Cultural Citizen Involvement:**

16 Lynn Ware Peek, Community Engagement Liaison, Linda Jager, Community and Public
17 Affairs Manager, and Jed Briggs, Budget Manager, presented this item. Briggs stated
18 this was the first of many top priority topics that would be discussed over the next few
19 months.
20

21 Ware Peek stated she spent about 20% of her time involved in multicultural outreach.
22 She indicated about 25% of the community consisted of Latinos, and noted other
23 multicultural communities included the seniors, Filipino, and youth. She reviewed some
24 staff accomplishments, including connecting with PC Unidos, the Christian Center, the
25 Peoples Health Clinic, Peace House, and the School District. A website was created to
26 get the word out that there were services for Latinos. She also indicated a radio show
27 called "Cada Domingo" was on KPCW every Sunday night, where different Latino
28 issues were discussed. A Latino youth group, Bright Futures, inspired the community as
29 they set and reached goals as well. Ware Peek noted that Multi-Cultural Involvement
30 was a new program and it could be shaped any way the Council desired.

31
32 Council Member Henney hoped that Latinos could feel included in the community. He
33 knew there was good intent to include all peoples in the City. He asked about the
34 immigration issue in the City. Ware Peek stated the City could work behind the scenes
35 through better communication so Latinos felt safe as they went about their daily lives.
36

37 Council Member Matsumoto asked if there was a liaison that helped with employment or
38 legal issues. It was indicated that a nonprofit provided that service, but it was no longer
39 functioning. Ware Peek stated the City had many resources for Latinos. She stated free
40 legal service was provided at the Peoples Health Clinic once a month, and the City
41 knew of resources when business owners needed help as well.
42

43 Council Member Gerber desired more Latino participation on boards and commissions
44 within the City. Ware Peek indicated there was representation on Mountainlands

Community Housing Trust Board and the Connect Latino service. Council Member Worel thought it was encouraging to see the connections being made and the work Ware Peek was doing.

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

Council Member Henney stated it was hard to know when success was achieved, but thought success would be achieved when every individual felt equally integrated and engaged.

Maria Cordova, Peace House Case Manager, stated she was trying to inform the community about ongoing issues within the community. Knowledge was power and it was important to communicate.

Daisy Hodson, a librarian at Kimball Junction, stated she was grateful for Ware Peek and all her work. There were a lot of abuses and she hoped getting the word out would help overcome these abuses. Park City was different and she was excited to see the City's efforts.

REGULAR MEETING

I. ROLL CALL

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Michelle Kellogg	City Recorder	Present

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

- February 28th Coffee with Council Recap**
- 2017 Main Street Sidewalk Construction Update**

1 **III. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON**
2 **THE AGENDA)**

3 Bill Hubbard thanked Council and staff for doing great job. He compared the Council to
4 a bag of air and commended the Council for not being full of hot air. He noted that his
5 criticism of things in the City and County were made so others would think with a
6 different perspective.

7
8 Sharelle Rodman and Abby Batton stated they formed the group Park City Plastic
9 Coalition, which was a group of concerned citizens that would like to see plastic bags
10 banned in the community. Rodman knew the City was onboard with Climate Reality,
11 and asked how the citizens could work with the City. Council Member Beerman noted
12 there was a voluntary plastic bag ban and it was time to check in to see how that was
13 going. Foster stated she could set up a pre-meeting with this group and Recycle Utah.
14 Rodman stated Mary Closser with Recycle Utah was part of this group as well.

15
16 Michael Faulk, Karaoke Cab, stated he read in the Park Record that a free taxi service
17 would be provided to take cars off the road. He indicated his desire to meet with staff
18 and give them other ideas on how to get traffic off the road. He noted other taxi drivers
19 were in attendance with him tonight.

20
21 Phil Kaplan and Andrew Caplan, School Board members, addressed the Council.
22 Kaplan stated the Board was reviewing the facilities needs and would be going to the
23 voters in the fall to request a bond. He stated the School District just received an award
24 for being one of the districts that had made the most progress in reading. He also
25 announced the realignment of grades to make the most efficient use of the buildings,
26 and indicated there was a new design of the high school on the school website, there
27 was a need for a new 5-6 grade building and there was an intent to purchase land for
28 future schools as the area continued to grow. Caplan encouraged citizens to reach out
29 to the School Board for more information. He noted the energy saving aspects of the
30 proposed new buildings as well as efforts to mitigate energy waste in the older
31 buildings. He also stated the School District's interest to address transportation and
32 affordable housing issues as well.

33
34 **IV. CONSIDERATION OF MINUTES**

35 **Consideration to Approve the City Council Meeting Minutes from March 9, 2017:**

36
37 Council Member Beerman moved to approve the City Council Meeting minutes from
38 March 9, 2017. Council Member Gerber seconded the motion.

39 **RESULT: APPROVED**

40 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

41
42 **V. CONSENT AGENDA**

1 1. Request to Authorize the City Manager to Enter into a Three (3) Year
2 Contract with an Option of Two (2) One-Year Extensions, in a Form Approved by
3 the City Attorney's Office, with Zion's Public Finance, Inc. for Financial Advisory
4 Services Related to Water Revenue Bond Issuance, Storm Water Revenue Bond
5 Issuance, Sales Tax Revenue Bond Issuance, Tax Increment Bond Issuance, and
6 Refinancing and Refunding of Bonds:

7
8 2. Request to Authorize the City Manager to Enter into a Three (3) Year
9 Contract with an Option of Two (2) One-Year Extensions, in a Form Approved by
10 the City Attorney's Office, with Farnsworth & Johnson PLLC for Bond Counsel
11 Services Related to General Obligation, Water Revenue Bond Issuance, Storm
12 Water Revenue Bond Issuance, and Refinancing/Refunding of Existing Debt and
13 with Gilmore Bell PC for Bond Counsel Services Related to Sales Tax Revenue,
14 Tax Increment Bond Issuance, and Refinancing/Refunding Existing Debt:

15
16 3. Request to Authorize the City Manager to Sign a UDOT Consultant Services
17 Agreement with AECOM for Construction Engineering Management Services for
18 the Prospector Avenue Re-Construction Project in a Form Approved by the City
19 Attorney and for an Amount of \$116,408:

20
21 4. Request to Authorize the City Manager to Sign a UDOT Consultant Services
22 Agreement with Horrocks Engineers for Material Testing Services for the
23 Prospector Avenue Re-Construction Project in a Form Approved by the City
24 Attorney and for an Amount of \$60,762:

25
26 5. Request to Authorize the City Manager to Sign an Agreement with
27 CenturyLink for Relocation of Their Facilities for the Prospector Avenue Re-
28 Construction Project in a Form Approved by the City Attorney and for an Amount
29 of \$66,695:

30
31 Council Member Worel moved to approve the Consent Agenda. Council Member
32 Henney seconded the motion.

33 **RESULT: APPROVED**

34 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

35
36 **VI. OLD BUSINESS**

37
38 1. Consideration to Approve Ordinance 2017-11, an Ordinance Amending Title
39 4-Licensing: Chapter 8, Special Event Permit, of the Municipal Code of Park City,
40 Utah:

41 Jenny Diersen, Special Events Coordinator, presented this item. She reviewed that the
42 proposed code changes were discussed at the March 9th meeting. She reviewed the

1 proposed code changes as outlined in the packet.

2
3 Council Member Worel stated it was nice to include the sustainability measures in the
4 requirements.

5
6 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas
7 closed the public hearing.

8
9 Council Member Henney stated public safety was critical in this day and age and the
10 City needed to drill down on that component. Council Member Beerman agreed and felt
11 this ordinance was a good start. He stated as time went on this code would come back
12 with amendments.

13
14 Council Member Beerman moved to approve Ordinance 2017-11, an ordinance
15 amending Title 4-Licensing: Chapter 8, Special Event Permit, of the Municipal Code of
16 Park City, Utah. Council Member Gerber seconded the motion.

17 **RESULT: APPROVED**

18 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

19
20 **2. Consideration of an Appeal of the Planning Commission's Decision to**
21 **Approve the Conditional Use Permit for a Private Event Facility at the Historic**
22 **Kimball Garage (638 Park Avenue) - Appellant Sanford Melville, John Stafsholt,**
23 **and Sandra Morrison of the Park City Historical Society:**

24 Mayor Thomas noted this was a quasi-judicial process based on de novo evidence.
25 Harrington stated the City and Council had received numerous emails that were put on
26 the website and they would be made part of the record. Council Member Henney
27 disclosed that the Chamber of Commerce discussed this item and he gave the details
28 but did not give an opinion on the issue. Council Member Matsumoto disclosed she was
29 a member of the Historical Society Board but was unsure if she attended the meeting
30 when the decision was made to appeal. Mayor Thomas stated he was the liaison of the
31 Historic Preservation Board (HPB). Harrington stated the Council's disclosures were
32 sufficient and they would not need to recuse themselves.

33
34 Anya Grahn, Planner II, stated the appeal of the Conditional Use Permit (CUP) was for
35 a private event facility. She reviewed the facility would be on the third floor of the old
36 Kimball Garage. There would be a roof terrace. Full occupancy was set at 522 people
37 but the applicant reduced the number of occupants allowed to 480. The Planning
38 Commission reviewed the CUP and gave some findings. There was concern about
39 noise and so the number of hours in operation was limited and the windows and doors
40 were required to remain closed. The hours would be 11:00 a.m. to 10:00 p.m. for the
41 exterior space and 11:00 a.m.-midnight for the indoor space. Grahn indicated the
42 appeal was submitted on December 22, 2016.

1 Appellants:

2 Sanford Melville, a resident with no commercial interests, stated he was speaking for
3 himself and his neighbors. He filed an appeal because he felt there would be a negative
4 impact on the neighborhood if this use was approved. The developer and attorneys
5 would collect their money and leave. City Council members and staff would come and
6 go, but neighbors would be left with the cleanup. He felt the Planning Commission erred
7 in its interpretation of the Land Management Code (LMC). He asserted the facility was
8 not compatible due to the impact on the municipality and surrounding neighbors, the
9 effects had not been mitigated and its use did not comply with all requirements of the
10 LMC. He stated the Planning Commission unanimously approved the permit in
11 December, but Chairperson Strachan did not vote because he didn't know the impact to
12 the neighbors. The Planning Commission stated the noise was consistent with the
13 previous use, but that was not true. Melville expressed concern that when the facility
14 was too warm, the event planner would open the windows and doors and the music and
15 noise would be emitted. He felt the conditions of approval were unrealistic and not
16 enforceable.

17
18 Melville noted staff indicated there would not be any new traffic generated to the site.
19 He felt this was an erroneous conclusion and stated no traffic study had been
20 performed. There was no consideration of the buses on Heber Avenue and stated it was
21 already a difficult intersection for buses. There was no consideration for emergency
22 vehicle access or for delivery and service vehicles that would be loading and unloading
23 at this location. He stated staff suggested the parking for these events would be at
24 China Bridge and other public parking locations. Melville argued this was too far to walk
25 and patrons would seek closer parking spots, and the parking impacts were not
26 mitigated by Planning.

27
28 Melville also stated that 480 attendees would constitute a Level 2 Special Event, yet an
29 administrative CUP for events were not required for this facility. He felt this would set a
30 precedent for more preapproved private event facilities. The noise and traffic issues
31 would discourage primary home ownership in the surrounding area. He also noted that
32 in the Historic District, the roof must remain in its original form. The current design did
33 not comply with the LMC. The BOA was concerned that the deck railing, chairs, tables
34 and umbrellas would be visible.

35
36 John Stafsholt, appellant, stated his home would look down onto the proposed bar. He
37 stated a private facility was a CUP but an outdoor private facility was not a CUP. He
38 indicated the usage made a huge difference. The events approved for this facility used
39 to require a permit. He didn't understand why the City didn't require these conditions.
40 The LMC defined the use for staging and conducting private events, but prohibited the
41 use on Heber and Park Avenues. A Special Event permit should be required for this
42 venue. He also noted the deduction from Planning that traffic would not be impacted
43 and found that to be erroneous. He stated the noise was a concern because the

1 ordinance indicated the noise should not go past the property line. This facility would not
2 be able to comply with this ordinance.

3
4 Stafsholt gave the following suggestions:

- 5 • limit the number of days for occupancy
- 6 • limit times or outdoor occupancy
- 7 • don't allow outdoor music
- 8 • loudspeakers should only be allowed inside
- 9 • lower the occupancy
- 10 • limit hours for loudspeakers
- 11 • equip the Police Department with noise meters
- 12 • lower the number of days the tent is allowed
- 13 • require the heaters, tables, and chairs to be removed every night
- 14 • no events on ground level
- 15 • increase signage for parking
- 16 • enforce parking regulations
- 17 • create load/unload requirements
- 18 • create rules for Uber and taxis
- 19 • don't allow "Public Outdoor Music Plaza" status to this private venue

20
21 Stafsholt indicated the LMC stated the public outdoor music permits were for the
22 Historic Commercial Business District.

23
24 Sandra Morrison, Park City Historical Society and Museum, stated Melville and
25 Stafsholt gave great presentations supporting the opposition of this CUP. She did not
26 think approving the CUP would make the City a complete community.

27
28 Council Member Henney asked about the barrel roof. Harrington stated the deck was
29 approved but the requirement of invisibility of the railing, tables, chairs, etc. was not
30 mitigated. Council Member Henney asked if the CUP would be appealed if the outdoor
31 component was eliminated. Melville stated the concern for noise was the outdoor deck,
32 but the traffic and loading were concerns as well so he was opposed to the CUP
33 because of the impact to the neighborhood. He thought it would justify a periodic review.

34
35 Council Member Beerman asked what other outdoor event facilities were used in
36 determining approval. Grahn stated the Town Lift was used for tents with events and
37 dinners, but the days were limited. This facility had a tent limit of 70 days.

38
39 Council Member Gerber asked about the noise ordinance. Harrington stated special
40 events could get exemptions to the noise ordinance on a case-by-case basis. The City
41 had to comply with State law. Noise was a condition of use and the exemption could be
42 revoked.

1 Council Member Beerman asked what the difference would be allowing outdoor music.
2 Grahn stated the music would have to be at a background level outdoors, similar to
3 music in restaurants for dining.
4

5 Applicant:

6 Craig Elliott, Elliott Workgroup, thanked the BOA and Planning Commission. The
7 process was fair and thorough and the outcome was represented by their diligence. The
8 unanimous decision was based on the conditions of approval. The Park City Fire District
9 reviewed the project so they were aware of the area and traffic. He referred to going to
10 the BOA to discuss the tables, chairs etc., on the deck, and noted that after the BOA
11 approved it, any appeal would have to be made in District Court. He also referred to a
12 parking exemption based on floor area, which this facility met.
13

14 The Historic Commercial Business District allowed uses for restaurants, bars, private
15 event facilities, as well as others. Some of the uses required a CUP. Elliott also
16 indicated the building would have sound absorbing materials to mitigate the sound in
17 the neighborhood.
18

19 Wade Budge represented his client, CPP Kimball, and stated staff had been very
20 thorough and even handed. This CUP was carefully deliberated. He stated that CUPs
21 were authorized by law and they could be approved with conditions. He reviewed the
22 law with regard to CUPs. He responded to the concerns of the appellants by saying
23 there were always impacts with allowed uses. This facility was not extraordinary or
24 surprising because there were other event facilities in the area. He addressed the
25 concern about noise and indicated the agreement was to have the event planners
26 review the conditions of approval regularly so they would be fully aware of the
27 limitations. The traffic concern was addressed with the public parking facilities in the
28 City. He also indicated that the BOA never required that the deck be invisible. He
29 requested the Council uphold the approval.
30

31 Council Member Matsumoto asked if there would be live music on the deck. Tony Tyler,
32 developer and part owner, stated if a live band was outside, they would have to meet
33 the existing criteria. One example would be someone strumming a guitar at an outdoor
34 dining area. Council Member Matsumoto stated that example was not comparable since
35 this was a party, not separate groups at different tables, and the atmosphere would be
36 different. Budge stated his team had proven that the impacts were within the range
37 allowed in this CUP. Council Member Matsumoto asked if a special event permit would
38 be required if live music was performed outside. Grahn affirmed that a permit would not
39 be required. Council Member Gerber asked why a permit wouldn't be required if there
40 was a special event of 480 attendees. Harrington referred to other restaurants or events
41 in the City that offered music and didn't need permits.
42

43 Council Member Beerman asked what the result would be if the CUP was revoked.
44 Budge stated that this use was allowed and some of the conditions were being

1 mitigated. Harrington stated if there were sustained violations, then the City could
2 revoke the permit. Council Member Gerber asked if a code violation had to be
3 addressed within 30 days. Budge stated 30 days was a good timeframe to resolve
4 issues but if the code had been violated for 20 days, 20 citations could be issued which
5 would not reflect well on the client.

6
7 In response to a question on the event center location within the building, Grahm
8 confirmed it was not on the ground level. Council Member Henney stated a lot of due
9 diligence went into the Planning Commission's decision and he asked if Council needed
10 to make a decision based on policy and the General Plan. Harrington indicated the
11 Council's role was to determine if the Planning Commission had an incorrect
12 interpretation of the code. He stated the Council had retained the authority to decide on
13 CUP appeals since CUPs affected the community. Council Member Henney asked
14 about the noise ordinance as it pertained to being contained on the property. Harrington
15 disclosed the noise ordinance was currently being updated and would be brought to
16 Council within the next six months.

17
18 Council Member Worel asked how a neighborhood was defined since the CUP should
19 be compatible with the neighborhood. Grahm read the definition of neighborhood in the
20 LMC. Mayor Thomas asked how the soffit would decrease the noise on the deck and
21 felt the sound would be emitted in all directions. Elliott stated that the noise going east
22 would hit the glass and would be absorbed by the soffit by up to 50%. Budge stated one
23 condition of approval was that this facility would comply with current and future noise
24 ordinances.

25
26 Mayor Thomas opened the public hearing.

27
28 Tony Tyler stated he was a Summit County resident and not an outsider as others had
29 said. He indicated second level spaces were not successful in general, and thought an
30 event facility was perfect for this location.

31
32 Sydney Reed stated she valued the historic part of town. Her husband started the
33 Historical Society in 1973. She was opposed to dismantling the roof of the building. She
34 asked that the Council not dismantle the guidelines of Historic Preservation. She read a
35 letter by Gordon Strong, who was opposed to the outdoor music component of the
36 facility. There were many indoor facilities that had music, but not on a rooftop in the
37 middle of a neighborhood.

38
39 Andy Byrne indicated he spent a lot of time outside and knew both the good and bad
40 things in the neighborhood. For years there had been the same discussion of
41 commercial creep into the residential areas. He agreed with the appellants and noted
42 the neighborhood had gotten bad with traffic, noise, etc. The noise migrated up the hill.
43 He also indicated the traffic had become so bad and he couldn't see how a loading zone
44 could be there. The parking had not been mitigated in his opinion as well. He stated his

1 neighbors Gary and Jane Kimball, Steve Swanson on 601 Park Avenue, and Linda Cox,
2 575 Park Avenue, were also not in favor of this project.

3
4 Philippe Astie stated he was concerned about the noise. He noted that the other special
5 events inconvenienced the residents a few times a year but this facility could have
6 events every night of the year. Other events such as Silly Market were endured
7 because it benefited so many businesses in the community, but this use would only
8 benefit the owner. He also referred to other open spaces that could apply for events
9 every night.

10
11 Mary Crafts was a caterer and could speak about events. She understood the concern
12 of the residents. She knew from experience that the clients would comply with any rules
13 in order to have their event in Park City. Event planners would not open doors if the
14 indoor area got too hot, but would turn on the air conditioner. The outdoor area was
15 great for cocktails and hors d'oeuvres. She couldn't see how 480 people could fit in that
16 facility after the bar, food, coat check, etc. were added. She also stated that there was
17 rarely an event center that was rented 365 days per year and estimated it could be
18 rented 56 days per year. She knew the neighbors had viable concerns but she hoped
19 that a true perspective could be given on the clients of this facility. She thought this
20 issue could be crafted so it would be a win-win for both sides.

21
22 Rick Shand thought this facility would be a good idea. He thought it was a great space
23 for a 50th wedding anniversary, a wedding, etc., and noted there was not another facility
24 of this type here. He would expect the noise ordinance to be upheld and if it was
25 abused, the facility should be shut down. The facility should not have a license to wreak
26 havoc on the neighborhood but should be designed to benefit the community.

27
28 Sarah Klingenstein could imagine the space as a popular wedding venue in town. She
29 had concern about the group talking over the music in the facility and thought the noise
30 could escalate quickly. She noted the Council wanted to take the foot off the gas with
31 regard to events and special events had to come back to Council for approval each
32 year. This facility would not have to be approved and she hoped the Council would
33 focus on not the single event but the accumulated events that caused the impacts.

34
35 Penny Kinsey, a restaurant owner, stated this facility would hold the same events as her
36 restaurants. The facility would be regulated by the State and the DABC. She had a CUP
37 as well and her noise was mitigated. Parking at her parking lot would not accommodate
38 the cars from an event and she required that the parties make travel arrangements prior
39 to attending.

40
41 Bob Gurss stated having this facility would be one more reason for people to leave town
42 because of the noise.

1 Mike Sweeney, owner of an event space, stated noise could be reduced by the way
2 speakers were put together. He felt Main Street needed the event space. He read two
3 letters supporting the Planning Commission's decision, one from Joel Preston and one
4 from Emerson Oliveira. Both letters supported the CUP.

5
6 Grahn confirmed Mr. Sweeney needed a Special Event permit for the groups that
7 performed at his facility.

8
9 Mark Stemler stated this was a safety issue, parking was too limited, and he predicted
10 an emergency would occur where service vehicles would not be able to respond.

11
12 Chuck Klingenstein stated public policy was changing but the LMC lagged those
13 changes. CUPs were allowed uses with conditions. The conditions were set up to keep
14 up with the changes.

15
16 Niels Verngaard stated the noise from the facility would be pushed up the hill. He
17 indicated the Mayor and Council favored the fabric of Old Town and Old Town needed
18 to be preserved. He asked Council to do what was right.

19
20 Ed Parigian agreed with the appellants. He stated the developers specified there were
21 noise mitigations and that couldn't be true. This facility was not a public service. He
22 thought when the doors opened for people to go on the deck the noise would filter
23 outside.

24
25 Jennifer Franklin thanked the applicant and appellant for their time. She was on the
26 BOA and she spent so much time on this issue. The BOA had a narrow scope in which
27 to work. She concurred with many opposing this issue.

28
29 Carole Fontana agreed with Byrnes and Astie and thought the residents needed
30 support.

31
32 Deb Stafsholt hoped noise could be mitigated.

33
34 Mayor Thomas closed the public hearing.

35
36 Council Member Beerman asked if events required a Special Event permit. Grahn
37 stated that not every event required a special event permit. With regard to this facility, if
38 the event went beyond the normal business, it would require a special event permit.

39
40 Council Member Matsumoto asked what type of live music would meet code. Harrington
41 stated things such as how loud the noise level could be, the maximum number of
42 people allowed on the deck, music, number of days events could be held per year, etc.,
43 could be specified in the conditions.

1 Tyler stated amplified music did not have to be loud and requested it be allowed but
2 subject to the noise ordinance. Council Member Henney stated music was a permitted
3 activity and should be allowed. The business community thought this wasn't an issue
4 but the residents thought this was an issue because of the noise. He also didn't
5 understand how a roof form could be taken off. He didn't think noise could be mitigated,
6 and thought traffic flow was a legitimate concern as well. Bus traffic and pedestrian
7 traffic was congested. He was not concerned for Main Street but was concerned for the
8 neighborhood.

9
10 Council Member Beerman stated it became very clear that the level of events in old
11 town had a negative impact on the neighborhoods. The event center was a CUP but an
12 outdoor event was a concern. The Kimball problem was a geographic problem because
13 it faced the neighborhoods that were uphill. The conditions of approval addressed the
14 indoor space, but were not effective in addressing and mitigating the outdoor space.

15
16 Council Member Matsumoto asked for the purpose of the Historic Recreation
17 Commercial zone. Bruce Erickson stated the zone allowed the uses of the Historic
18 Commercial Business (HCB) zone but not the height of the (HCB) zone. Council
19 Member Matsumoto stated this was a transition zone. She agreed there was a value to
20 having the event space, but the deck was a concern. She asked what options the
21 Council had. Harrington stated Council could change, remove, or add to the conditions,
22 or remand the appeal back to the Planning Commission with specific directions.

23
24 Council Member Worel stated this CUP was compatible with a few neighbors but not
25 with all the neighbors. The noise ordinance was a concern as well, and the burden of
26 enforcement would fall on the neighbors. She also didn't know if traffic could be
27 mitigated.

28
29 Council Member Gerber stated it was tough to balance neighbors and businesses.
30 Council had discussed special events for a year. She felt if the number of attendees
31 reached a certain level, this facility should go through the special event permit process
32 so Council could review the events on a case-by-case basis.

33
34 Council Member Beerman expressed concern with removing the historic roof and then
35 allowing a tent, which Council didn't want on any historic buildings. Also, the parking
36 plan indicated there was overflow on Park Avenue. He indicated that was not
37 appropriate parking for a residential area.

38
39 Council Member Matsumoto asked if the design went to Planning Commission.
40 Harrington stated the design was approved and could not be repealed, but the tent
41 could be altered. Mayor Thomas felt the glass wall was a sound reflector and noise had
42 not been mitigated. He was concerned with traffic circulation as well. Council Member
43 Beerman felt the conditions needed to be refined. Harrington stated he heard concern
44 expressed with regard to the indoor conditions and conditions on loading areas, traffic

1 and parking. With regard to the outdoor use, which did not appear to be mitigated, a
2 reevaluation of design and conditions on minimum visual impacts should be addressed,
3 since they were somewhat inconsistent.

4
5 Council Member Henney stated Harrington summarized clarifications for the conditions
6 that should go back to the Planning Commission. Council Member Worel agreed with
7 Council Member Henney and indicated she wanted to be updated on how the outdoor
8 space was compatible with the neighborhood because she didn't think it was
9 compatible. Council Member Gerber agreed with Council Members Henney and Worel.
10 Council Member Henney did not want to approve the outdoor space but felt the
11 Planning Commission might have a creative way to mitigate the areas of concern so he
12 was willing to remand the item back to the Planning Commission. Mayor Thomas asked
13 if the Planning Commission could limit the amplified sound to indoor space only.
14 Council Member Beerman favored denying the outdoor space and remanding the other
15 portions to the Planning Commission.

16
17 Harrington asked if the deck could be used a little regardless of the CUP. Erickson
18 stated the deck was a permitted use. Harrington stated a motion could be made to limit
19 the use, based on conditions 2, 5, 6, 12, and 13, with a specific emphasis on noise, and
20 any use beyond the permitted use on the deck had to have additional mitigation or
21 design changes.

22
23 Council Member Henney asked if number of days could be mitigated. Mayor Thomas
24 indicated the hours per day and numbers of days per year could be limited. The City
25 could request that insulation be added between the interior and exterior spaces, i.e.
26 something other than glass. Harrington stated this facility could operationally succeed if
27 it was done a certain way. He also suggested the City have incremental reviews of the
28 facility throughout the year.

29
30 Council Member Beerman moved to remand the appeal of the Conditional Use Permit
31 for a private event facility at the Historic Kimball Garage back to the Planning
32 Commission related to the conditions regarding the overall facility, specifically
33 Conditions 3 and 4, to better address loading, traffic, and parking. Related to the noise,
34 Planning Commission should revisit Conditions 2, 5, 6, 12, 13, and 15, to mitigate or
35 find a way to restrict the noise through more restrictive event uses, more limited hours
36 and such. There was also inconsistency in the visual impacts as related to Condition 11,
37 which contradicts the Board of Adjustments. The Planning Commission needs to
38 address the tent and those inconsistencies. The Planning Commission needs to also
39 revisit Condition 15, and add an additional review component. Council Member Gerber
40 seconded the motion.

RESULT: REMANDED TO PLANNING COMMISSION

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VII. NEW BUSINESS

1. Consideration to Approve Ordinance 2017-12, an Ordinance Approving a Second Extension of the March 3, 2016 Approval of the 1043 & 1049 Park Avenue Plat Amendment Located at 1043 & 1049 Park Avenue, Park City, Utah:

Anya Grahn, Planner II, presented this item. She noted an extension was approved last March, but the owner needed more time to resolve an encroachment issue.

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

Council Member Worel moved to approve Ordinance 2017-12, an ordinance approving a second extension of the March 3, 2016 approval of the 1043 & 1049 Park Avenue Plat Amendment, located at 1043 & 1049 Park Avenue, Park City, Utah. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

2. Request to Authorize the City Manager to Sign the Professional Services Agreement in a Form Approved by the City Attorney with T2 Systems Incorporated in an Amount Not to Exceed \$2,649,280.00 for Main Street Parking Technology:

Kenzie Coulson, Parking Supervisor, Alfred Knotts, Transportation Planning Manager, Blake Fannesbeck, Public Works Director, and Julie Dixon, Dixon Consulting, presented this item. Coulson stated this agreement would provide the details people wanted with regard to parking. Dixon stated outreach began today with staff and business owners and a sampling of business employees. Thirty business owners and 30 employees were in attendance at the meeting. They asked for clarification and showed some support. This project would get into the details by mid-April. She indicated she had assured the participants that this would be rolled out in phases. She also noted the vendor was very responsive and ready to engage and start the project.

Mayor Thomas asked Dixon to detail what was involved in the contract. She stated the contract included the gate components, the gate arms, electronics, monument signs that would show parking availability, park and pay stations, license plate recognition technology, and parking management software. She added another feature would be the incentive program.

Council Member Beerman asked about the timeframe for the rollout. Dixon stated the parking garage should have new features by June and most of the other features would be in effect by the end of summer. The app would go into effect around August, when the meters were installed.

Council Member Henney suggested having a video tutorial so people would know how to use the new system. Council Member Gerber asked if there would be a page on the City website to learn about the new system and to receive continuous updates. Dixon responded in the affirmative. Council Member Gerber asked if there would be more transportation opportunities this summer other than the e-bikes. Fonnesbeck stated more buses would be in operation so people could be transported in a timelier manner. The shoulders of the street on the pink route would be used as a bus lane. He indicated the resources were going to the spine route and there would not be an increase in routes around town. Knotts stated there was an RFP out for private providers to transport people on demand.

Mayor Thomas opened the public hearing.

John Kenworthy thanked Council for this transportation team and stated he had every faith that they would make this plan work.

Mayor Thomas closed the public hearing.

Council Member Gerber moved to authorize the City Manager to sign the professional services agreement in a form approved by the City Attorney with T2 Systems Incorporated in an amount not to exceed \$2,649,280.00 for Main Street Parking Technology. Council Member Beerman seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

3. Consideration to Approve the March for Science, a Level Three First Amendment Event to be Held on Saturday, April 22, 2017, from 9:30 A.M. to 3:00 P.M. Beginning in the Brew Pub Parking Lot, Traveling Down Main Street, Connecting to Swede Alley at the Bear Bench Crossing, Then Returning to the Brew Pub Parking Lot, with Additional Activities in the Santy Auditorium, Pursuant to Findings of Fact, Conditions of Approval and Conclusions of the Law in a Form Approved by the City Attorney's Office and a Fee Reduction Request in the Amount of \$ 9,746.00:

Tommy Youngblood, Special Events Coordinator, and Josh Hobson, the applicant, presented this item. Youngblood indicated this event was planned for April 22nd. There were 200 people who had expressed interest in attending the event so far. He reviewed

1 the timeline for this event. A fee waiver was requested, and he noted the event
2 promoted Council goals.

3
4 Council Member Worel asked if the increased cost would be for Police and safety
5 services, to which Youngblood responded in the affirmative. Council Member Beerman
6 asked if a staff member could give a presentation at the event to promote energy
7 conservation. Hobson affirmed that would be agreeable.

8
9 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas
10 closed the public hearing.

11
12 Council Member Worel moved to approve the March for Science, a Level Three First
13 Amendment Event to be held on Saturday, April 22, 2017, from 9:30 a.m. to 3:00 p.m.
14 beginning in the Brew Pub parking lot, traveling down Main Street, connecting to Swede
15 Alley at the bear bench crossing, then returning to the Brew Pub parking lot, with
16 additional activities in the Santy Auditorium, pursuant to findings of fact, conditions of
17 approval and conclusions of the law in a form approved by the City Attorney's Office,
18 and a fee reduction request in the amount of \$ 9,746.00. Council Member Beerman
19 seconded the motion.

20 **RESULT: APPROVED**

21 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

22
23 **4. Consideration to Approve Ordinance 2017-10, an Ordinance Approving the**
24 **Cottages – Amending Lots C & D Plat Amendment Pursuant to Findings of Fact,**
25 **Conclusions of Law, and Conditions of Approval in a Form Approved by the City**
26 **Attorney:**

27 Council Member Beerman asked if there was an HOA involved in this plat amendment.
28 Harrington stated HOA approval wasn't required for this item.

29
30 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas
31 closed the public hearing.

32
33 Council Member Beerman moved to approve Ordinance 2017-10, an ordinance
34 approving the Cottages – amending Lots C & D Plat Amendment, pursuant to findings
35 of fact, conclusions of law, and conditions of approval in a form approved by the City
36 Attorney. Council Member Gerber seconded the motion.

37 **RESULT: APPROVED**

38 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

1 **5. Consideration to Approve Ordinance No. 2017-13, an Ordinance Approving**
2 **the Eighth (8Th) Supplemental Plat for Constructed Units – the Belles at Empire**
3 **Pass, Amending Units 13 + 14 Pursuant to Findings of Fact, Conclusions of Law,**
4 **and Conditions of Approval in a Form Approved by the City Attorney:**

5 Francisco Astorga, Senior Planner, stated this would be a condominium plat and there
6 would only be one more plat in this development.
7

8 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas
9 closed the public hearing.
10

11 Council Member Beerman moved to approve Ordinance No. 2017-13, an ordinance
12 approving the Eighth (8th) Supplemental Plat for constructed units – the Belles at Empire
13 Pass, amending Units 13 & 14, pursuant to findings of fact, conclusions of law, and
14 conditions of approval in a form approved by the City Attorney. Council Member Gerber
15 seconded the motion.

16 **RESULT: APPROVED**

17 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

18
19 **6. Consideration to Approve Ordinance No. 2017-14, an Ordinance Approving**
20 **the First Amended Yard Subdivision Pursuant to Findings of Fact, Conclusions of**
21 **Law, and Conditions of Approval in a Form Approved by the City Attorney:**

22 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas
23 closed the public hearing.
24

25 Council Member Worel asked if the owner of the event space was willing to demolish
26 the building if parking was not approved. Astorga responded in the affirmative.
27

28 Council Member Beerman moved to approve Ordinance No. 2017-14, an ordinance
29 approving the First Amended Yard Subdivision, pursuant to findings of fact, conclusions
30 of law, and conditions of approval in a form approved by the City Attorney. Council
31 Member Worel seconded the motion.

32 **RESULT: APPROVED**

33 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

34
35 **7. Consideration to Approve Ordinance 2017-15, an Ordinance Amending the**
36 **Land Management Code of Park City, Utah, Revising Chapter 15-6 Master Planned**
37 **Developments:**

38 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas
39 closed the public hearing.
40

Erickson noted the changes to code including the removal of the pre MPD plan requirement and increasing the standards of submittal on the application forms which could be fixed administratively, and renew the invocation of the preliminary plat for subdivision review instead of this action.

Council Member Gerber moved to approve Ordinance 2017-15, an ordinance amending the Land Management Code of Park City, Utah, revising Chapter 15-6 Master Planned Developments. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VIII. ADJOURNMENT

IX. REDEVELOPMENT AGENCY MEETING

ROLL CALL

Attendee Name	Title	Status
Jack Thomas	Chair	Present
Andy Beerman	Committee Member	Present
Becca Gerber	Committee Member	Present
Tim Henney	Committee Member	Present
Cindy Matsumoto	Committee Member	Present
Nann Worel	Committee Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	Secretary	Present

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

Chairman Thomas opened the meeting for public comments. No comments were given. Chairman Thomas closed the public comment portion of the meeting.

NEW BUSINESS

1. Consideration to Authorize the City Manager to Enter into a Construction Manager at Risk (CMAR) Agreement in a Form Approved by the City Attorney's

Office with Newstar Construction, Inc., for Pre-Construction Services on Woodside Park Phase 1, the Former Fire Station Lot Located at 1353 Park Avenue, in an Amount Not to Exceed \$17,250:

Jonathan Weidenhamer, Economic Development Manager, stated this contract was for the preconstruction for Woodside Park Phase I. After the project goes out to bid, this agreement would be amended to include the general conditions of the percentage of the cost of construction and the bonds for the project.

Council Member Beerman moved to authorize the City Manager to enter into a Construction Manager at Risk (CMAR) Agreement in a form approved by the City Attorney's Office with Newstar Construction, Inc., for pre-construction services on Woodside Park Phase 1, the former Fire Station Lot located at 1353 Park Avenue, in an amount not to exceed \$17,250. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

X. ADJOURNMENT

The City Council reconvened in open meeting at 11:20 p.m. With no further Council business, the meeting was adjourned.

Michelle Kellogg, City Recorder



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

April 13, 2017

The Council of Park City, Summit County, Utah, met in open meeting on April 13, 2017, at 3:45 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss property at 3:45 p.m. Council Member Worel seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

CLOSED SESSION

Council Member Beerman moved to adjourn from Closed Meeting. Council Member Gerber seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

WORK SESSION

Council Questions and Comments:

Council Member Worel attended the Board of Health meeting and noted the annual report had been distributed. She attended the Mental Health Steering Committee and announced Aaron Newman was the new Coordinator. She asked if a Council member would substitute for her at the next Coffee with Council that was scheduled for April 25th. It was indicated that Council Members Beerman and Henney would be there.

Council Member Beerman attended the Utah League of Cities and Towns (ULCT) conference in St. George. He was asked to represent Fifth Class cities in ULCT's search for a new executive director. He spoke on the Leadership panel at the Leadership meeting, as well as sat in on a conference call with Sundance with regard to the City facilitating lease spaces during the festival. Council Member Henney offered to sit in on those negotiations as well.

Council Member Gerber attended the Utah Heritage Awards Dinner and indicated the City received awards for preserving mines and for the restructure of the McPolin Barn. She participated in the Leadership panel and attended the Planning Commission. She also attended the parking meetings and indicated she was glad to see the participation from the community. She also had coffee with Carolyn Wawra, the new Executive Director of Recycle Utah.

1 Council Member Henney participated in the Leadership Panel. He indicated that in the
2 last Questions and Comments, he misattributed some concern from the Planning
3 Commission to the Board of Adjustments with regard to ski era structures. The Planning
4 Commission was concerned about the possible loss of many ski era structures and
5 discussed what the City might want to do about this problem.

6
7 Council Member Matsumoto attended the Recreation Advisory Board (RAB) meeting,
8 but it was cancelled because there was no quorum. She asked if a sign could be posted
9 in the future. She attended the Historic Preservation Board (HPB) meeting, and noted
10 there would be three vacancies open for appointment.

11
12 Mayor Thomas attended the National Charity League event and spoke to high school
13 seniors that had volunteered at several non-profits for the past several years. He went
14 to a going away party for Sarah Pearce, former Managing Director of Sundance. He
15 attended the Fire Board meeting, went to St. George for the ULCT conference, and
16 attended the Public Art Advisory Board (PAAB), but it had been cancelled. He also
17 attended Promise Partnership and indicated they were looking for more support.

18
19 Foster asked if Council wanted to discuss designating A-Frame structures as historic
20 structures. Council Member Gerber was in favor of discussing this issue. Council
21 Member Beerman stated this idea had been discussed, but he hoped there would be
22 more of a community conversation, as he thought there was pushback the last time it
23 was discussed. Council Member Gerber indicated there was pushback from developers,
24 but there were many who liked those structures. Erickson stated there should be a joint
25 work session with the HPB to discuss this. It was noted there was language in the code
26 that gave grants to help preserve these homes. Foster stated Community Engagement
27 could get the word out to the community with regard to the A-Frame structure
28 discussion.

29
30 **Monthly Construction Projects Update - Summer 2017:**

31 Lynn Ware Peek, Community Engagement Liaison, presented this item. She reviewed
32 that she would give monthly updates on the construction within the community. She
33 would also send these reports to the community via multiple media outlets so the
34 residents and businesses could be well informed. She displayed a web based map of
35 the construction area and demonstrated the ease of seeing the most current stages of
36 completion.

37
38 In response to a question about the construction of the Bonanza Drive to Highway 40
39 project, Fonnesbeck stated this was the preliminary site surveying as improvements to
40 SR 248 were being planned.

41
42 Council Member Beerman asked if the mapping tool would be linked to the City website
43 and City newsletter. Ware Peek stated it would be linked and various tools on the
44 website would be promoted as part of ongoing outreach. Council Member Worel liked

1 that the map had bullet points and that there was a contact name for those who had
2 questions. She asked if the crane could stay at 638 Park Avenue until November.
3 Michelle Downard, Acting Chief Building Official, reviewed that a crane would be there
4 with a detour sign on the sidewalk, and noted the crane could legally be there until
5 November 21st and the contractor could also request an extension. Council Member
6 Beerman asked why the crane had to be on City property. Downard stated in looking at
7 the area, and taking into consideration deliveries, it was felt this spot would be less
8 impactful. Mayor Thomas felt the possibility of having an internal crane should be
9 explored.

10
11 Polly Samuels McLean, Assistant City Attorney, stated staff anticipated the neighbors
12 getting a signed air rights agreement with the owner. The City would then execute an
13 agreement with the owner as well for encroaching on City property. Council could put
14 the air rights agreement on a Council meeting agenda to evaluate the crane's location if
15 they so desired. The Council was in favor of reviewing this issue. Samuels McLean
16 stated the City was waiting for the neighbors' air rights agreement to be executed before
17 the City executed its air rights agreement.

18
19 Council Member Henney noted some of the construction projects in the packet didn't
20 have timelines, and thought timelines on all the projects would be helpful in the future.
21 Ware Peek stated she could add tentative completion dates to the projects.

22
23 **Council Top Priorities Discussion on Citizen Involvement:**

24 Jed Briggs, Budget Manager, and Linda Jager, Community and Public Affairs Manager,
25 presented this item. Briggs referred to information sheets included in the packet for
26 Citizen Involvement and Multi-Cultural Citizen Involvement and stated he could put
27 these progress sheets on the website for all the Council priorities.

28
29 Ware Peek reviewed the progress sheet for Citizen Involvement. She reported that
30 going out to where the people are was so effective in reaching the members of the
31 community. Jager reviewed some recent accomplishments of the Community
32 Engagement Department, including the Council outreach series, engaging with
33 businesses, creating video spotlights on the City priorities, the multi-project open house,
34 having strong relations with media partners, becoming a centralized communication
35 resource with other departments in the City, and updating the 2009 community visioning
36 project. She indicated that there was a 23% increase in followers on the City's social
37 media sites. She noted the Wasatch Front followed these sites as well and relayed the
38 news to the residents in the Valley.

39
40 Ware Peek indicated that going forward, there would be more Facebook Live events
41 and expanded community partnerships with the County, School District, etc. She also
42 wanted to expand the Council outreach series. Jager stated the Department was
43 looking to open an online engagement platform, which would be a site where residents
44 would be able to email comments on City Council meetings, and surveys could be

distributed as well. The participants on the site would be required to register so the City would know they were residents.

Jager asked if the Council would be willing to rename the Citizen Involvement priority to Community Engagement in order to align the priority with the existing department. She also asked what the Council sought to achieve through its Citizen Involvement initiatives, and what engagement strategies Council would like to see staff research and implement in the coming year.

Ware Peek also suggested Council rename the Multi-Cultural Citizen Involvement priority to Multi-Cultural Community Engagement, Multi-Generational Community Engagement, Diverse Community Engagement, or Latino Community Engagement. After some discussion, Mayor Thomas said Council would come back with answers to these questions. Council Member Henney stated outcomes would be to have a robust legitimate process of participation from across the broad community. He also wanted the community visioning project to be in 2020 instead of 2019. Council Member Beerman suggested planning outreach activities such as hiking with Council or having a BBQ with Council.

Council Member Worel asked if Community Engagement would like a heads up when the Council members speak at various events. Jager stated that would be helpful for her department.

REGULAR MEETING

I. ROLL CALL

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Polly Samuels McLean	Assistant City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	City Recorder	Present

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF **Staff Communications Reports:**

1 • **March 28, 2017 Après with Council Summary**

2 Council Member Gerber stated on Page 28 of the packet, she had indicated the March
3 for Science was a first amendment event, so it would likely happen. Lynn Ware Peek
4 stated the report was a recap and not official minutes, but she would change the report
5 to reflect the comment.

6
7 • **2017 Sandbag Incident Action Plan**

8 • **Aerie Drive and Deer Valley Drive Crosswalk Appeal**

9 • **638 Park Avenue Construction Update**

10 **III. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON**
11 **THE AGENDA)**

12 Aaron Newman introduced himself as the new Mental Health and Substance Abuse
13 Coordinator for Summit County. He stated he would be emailing the Council members
14 with questions and with a copy of the committee's initiative. He stated there was a great
15 need to address mental health issues.

16
17 Sandy Melville asked about the remand of the CUP for the Kimball Garage. He read a
18 letter and asked for clarification on the process of the remand to the Planning
19 Commission and the process of a call up to action by the Council as a result of the
20 decision of the Planning Commission. Samuels McLean stated Mayor Thomas would
21 sign the letter remanding the appeal to the Planning Commission tomorrow. Then the
22 Council had the authority to call the issue up to review the conditions, affirm the
23 conditions and/or add new conditions that the Planning Commission imposed. Public
24 input would also be required.

25
26 Council Member Beerman asked for a staff report after the Planning Commission
27 addressed this issue.

28
29 Sharelle Rodman, Plastic Coalition, and Mary Closser, Recycle Utah, stated they were
30 trying to get a plastic bag ban in the City. Closser stated the rest of the State looked to
31 Park City for its leadership with these initiatives. Luke Cartin, Environmental
32 Sustainability Manager, stated this item would be addressed at the next meeting.

33
34 **IV. CONSIDERATION OF MINUTES**

35
36 **Consideration to Approve the City Council Meeting Minutes from March 13 and**
37 **16, 2017:**

38 Council Member Gerber made a correction on Page 15 of the March 16th minutes where
39 she noted modular housing was on Park Avenue and not Main Street.

Council Member Beerman moved to approve the City Council Meeting minutes from March 13, 2017 and March 16, 2017 as amended. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

V. CONSENT AGENDA

1. Request to Authorize the City Manager to Execute a Professional Service Agreement with Stanley Consultants, Inc. for Consultant Services Related to the Storm Water Master Plan Study in a Form Approved by the City Attorney and for an Amount of \$41,762:

2. Request to Grant a Public Utility Easement to Questar Gas Company, in a Form Approved by the City Attorney, for the Purpose of Constructing and Accessing a Proposed High Pressure Gas Line Located on the Northeast Corner of Park City Parcel PCRC-1-AM-X, Located at 600 Gillmor Way:

3. Request to Authorize the City Manager to Enter into a Two Year Sponsorship Agreement with the United States Ski and Snowboard Association (USSA), in a Form Approved by the City Attorney:

4. Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with Daley Excavators L.L.C. for the 2017 Water Service Line Improvement Project for an Amount Not to Exceed \$62,600:

5. Request to Approve BOARD Budgeting Software with Neubrain, in a Form Approved by the City Attorney for an Amount of \$83,600:

6. Request to Approve the Kimball Junction Transit Center Electric Bus Charging Station Change Order #15 in an Amount Not to Exceed \$194,754.00 to Complete Construction of the Overhead Charging Station at the Kimball Junction Transit Center:

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

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VI. OLD BUSINESS

1. Consideration to Approve Ordinance No. 2017-16, an Ordinance Amending Title 11- Building and Building Regulations, Chapter 12, Section 15, Fee Adjustments, and Title 11, Chapter 13, Section 4, Waiver:

Michelle Downard, Acting Chief Building Official, presented this item. She reviewed the amendments to the code, which included increasing the threshold to \$25,000 per individual request for a project and a \$200,000 limit per fiscal year, clarification of scenarios and projects that would be eligible, such as nonprofits and affordable housing, having a structure and criteria that identifies how any project and request would be supportive of Council goals and priorities, and also establishing a staff committee that would review the requests and make recommendations to Council for consideration. She noted there were some adjustments sent to Council today and asked if Council would like to continue this item to a future date.

Council Member Henney stated the adjustments were minor and he didn't have a problem with them. He was concerned with the wording, "The City does not wish to place an undue burden on city projects," found in Section A, Purpose, of the policy. Samuels McLean stated the wording could be changed to say, "The City wishes to reduce the fees on city projects."

Council Member Worel expressed concern with Item 4 on Page 122 of the packet, in Section B, Policy, and asked for an explanation. Downard stated a request for a fee waiver was possible for events held on City property, such as birthday parties with bounce houses. Council Member Beerman felt the parties should have to pay the true costs. Council Member Matsumoto asked if there was a difference of having bounce houses or tents on private property versus City property. Downard stated if there was undue hardship for having the event on City property, they would be allowed to request a waiver.

Council Member Beerman was in favor of striking Item 4 under Section B, Policy. Council Members Worel and Henney agreed. Council Member Gerber felt the lower income families that didn't have backyards could be adversely affected.

Council Member Gerber also noted the language in Item 3, Section B, Policy, regarding nonprofits that provide a broad public benefit, and stated all nonprofits could say they provided a broad public benefit. Samuels McLean indicated the wording was for clarification in waiving the impact fees. Council Member Worel also corrected some duplicate wording in Section B, Policy.

Mayor Thomas opened the public hearing.

1 Michael Barille thanked the Council and thought these amendments were some good
2 steps. He asked about the implementation of the ordinance and how the fee waiver
3 process worked.

4
5 Mayor Thomas closed the public hearing.

6
7 Downard explained when an application was submitted, the Building Department
8 calculated the fees, and gave the option to the applicant to pull a permit and pay the
9 fee, with the knowledge that if the waiver was approved, a refund would be issued. A
10 permit could not be pulled without the waiver granted or the fee paid. She stated a third
11 option could be considered by Council if they desired. Foster stated Downard had
12 added language that inquired why the applicant was requesting the waiver. Council
13 Member Beerman asked what the timeframe was for waiver decisions. Downard stated
14 it took about a week to process, but if the waiver request needed to go through Council,
15 it would probably take a month, due to noticing and scheduling time on the Council
16 agenda.

17
18 Council Member Beerman moved to approve Ordinance No. 2017-16, an ordinance
19 amending Title 11- Building and Building Regulations, Chapter 12, Section 15, Fee
20 Adjustments, and Title 11, Chapter 13, Section 4, Waiver, with the amendments that
21 were sent to Council today, and also striking Section B, Item 4, of the Administrative
22 Policy for the Adjustment of Construction and Development and Impact Fees and
23 correcting the duplicate language of said document in Item 1, subsection A. Council
24 Member Worel seconded the motion.

25 **RESULT: APPROVED**

26 **AYES:** Council Members Beerman, Henney and Worel

27 **NAYS:** Council Members Gerber and Matsumoto

28
29 **2. Consideration to Approve Ordinance No. 2017-09, an Ordinance Amending**
30 **the Land Management Code of Park City, Utah, Amending Historic Recreation**
31 **Commercial (HRC) District, Section 15-2.5; Amending Historic Commercial**
32 **Business (HCB) District, Section 15-2.6; and Amending Defined Terms, Section**
33 **15-15:**

34 Bruce Erickson, Planning Director, and Hannah Tyler, Planner II, presented this item.
35 Erickson noted public comment was distributed to Council and reviewed that Planning
36 had met with some of the landowners on Main Street with regard to the proposed code
37 changes. He stated headway was being made and asked that this item be continued so
38 final changes could be made to the ordinance. Tyler indicated one change would be a
39 30 foot depth instead of the previously recommended 50 foot depth from the curb. This
40 would help incubator spaces, and would add to the streetscape.

1 Council Member Beerman thanked Tyler for working with Bill White and for her efforts to
2 make this work.

3
4 Mayor Thomas opened the public hearing.

5
6 Michael Barille, HPCA, thanked Council for giving this item extra time for consideration.
7 He hadn't heard much feedback from the Alliance but felt it was a step in the right
8 direction.

9
10 Angela Moschetta, Future Park City, stated she began circulating a petition with the
11 businesses and landlords against formula businesses, and urged Council to adopt
12 resolutions and LMC amendments that would prohibit formula and chain stores. Council
13 Member Beerman asked if Moschetta could meet with HPCA to agree on what they
14 would like the City to accomplish.

15
16 Michael Kaplan stated he taught lessons that as a resort became more sophisticated,
17 more economic development occurs. Some chains fit in with the culture like North Face,
18 but others don't, like Gucci. He urged the Council to consider the forces at work.

19
20 Mayor Thomas closed the public hearing.

21
22 Erickson stated this ordinance was carefully crafted and it would minimize unintended
23 consequences. It was a good first step. Council Member Matsumoto indicated Council
24 should act on the ordinance, even though it was a first step. Council Member Henney
25 stated the formula stores were already on Main Street, and it could be argued that they
26 contributed to the vibrancy of Main Street. Council Member Beerman felt this was a
27 good first step, and asked that a threshold on formula stores be set. Tyler stated that
28 was one option that would be brought to Council in the near future.

29
30 Council Member Beerman moved to continue Ordinance No. 2017-09, an ordinance
31 amending the Land Management Code of Park City, Utah, amending Historic
32 Recreation Commercial (HRC) District, Section 15-2.5; amending Historic Commercial
33 Business (HCB) District, Section 15-2.6; and amending Defined Terms, Section 15-15,
34 to April 27, 2017. Council Member Matsumoto seconded the motion.

35 **RESULT: APPROVED**

36 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

37
38 **VII. NEW BUSINESS**

39
40 **1. Consideration to Approve Ordinance No. 2017-17, an Ordinance Approving**
41 **the 1003 Woodside Avenue Plat Amendment Pursuant to Findings of Fact,**

Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Makena Hawley, Planner I, presented this item. She stated the purpose was to combine two lots into one lot. The owner would like to demolish the existing house. There was concern for the possible demolition, and a condition had been added to this item. She indicated the Planning Department could not stop the demolition, but would review how to take care of this issue in the future.

Council Members Gerber and Henney thought ski era housing should be discussed at a future meeting. Bruce Erickson stated direction was given in 2013 on ski era housing. He reviewed how a structure was determined to be a contributory or significant structure.

Council Member Matsumoto disclosed her children lived next door to this property, but it would not affect her decision with regard to the plat.

Hawley stated if it was a contributory structure, it would be eligible for grant funding for improving the façade.

Council Member Worel asked how owners knew their properties were significant. Erickson stated when a determination of significance occurred, the owner would be notified. He noted that he was aware of property rights laws and was proceeding with caution.

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

Council Member Henney moved to approve Ordinance No. 2017-17, an ordinance approving the 1003 Woodside Avenue Plat Amendment pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VIII. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Council should consider approving a resolution to acknowledge Mental Health Awareness month.

Respectfully:

Michelle Kellogg, City Recorder



City Council Staff Report

Subject: Mental Health Awareness Month

Author: Michelle Kellogg

Department: Executive

Date: April 27, 2017

Type of Item: Administrative

Summary Recommendation

Approve the proposed resolution proclaiming May 2017 as Mental Health Awareness Month in Park City.

Executive Summary

CONNECT is a nonprofit organization that was formed to bring together Summit County residents who are concerned about mental health issues facing our community. Mental health is a challenge nationwide and this group wants to see improved mental health services that are accessible to Summit County residents.

The Opportunity

Supporting Mental Health Awareness Month could help de-stigmatize mental illness, increase awareness and transparency of existing behavioral health services, provide relevant community programming, and build public support for increased spending on behavioral health in Summit County.

Alternatives for City Council to Consider

Recommended Alternative: Staff recommends Council approve the proposed resolution in support of Mental Health Awareness Month.

Pros

- a. The resolution demonstrates the City's support of mental health.
- b. The resolution promotes participation in Summit County Department of Health's needs assessment
- c. Supporting this resolution could result in increased awareness in the community.

Cons

- a. No increase in community awareness.

Consequences of Selecting This Alternative

Supporting this resolution will demonstrate that the City values residents of all needs within the community.

2. Null Alternative: No material impact.

Department Review

Legal and Executive Departments

Funding Source

There are no commitments associated with this resolution.

Resolution 09-2017

**A Resolution Recognizing May 2017 as Mental Health Awareness
Month in Park City**

WHEREAS, one out of every five Americans suffers a mental health disorder during any given year;

WHEREAS, the impact of mental illness reaches families, neighborhoods, schools and the workplace;

WHEREAS, the Summit County Department of Health is conducting a needs assessment for mental health services;

WHEREAS, May has been recognized as National Mental Health Awareness Month since 1949; and

WHEREAS, a wide range of events is being planned for the Summit County community, including films, talks, panel discussions and library book displays about mental health;

NOW THEREFORE, be it resolved by the City Council of Park City that:

- (1) May is recognized as Mental Health Awareness Month in Park City;
- (2) The people of Park City are encouraged to learn more about mental health; and
- (3) The people of Park City are encouraged to participate--which can be done on a confidential basis--in the Summit County Department of Health's needs assessment survey.

PASSED AND ADOPTED this 27th day of April, 2017.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

ATTEST:

Michelle Kellogg, City Recorder

APPROVED TO FORM:

Mark D. Harrington, City Attorney



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees. This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska. Arbor Day is now observed throughout the nation and the world.

Respectfully:

Michelle Kellogg, City Recorder



City Council Staff Report

Subject: Arbor Day
Author: Michelle Kellogg
Department: Executive
Date: April 27, 2017
Type of Item: Administrative

Summary Recommendation

Approve the proposed resolution proclaiming May 13th, 2017, as Arbor Day and celebrating Park City's 24th anniversary as a "Tree City USA Community."

Executive Summary

In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees. This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska. Arbor Day is now observed throughout the nation and the world.

The Opportunity

In consideration of requests received from the community to celebrate Arbor Day and in the spirit of our 24th anniversary as a Tree City USA, tree seedlings will be handed out to attendees at our Pride in your Park Cleanup Day.

Alternatives for City Council to Consider

Recommended Alternative: Staff recommends Council approve the proposed resolution in support of Arbor Day and being a Tree City USA community.

Pros

- a. The resolution demonstrates the City's support of planting trees in the City.
- b. The resolution promotes participation of cleaning up the community
- c. Supporting this resolution could result in increased awareness in the community.

Cons

- a. No increase in community awareness.

Consequences of Selecting This Alternative

Supporting this resolution will demonstrate that the City values the beauty of nature within the community.

2. Null Alternative: No material impact.

Department Review

Legal and Executive Departments

Funding Source

There are no commitments associated with this resolution.



Resolution No: 10-2017

**RESOLUTION PROCLAIMING May 13th, 2017, AS ARBOR DAY AND CELEBRATING
PARK CITY'S 24th ANNIVERSARY AS A TREE CITY USA COMMUNITY**

WHEREAS, Park City is committed to maintaining its natural trees and resources, demonstrated by the City Council's constant support of beautification projects and the enactment of codes specifically created to protect vegetation: and

WHEREAS, participation in the Tree City USA Program fosters community pride and creates a great environment to live and work and annual recognition demonstrates to residents and visitors that trees, conversation and the environment are an important part of life in our town; and

WHEREAS, the City Council, acting in the best interests of its citizenry, regard these enhancements as high priorities to enjoy and to ensure for future generations; and

WHEREAS, the National Arbor Day Foundation, in cooperation with the National Association of State Foresters and the USDA Forest Service, has named Park City as a Tree City USA for the 24th year; and

WHEREAS, in consideration of requests received from the community to celebrate Arbor Day and in the spirit of our 24th anniversary as a Tree City USA, this year Tree Seedlings will be handed out to attendees at our Pride in your Park Cleanup Day at City Park.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council hereby proclaim May 13th, 2017 as: ARBOR DAY IN PARK CITY, UTAH

The Mayor and City Council extend their appreciation of the exceptional service provided by Parks Department employees, who do an outstanding job every day of the year to ensure that Park City is a beautiful place to live, play and visit.

PASSED AND ADOPTED this 27th day of April, 2017.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Building Safety Month is sponsored by the International Code Council, to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, water safety and conservation; energy efficiency and new technologies in the construction industry. Building Safety Month encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies.

Respectfully:

Michelle Downard, Deputy Chief Building Official

City Council Staff Report



Subject: Building Safety Month - May Proclamation
Author: Michelle Downard, Interim Building Official
Department: Department of Building and Fire Safety
Date: April 27, 2017
Type of Item: Administrative

Summary Recommendation

Staff recommends for the City Council to proclaim that May is Building Safety Month (Exhibit A).

Executive Summary

Building Safety Month is sponsored by the International Code Council, to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, water safety and conservation; energy efficiency and new technologies in the construction industry. Building Safety Month encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies.

Analysis

Park City continues efforts to address the critical issues of safety, energy efficiency, water conservation, and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound.

Each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property. Governor Herbert has declared May 2017 as Building Safety Month in Utah (Exhibit B). Staff encourages our staff and citizens to join with their communities in participation in Building Safety Month activities.

In participation of Building Safety Month, the Building Department has utilized the funds received with the Lifesaver Award towards the purchase of carbon monoxide detectors and fire extinguishers to be distributed to low income housing residents.

Department Review

This report has been reviewed by the Building, Legal and Executive Department.

Attachments

EXHIBIT A- Proclamation for May to be Building Safety Month in Park City
EXHIBIT B- Declaration from Governor Herbert, Building Safety Month in Utah

EXHIBIT A- Proclamation for May to be Building Safety Month in Park City

Resolution No. 11-2017



Proclamation

Building Safety Month — May, 2017

Whereas, Park City’s continuing efforts to address the critical issues of safety, energy efficiency, water conservation, and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound, and;

Whereas, our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

Whereas, these guardians—dedicated members of the International Code Council—use a governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, play, and;

Whereas, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes, and;

Whereas, Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our communities’ largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings, and;

Whereas, “Code Officials – Partners in Community Safety and Economic Growth” the theme for Building Safety Month 2017, encourages all Americans to recognize the important role of code officials in building safe and resilient construction while supporting economic development; fire prevention;; disaster mitigation, water safety and conservation; energy efficiency and new technologies in the construction industry. Building Safety Month 2017 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies, and,

Whereas, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, the City Council of Park City, Utah, does hereby proclaim the month of May, 2017 as Building Safety Month. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Month activities.

EXHIBIT A- Proclamation for May to be Building Safety Month in Park City

PASSED AND ADOPTED this 27th day of April, 2017.

PARK CITY MUNICIPAL CORPORATION

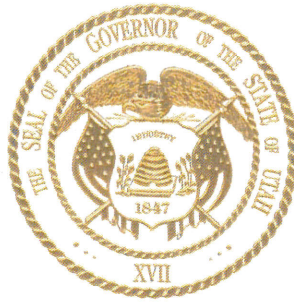
Mayor Jack Thomas

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



Gary Richard Herbert

Governor

Declaration

Whereas, our growth and strength depend upon the safety and economic value of the homes, buildings and infrastructure that shield and serve our residents;

Whereas, our confidence in the structural integrity of these buildings is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, developers, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings;

Whereas, our nation benefits economically and technologically from the implementation and application of safe and sensible codes and regulations;

Whereas, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown guardians of public safety—our local code officials—who assure safe, efficient, and livable buildings;

Whereas, Building Safety Month 2017 encourages appropriate steps everyone can take to ensure that the places we live, learn, work, worship, and play are safe, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies, and,

Now, therefore, I, Gary R. Herbert, Governor of the great State of Utah, do hereby declare May 2017, as

Building Safety Month in Utah

A handwritten signature in black ink that reads "Gary R. Herbert".

Gary R. Herbert
Governor



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

In 2012, staff developed a ten to twelve year implementation plan to (re-)construct and improve all of the streetscape infrastructure (sidewalks, curb and gutters, streetlights, benches, signage, art...) as well as the public plazas. To date the majority of the Main Street sidewalks south of Heber Avenue have been completed. The sidewalk improvements scheduled for this year will further the Council goal of a World Class Resort Community and a vibrant Main Street. Council should review the bid analysis and approve the construction agreement and proceed with the reconstruction of the Main Street sidewalks on the West side of the street from 4th Street to Treasure Mountain Inn entrance.

Respectfully:

Matthew Twombly, Senior Project Manager



City Council Staff Report

Subject: 2017 Main Street Sidewalks Project
Author: Matthew A. Twombly
Department: Sustainability
Date: April 27, 2017
Type of Item: Administrative – Award of Construction Contract

Summary Recommendation

1. Authorize the City Manager to enter into an construction agreement in a form approved by the City Attorney's Office with DRD Paving L.L.C., in the amount of Four Hundred Sixty Six Thousand Four Hundred Thirty One Dollars (\$466,431).
2. Staff requests Council waive Parking Fees estimated at Forty Nine Thousand Seven Hundred Forty Eight Dollars (\$49,748).

Executive Summary

In 2012, staff developed a ten to twelve year implementation plan to (re-)construct and improve all of the streetscape infrastructure (sidewalks, curb and gutters, streetlights, benches, signage, art...) as well as the public plazas. To date the majority of the Main Street sidewalks south of Heber Avenue have been completed. The sidewalk improvements scheduled for this year will further the Council goal of a World Class Resort Community and a vibrant Main Street. Council should review the bid analysis and approve the construction agreement and proceed with the reconstruction of the Main Street sidewalks on the West side of the street from 4th Street to Treasure Mountain Inn entrance.

Acronyms

CIP	Capital Improvement Program
HDDR	Historic District Design Review
HPCA	Historic Park City Alliance
M	Million
PCMC	Park City Municipal Corporation
ROW	Right of Way
TMI	Treasure Mountain Inn

The Opportunity

The Main Street Sidewalk Improvement project between 4th Street and TMI was delayed in 2016 by request of the merchants due to the prior year construction impacts of the Parkite. Staff and the HPCA wish to make the improvements to this section of sidewalk this year ahead of the significant amount of improvements slated for 2018 including the Main Street Plaza, Swede Alley Utilities, and the sidewalk improvements between TMI and Grappa.

Background

- On February 25, 2016 the City Council authorized addendum 2 to the professional services provider agreement to design and engineer the sidewalk improvements between 4th Street and the TMI building.
- Because of the construction of the Parkite in 2015 the merchants requested that the construction be delayed until 2017.
- Because of the delay of the sidewalks in 2016 staff looked at extending the design and engineering of the sidewalk improvements to include the section between the TMI and the pocket park adjacent to the Grappa.
- Because of the coordination and timing issues associated with the proposed Main Street Plaza (namely the type of paving and roadway/sidewalk, and engineering issues with moving the parking to the west side of the street), it was determined that the only way to construct the portion from 4th Street to TMI was to discontinue any design of the sidewalks from TMI to Grappa, have the City directly order the granite to avoid production and delivery lead times, and bid the first portion as soon as possible. Construction is anticipated to start mid-May.
- On March 21, 2017 staff met with the HPCA Executive Board and discussed the schedule. The HPCA Board voted to move forward with the Main Street Improvements construction in 2017 due to the significant amount of construction slated for 2018 including the Main Street Plaza, Swede Alley Utilities, and the sidewalk improvements between TMI and Grappa.
- On March 21, 2017 staff ordered the granite curb and granite pavers with delivery anticipated for the week of April 24, 2017.

Alternatives for City Council to Consider

Brick Paving:

1. **Recommended Alternative:** Staff recommends: Council authorize the City Manager to enter into a construction agreement in a form approved by the City Attorney's Office with DRD Paving L.L.C., in the amount of Four Hundred Sixty Six Thousand Four Hundred Thirty One Dollars (\$466,431) and waive parking fees in the amount of Forty Nine Thousand Seven Hundred Forty Eight Dollars (\$49,748).

Pros

- a. The project recommended by staff is within budget for the Main Street project CIP Budget.
- b. The bid is in line with the past costs of construction.
- c. The overall sidewalk improvements project will not be further delayed.
- d. The granite has already been ordered.
- e. The project has already received a Historic District Design Review (HDDR) approval.
- f. The project will alleviate a surface drainage problem at the TMI across the sidewalk and in the street.
- g. The project will not compete with the construction slated in the area for 2018.

Cons

- a. The construction timing start of mid-May will likely delay the dining deck installation at the Eating Establishment.
- b. There will be construction related impacts for the improvements to the Main Street businesses in the construction area for approximately 2 weeks.
- c. There are likely some impacts to parking revenues due to the construction.

2. Null Alternative: Council could choose to postpone the project at this time.

Pros:

- a. Eating Establishment could install their dining deck earlier.

Cons:

- a. It will delay the project.
- b. The granite would need to find storage and the cost to handle again.
- c. The impacts for 2018 will be much greater at this end of Main Street.
- d. The drainage issue at TMI could become hazardous over the winter for the sidewalk and street unless repaired separately.
- e. It would delay the overall Main Street Improvements projects schedule.

Analysis

Because of the construction of the Parkite at 333 Main, staff postponed the construction of the Main Street sidewalks on the west side from 4th Street to TMI Street from 2016 to 2017. In 2015 during the construction of the Parkite, staff coordinated with and installed the storm drains and roof drain tie-ins from 4th Street to the bulbout at 3rd Street. The gas lines were also installed at this time. Staff anticipates that construction will be faster as these utilities are already in place.

Staff estimates about 2 weeks for each 100' section. Staff anticipates the construction to begin mid-May in front of the Eating Establishment to minimize any delay in installing their dining deck on the street and curb. This section may be a little smaller and hopefully quicker although the start to any project is hard to judge. After the Eating Establishment, the construction will restart at 4th Street and work up the street in 6 more sections.

The Invitation to Bid was advertised on March 29th and April 1st, 2017 in the Park Record and March 29th and 30th in the Salt Lake Tribune. Additionally, the Advertisement was posted on the City's website, e-notify and Utah Legals website.

On April 13, 2017 a public bid opening was held at the Marsac building 3rd floor. There was one bidder on the project. The one bid was by DRD Paving LLC, in the amount of **\$466,431.**

Main Street Sidewalks 2017		Cost
Storm Drain completed 2015	425 lf	\$147,300
Granite		\$85,815
Misc.: Lights, benches, planters, tipping fees		\$50,000
Main Street Sidewalks 2015	700 lf	\$466,431
Total		\$752,509

	Linear feet/ (Units)	Completed	Actual Cost
Main Street Sidewalks 2013	830	100%	\$932,000
Main Street Sidewalks 2014	1110	100%	\$1,105,000
Main Street Sidewalks 2015	1023	100%	\$1,013,393
Main Street Sidewalks 2017	710	0%	\$752,509
Main Street Sidewalks Total	5660	52%	
Total thru 2017	3663	65%	\$3,682,902

The bid of \$466,431 is in line with the cost of construction in comparison to previous years, inflation and construction bid environment trends. The storm drain work in 2015 for a part of this project was necessitated by a serious drainage issue at about 3rd street that was freezing and causing a considerable hazard on the sidewalk and roadway. This needed to be piped from 3rd to 4th Street. Because this was constructed separate from the sidewalk improvements, new curb and gutter was required so there was extra expense which affects the overall price for this section of work. The bid environment has been extremely poor in a lack of competition and slightly higher costs than anticipated.

The construction will take approximately 4 spaces on Main Street as they move along and 16 spaces for construction staging in the Brew Pub lot. Construction is scheduled to begin shortly after the agreement is executed and all bonds and insurance requirements are submitted to the City. The completion date for the project is October 15, 2017 although we are hoping to complete by September depending how long work is stopped for events.

Department Review

This report has been reviewed by Sustainability, City Attorney's Office, and City Manager.

Funding Source

The funding is from the Downtown Enhancements CIP, more specifically the one half of one percent Additional Resort Community Sales Tax increase. There is approximately \$3.2M in the Downtown Enhancements Phase 2 project budget.

Attachments

Exhibit A DRD Paving Bid
Exhibit B Special Use Parking Application

Exhibit A

BID FORM

PROJECT IDENTIFICATION: MAIN STREET SIDEWALK 2017

CONTRACT IDENTIFICATION AND NUMBER: _____ **PROJECT NO. 9-7-16**
APRIL 2017

THIS BID IS SUBMITTED TO: **Park City Municipal Corporation**
PO Box 1480
445 Marsac Avenue
Park City, UT 84060

1. The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an agreement with Owner in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.
2. Bidder accepts all of the terms and conditions of the Advertisement for Bids and Instructions to Bidders, including without limitation those dealing with the disposition of bid security. This Bid will remain subject to acceptance for forty-five (45) days after the day of Bid opening. Bidder will sign and submit the Agreement with the Bonds and other documents required by the Bidding Requirements within fifteen (15) days after the date of Owner's Notice of Award.
3. In submitting this Bid, Bidder represents, as more fully set forth in the Agreement, that:
 - a. Bidder has examined copies of all the Bidding Documents and of the Following Addenda (receipt of all which is hereby acknowledged):

Date
4/11/2017

Number

001

- b. Bidder has familiarized itself with the nature and extent of the Contract Documents. Work, site, locality, and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance or furnishing of the Work.
 - c. Bidder has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests and studies which pertain to the subsurface or physical conditions at the site or otherwise may affect the cost, progress, performance or furnishing of the Work as Bidder considers necessary for the performance for furnishing of the Work and Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents; and no additional examinations, investigations, explorations, tests, reports or similar information or data are or will be required by Bidder for such purposes.
 - d. Bidder has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports or similar information or data in respect of said Underground Facilities are or will be required by Bidder in order to perform and furnish the Work at

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the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents.

- c. Bidder has correlated the results of all such observations, examinations, investigations, explorations, tests, reports, and studies with the terms and conditions of the Contract Documents.
 - f. Bidder has given Engineer written notice of all conflicts, errors or discrepancies that it has discovered in the Contract Documents and the written resolution thereof by Engineer is acceptable to Bidder.
 - g. The Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any person, firm or corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over Owner.
4. Bidder will complete the Work for the unit and lump sum prices as shown on the Bid Schedule and Detailed Specifications. Estimated quantities are not guaranteed and are solely for the purpose of comparison of Bids and determination of initial Contract Price. Final payment will be based upon actual quantities installed.
5. The Project Completion Date shall be as stated on the Bid Form and the executed Construction Agreement. **The project completion date shall be October 15, 2017.** The successful bidder, simultaneously with the execution of the contract agreement, will be required to furnish Performance and Payment Bonds in the amount equal to one hundred percent (100%) of the contract price, said bonds shall be secured from a company satisfactory to Park City Municipal Corporation. Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work on time.
6. The following documents are attached to and made a conditions of this Bid:
- a. Required bid Security in the Form of a Bid Bond.
 - b. Proposed Subcontractor list.
 - c. Contractor Qualification Sheet
7. Communications concerning this Bid shall be addressed to:

The address of bidder below:

Name of Contractor DRD PAULIN L.L.C.

Contact Person DAVID A. HARRISON

Address 2293 E. 6200 S.

City, State, Zip S.L.C. UTAH 84121

Telephone 801-580-3283

Fax # _____

E-mail DRDBIZ@AOL.COM

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8. If any person contemplating submitting a bid for the proposed contract is in doubt as to the true meaning of any part of the drawings, specifications or other proposed contract documents, he/she may submit to the Engineer written request for an interpretation thereof. The person submitting the request will be responsible for its prompt delivery. Any interpretation of the proposed documents will be made only by Addendum duly issued and a copy of such Addendum will be delivered to each person receiving a set of documents. Neither the Owner nor the Project Manager or Project Engineer will be responsible for any other explanations or interpretations of the proposed documents.
9. The following documents are required to be submitted with the Bid Proposal:
 - a. List of Proposed Subcontractors
 - b. Contractors Qualification Sheet
 - c. Bid Bond
 - d. Contractor license
10. All submittals shall be public records in accordance with government records regulations ("GRAMA") unless otherwise designated by the applicant pursuant to UCA Section 3-2-308, as amended."
11. The Construction Agreement will prevail in all cases, followed by Specifications, Special Provisions, and General Conditions.

Item	Description	Bid Quantity	Unit	Unit Price	Total Price
1	Mobilization & Demobilization	Job	LS	22,000. ⁰⁰	22,000. ⁰⁰
2	Storm Water Management	Job	LS	4,125. ⁰⁰	4,125. ⁰⁰
3	Traffic and Pedestrian Control and Signage	Job	LS	12,650. ⁰⁰	12,650. ⁰⁰
4	Demolition (asphalt and concrete)	9,890	SF	6.47	63,988.30
5	Remove and Re-Install Traffic Sign	2	EA	375. ⁰⁰	750. ⁰⁰
6	Concrete Curb Wall	2	LF	57.50	115. ⁰⁰
7	4" Concrete Sidewalk Connect to Existing	50	SF	35.26	1763. ⁰⁰
8	8" Concrete Driveway	200	SF	13.22	2644. ⁰⁰
9	6" Asphalt Pavement	3,495	SF	8.37	29,253.15
10	Parkite Stair and Handrail Detail	Job	LS	800. ⁰⁰	800. ⁰⁰
11	ADA Truncated Dome Pavers	33	SF	75.75	2,499.75
12	Brick Pavers	635	SF	32.28	20,497.80
13	6" x 18" Granite Curb	675	LF	31.85	21,498.75
14	2" Granite Paver Sidewalk	2,725	SF	20.50	55,862.50

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15	7" Concrete Band Sidewalk	2,105	SF	<u>11.07</u>	<u>23,302.35</u>
16	4" Concrete Rat Slab	3,395	SF	<u>8.89</u>	<u>30,181.55</u>
17	24" SD Inlet Box with Grate and Concrete Apron	3	EA	<u>3,392.00</u>	<u>10,176.00</u>
18	Existing Storm Drain Grate Adjustments	4	EA	<u>500.00</u>	<u>2,000.00</u>
19	12" PVC SDR-35 Storm Drain	295	LF	<u>123.00</u>	<u>36,285.00</u>
20	Storm Drain Roof & Sidewalk Drain Connection	7	EA	<u>1,610.00</u>	<u>11,270.00</u>
21	Sewer Manhole Rim Grade Adjustment	1	EA	<u>690.00</u>	<u>690.00</u>
22	Sewer Clean Out and Water Valve Grade Adjustment	5	EA	<u>287.40</u>	<u>1,437.00</u>
23	Water Meter Improvements	7	EA	<u>3,450.00</u>	<u>24,150.00</u>
24	Remove and Install New Refurbished Light Pole	5	EA	<u>3,735.00</u>	<u>18,675.00</u>
25	Install Electrical Vaults for Street Lights	7	EA	<u>832.00</u>	<u>5,824.00</u>
26	Electrical Conduit for Street Lighting	705	LF	<u>24.84</u>	<u>17,512.20</u>
27	Spare 4" Conduit	660	LF	<u>13.80</u>	<u>9,108.00</u>
28	Remove and Re-Install Parking Pay Station	4	EA	<u>287.50</u>	<u>1,150.00</u>
29	Removable Bollard	2	EA	<u>2,413.00</u>	<u>4,826.00</u>
30	Remove and Haul contaminated soils	450	CY	<u>69.77</u>	<u>31,396.50</u>
				Total =	<u>466,430.85</u>

The undersigned, in compliance with your invitation for bids for the Main Street Sidewalk Phase 4 2017, in PARK CITY, UTAH, having examined the Drawings and Specifications and related Documents and the site of the proposed work and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of labor, hereby offer to furnish all labor, materials and supplies as required for the work in accordance with the Contract Documents as specified and within the time set forth and at the price stated below. This price is to cover all expenses incurred in performing the work required under the Contract Documents of which this proposal is a part.

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SUBMITTED ON 4/13/2017, 2017.

Utah Contractor's License Number 243714-5501.

If BIDDER is:

An Individual

By _____ (SEAL)
(Individual's Name)

Doing business as: _____

Business address: _____

Phone Number: _____

A Partnership

By _____ (SEAL)
(Individual's Name)

(General Partner)

Business Address: _____

Phone Number: _____

A Corporation L.L.C.

By DRD PAWING L.L.C. (Corporate Seal)
(Corporation Name)

UTAH
(State of Incorporation)

By DAVID G. HARRISON 
(Name of Person Authorized to Sign)

Attest _____
(Secretary)

Business Address: 2293 E 6200 S. S.L.C. UTAH 84121

Phone Number: 801-580-3283

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Exhibit B

Permit # _____

Application for Special Use of Public Parking Facilities

Park City Municipal Corporation Parking Services

(All information must be completed)

1 Reason for Request Check all that apply: ☒ Construction ☒ Dumpster ☒ Other _____
 Note: The maximum number allowed is 1 dumpster and 2 essential vehicles

Specific Address or Location of Parking Spaces Note: Site map must be attached

* 220 MAIN ST - BREW PUB PARKING LOT

Spaces Needed from APRIL 24, 2017 (Beginning Date) to OCT 1, 2017 (Ending Date)

2 Person Making Request MATT TWOMBLY Phone 615-5177

Business Name PCMC

Mailing Address POB 1480 PARK CITY UT 84060

3 * 4 SPACES ON MAIN MOVIE STAGES 4TH ST + TMI
 Number of Historic District Parking Spaces Requested (subject to approval)

MAIN STREET, HEBER AVENUE,
 PARK AVENUE (HEBER AVE TO 9TH ST),
 BREW PUB LOT SPACES @ \$18.00/space/day =

\$ 40,960

SWEEDE ALLEY SPACES @ \$12.00/space/day =

\$ 8,768

SPECIAL EVENT USE @ \$50/space/day =

\$

RESIDENTIAL/PUBLIC LOT SPACES @ \$20/space/month =

\$

APPLICATION FEE =

\$ 20.00 ADD FOR TOTAL DUE:

\$ 49,748

4 I understand and agree to the conditions on the PAGE 2 of this document.

Applicant's Signature

Date

3/22/17

PUBLIC WORKS OFFICE USE ONLY		
Parking Department	Transportation Department	Police Department
Signature and Date	Signature and Date	Signature and Date
Number, Type, & Rate for Spaces Requested _____		
Comments		
A receipt for payment of the amount due is required before any permits will be issued.		
Amount Due	Permit Numbers Issued	
	Vehicle License Numbers	

Exhibit B
Financial Impacts to Parking Services

Parking Services staff has reviewed the request for parking needs. Per the precedent of other Park City Municipal Main Street improvement projects from 2011 through 2016, Parking Services recommends that parking-related fees be waived for the project, in an amount of \$49,748.00. Financial impact to the Parking Department is negated by the result of previous waivers on Main Street improvement projects-- as the anticipated and budgeted parking revenue currently accounts for this waiver. Should the project be delayed and impact peak winter operations, further parking revenue analysis will be required.

As part of the administrative policy for parking fee waiver requests, Parking Services is required to provide analysis for fee waiver impacts on the financial position of the department. The project will occupy 4 Main Street spaces for 137 days and 16 spaces for staging in Brew Pub lot for 160 days. From section 7.10 Fees for Special Use of Public Parking within the Park City Fee Schedule, the fees for Main Street parking space use total \$8,768 and Brew Pub lot spaces \$40,960. The Main Street spaces will be utilized in a rolling closure, so as to minimize revenue lost.

Based on actual meter revenue from FY2016, the average per Main Street space was \$6,587 for a similar period of time as the project. Estimated lost meter revenue loss for the 4 metered spaces would total \$26,351, although this project likely has a substantially smaller impact due to the moving nature of the road closure. Special use of public parking fees are calculated at \$16 per space per day which would total \$49,748, which is the amount of the fee waiver requested.



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

This request is detailed in the above staff report for the Main Street Sidewalk Construction Agreement with DRD Paving, LLC.

Respectfully:

Michelle Kellogg, City Recorder



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Park City's agreement with the current insurance brokerage service is expiring. An RFP was issued and, after a review of the proposals, staff recommends Moreton & Company as the most qualified based on their proposal, our selection criteria, and experience. Staff recommends a 3 year agreement, with a potential one year extension. The term shall terminate on January 1, 2020, or earlier, unless extended by mutual written agreement of the Parties, and will not exceed \$80,700.

Respectfully:

Matt Dias, Asst City Manager

City Council Staff Report



Subject: Insurance Broker Professional Service Provider Agreement
Author: Matt Dias; Katie Madsen; Lisa Roadfuss
Department: Executive
Date: April 27, 2017
Type of Item: Administrative

Summary Recommendation

Authorize the City Manager to execute a professional services contract with Moreton & Company Insurance Services Co., for insurance placement broker services, in a form approved by the City Attorney and for an amount not to exceed \$80,700.

Executive Summary

Park City's agreement with the current insurance brokerage service is expiring. An RFP was issued and, after a review of the proposals, staff recommends Moreton & Company as the most qualified based on their proposal, our selection criteria, and experience. Staff recommends a 3 year agreement, with a potential one year extension. The term shall terminate on January 1, 2020, or earlier, unless extended by mutual written agreement of the Parties, and will not exceed \$80,700.

Background

- Park City's insurance exposures are unique in comparison to other small to medium sized Utah cities due to its world-class mountain resort environment and extensive scope and array of public services.
- City staff continues to promote and implement safety procedures, processes and prevention methodologies so that risks to the public and organization are minimized; the City's assets, facilities, people, and property are protected by insurance policies; and employees, local residents, and visitors are provided a safe and enjoyable place to work and play.
- Park City contracted with Moreton & Co. in 2013 for insurance brokerage services; they are currently Park City Municipal's insurance broker.
- Moreton's level of service exceeded that of our previous broker. Moreton has been an invaluable resource when responding to risk management questions, particularly those related to special events and other time sensitive requests.
- With Moreton's contract expiring, and consistent with the City's procurement policy, the Risk Management Team and the Legal Department used an RFP to explore other experienced and qualified brokers.

Alternatives for City Council to Consider

1. **Recommended Alternative:** Authorize a contract with Moreton & Company Insurance Services for standard broker services.

Pros

- a. Authorizing the contract will ensure the City has insurance coverage to protect its personnel and assets as well as decrease its liabilities.

- b. Using an insurance broker to procure quotes on our various types of insurance coverage is not an area where we currently have staff expertise.

2. Null Alternative: If no action is taken, the City's insurance brokerage coverage will lapse, leaving staff in a position to procure estimates and quotes for insurance coverage. Since staff is not proficient in this area, this would potentially compromise the City's ability to adequately protect the City's assets, facilities, employees, property, guests and local residents in terms of insurance coverage.

Pros

- a. None

Cons

- b. Given the lack of staff proficiency in the area of insurance broker services, staff does not recommend this alternative. It may result in inadequate and insufficient insurance coverage.

3. Other Alternatives: Direct staff to repost the RFP and attempt to procure additional responses.

Pros

- a. Though there is no guarantee, gaining additional responses would provide staff with more information with which to compare and contrast.

Cons

- a. There is no guarantee that additional responses will be received or that they would provide benefits or services beyond the two received already.

Analysis

The Risk Management Team followed the City's general policy and procedures for contracting with Park City Municipal Corporation. Requests for Proposal (RFP) were published two times each in the Salt Lake Tribune, the Deseret News, and the Park Record. Two firms responded to the RFP: Moreton & Company and Arthur J. Gallagher & Co.

City staff met on April 10, 2017, to review and evaluate the two submittals against the following selection criteria:

1. Thoroughness of RFP response and documentation.
2. Demonstration of successful prior performance with comparable services in the public sector.
3. Maximum total compensation for the contract period.
4. Evidence of good organization and management practices.
5. Adequacy and breadth of services available.
6. Access to and tenure of broker and support team.
7. Insurance markets and creativity for innovative coverage solutions.
8. Insurance Broker Questionnaire.

9. The nature and extent of requested changes to our standard contract (i.e. unwillingness to comply with our insurance/indemnity provision counts against a bidder.)

In review of the proposals, staff determined that Moreton & Company submitted the preferred proposal based on the selection criteria, expertise, and previous experience.

The total cost for Brokerage Services by Moreton & Company will not exceed \$80,700 for the three year term, ending on January 1, 2020.

Department Review

This report has been reviewed by Legal and Executive.

Funding Source

All major City insurance costs are paid for through the Self-Insurance fund. Insurance broker costs are included in the budget for the Insurance/ Surety Bonds line item, and will be covered within existing resources.

Summary Recommendation

Authorize a contract with Moreton & Company Insurance Services for insurance placement broker services.



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Main Street provides a unique setting for Park City's distinctive character, historic integrity, and thriving tourism-based economy to stand apart from other resort communities. What helps keep Park City's Main Street "unique" is the architectural rhythm and scale, cultural events, and/or historic integrity.

At the December 8, 2016 City Council Work Session, staff presented the Storefront Enhancement Program. The Storefront Enhancement Program will consist of at least five (5) strategies addressing Main Street vibrancy as directed by the General Plan - see *Exhibit 3 General Plan Implementation - Storefront Enhancement Program Impacts*. The five (5) strategies include:

1. Historic District(s) and Main Street National Register Historic District protections.
2. Design Guidelines for Historic Districts and Historic Sites (Main Street specific).
3. Shared-economy model and cultivation of incubator space(s).
4. Land Management Code (zoning) regulations.
5. Future Redevelopment Agency (RDA) potential.

At the December 8, 2016 City Council Work Session, staff requested direction to pursue changes to the Land Management Code (LMC) addressing land use controls for the Storefront Enhancement Program in the Historic Recreation Commercial (HRC) and the Historic Commercial Business (HCB) Districts. These land use controls specifically address linear feet of storefronts abutting Main Street and Heber Avenue and incubator spaces for small business and/or shared economy models.

Staff is proposing to limit the allowable Storefront Property Façade width to fifty-feet (50') on the Main Street façade and Heber Avenue façade of any single business location on Main Street. The intent is to prevent unused entrances, negative pedestrian experiences, and changes to the historic rhythm and scale of Main Street. In addition, the storefront widths will maintain consistency within the Main Street National Register Historic District, the HRC zoning district, and the HCB zoning district and maintain the vibrancy that is added by diversified retail mix.

On February 22, 2017, staff presented the following proposed LMC Amendments to Zoning Chapters 2.5 (Historic Recreation Commercial (HRC)) and 2.6 (Historic Commercial Business (HCB)) to the Planning Commission - Staff Report [link](http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2233&Inline=True)
<<http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2233&Inline=True>>

(see page 93) and Minutes [link](#)

<http://www.parkcity.org/Home/ShowDocument?id=37453> (see page 7):

- **STOREFRONT PROPERTY FAÇADE, MAXIMUM WIDTH.** The maximum width of any Storefront Property Façade abutting Main Street and/or Heber Avenue shall be fifty-feet (50'). Storefront Property Facades in the Historic portion of structures listed on the Historic Sites Inventory which exceed fifty-feet (50') in width are valid Non-Complying Structures.

On February 22, 2017, the Planning Commission voted unanimously to forward a positive recommendation to City Council with the following additions (red underlined) to the proposed LMC Amendments to Zoning Chapters 2.5 (Historic Recreation Commercial (HRC)) and 2.6 (Historic Commercial Business (HCB)):

- **STOREFRONT PROPERTY FAÇADE, MAXIMUM WIDTH.** The maximum width of any Storefront Property Façade abutting Main Street, Heber Avenue, and/or Swede Alley shall be fifty-feet (50'). Storefront Property Facades in the Historic portion of structures listed on the Historic Sites Inventory which exceed fifty-feet (50') in width are valid Non-Complying Structures. A Storefront Property Façade shall have a storefront entrance door for pedestrian access.

On March 16, 2017, after a public hearing and discussion, the City Council continued the proposed LMC Amendments to April 13, 2017 - March 16th Staff Report [link](#) <http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2240&Inline=True> (see page 157) and Draft Minutes (draft minutes are available on page 53 of the [April 13th, 2017 meeting packet](#) <http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2246&Inline=True>). City Council requested additional LMC Amendments and further analysis to be completed by staff.

On April 13, 2017, after a public hearing and discussion, the City Council continued the proposed LMC Amendments to April 27, 2017 - April 13th Staff Report [link](#) <http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2246&Inline=True> (see page 127) - the Draft Minutes are unavailable, however, the Audio can be found [here](#) <http://parkcityut.igmp2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=2455&Format=Agenda>. Staff requested the continuance due to additional LMC Amendments that had not been finalized. This staff report reflects the additional LMC Amendments.

Respectfully:

Hannah Tyler, Planner II



City Council Staff Report

Subject: PL-17-03456 LMC Amendments - Storefront Enhancement Program
Author: Hannah M. Tyler, Planner
Department: Planning Department
Date: April 27, 2017
Type of Item: Legislative – LMC Amendment

Summary Recommendation

Staff recommends the City Council conduct a public hearing, consider public input, and consider approving the Land Management Code Amendments (LMC) to Zoning Chapters 2.5 (Historic Recreation Commercial (HRC)) and 2.6 (Historic Commercial Business (HCB)) and associated definitions in Chapter 15 Defined Terms.

Executive Summary

Main Street provides a unique setting for Park City's distinctive character, historic integrity, and thriving tourism-based economy to stand apart from other resort communities. What helps keep Park City's Main Street "unique" is the architectural rhythm and scale, cultural events, and/or historic integrity.

At the December 8, 2016 City Council Work Session, staff presented the Storefront Enhancement Program. The Storefront Enhancement Program will consist of at least five (5) strategies addressing Main Street vibrancy as directed by the General Plan – see *Exhibit 3 General Plan Implementation – Storefront Enhancement Program Impacts*. The five (5) strategies include:

1. Historic District(s) and Main Street National Register Historic District protections.
2. Design Guidelines for Historic Districts and Historic Sites (Main Street specific).
3. Shared-economy model and cultivation of incubator space(s).
4. Land Management Code (zoning) regulations.
5. Future Redevelopment Agency (RDA) potential.

At the December 8, 2016 City Council Work Session, staff requested direction to pursue changes to the Land Management Code (LMC) addressing land use controls for the Storefront Enhancement Program in the Historic Recreation Commercial (HRC) and the Historic Commercial Business (HCB) Districts. These land use controls specifically address linear feet of storefronts abutting Main Street and Heber Avenue and incubator spaces for small business and/or shared economy models.

Staff is proposing to limit the allowable Storefront Property Façade width to fifty-feet (50') on the Main Street façade and Heber Avenue façade of any single business location on Main Street. The intent is to prevent unused entrances, negative

pedestrian experiences, and changes to the historic rhythm and scale of Main Street. In addition, the storefront widths will maintain consistency within the Main Street National Register Historic District, the HRC zoning district, and the HCB zoning district and maintain the vibrancy that is added by diversified retail mix.

On February 22, 2017, staff presented the following proposed LMC Amendments to Zoning Chapters 2.5 (Historic Recreation Commercial (HRC)) and 2.6 (Historic Commercial Business (HCB)) to the Planning Commission – Staff Report [link](#) (see page 93) and Minutes [link](#) (see page 7):

- **STOREFRONT PROPERTY FAÇADE, MAXIMUM WIDTH.** The maximum width of any Storefront Property Façade abutting Main Street and/or Heber Avenue shall be fifty-feet (50'). Storefront Property Facades in the Historic portion of structures listed on the Historic Sites Inventory which exceed fifty-feet (50') in width are valid Non-Complying Structures.

On February 22, 2017, the Planning Commission voted unanimously to forward a positive recommendation to City Council with the following additions (red underlined) to the proposed LMC Amendments to Zoning Chapters 2.5 (Historic Recreation Commercial (HRC)) and 2.6 (Historic Commercial Business (HCB)):

- **STOREFRONT PROPERTY FAÇADE, MAXIMUM WIDTH.** The maximum width of any Storefront Property Façade abutting Main Street, Heber Avenue, and/or Swede Alley shall be fifty-feet (50'). Storefront Property Facades in the Historic portion of structures listed on the Historic Sites Inventory which exceed fifty-feet (50') in width are valid Non-Complying Structures. A Storefront Property Façade shall have a storefront entrance door for pedestrian access.

On March 16, 2017, after a public hearing and discussion, the City Council continued the proposed LMC Amendments to April 13, 2017 – March 16th Staff Report [link](#) (see page 157) and Draft Minutes (draft minutes are available on page 53 of the [April 13th, 2017 meeting packet](#)). City Council requested additional LMC Amendments and further analysis to be completed by staff.

On April 13, 2017, after a public hearing and discussion, the City Council continued the proposed LMC Amendments to April 27, 2017 – April 13th Staff Report [link](#) (see page 127) – the Draft Minutes are unavailable, however, the Audio can be found [here](#). Staff requested the continuance due to additional LMC Amendments that had not been finalized. This staff report reflects the additional LMC Amendments.

Acronyms

HCB	Historic Commercial Business
HPCA	Historic Park City Alliance
HRC	Historic Recreation Commercial
LMC	Land Management Code
RDA	Redevelopment Agency

The Problem

Please reference the March 16, 2017 City Council Staff Report – [link](#) (see *The Problem* on page 158 of the packet) for further analysis regarding this section.

Background

Below are links to the previous public meetings regarding the Storefront Enhancement Program:

- Storefront Enhancement Program broader background, refer to the December 8, 2016 City Council Work Session Staff Report – [link](#) (see page 13) – and Work Session Minutes – [link](#) (see page 3).
- Detailed overview of the proposed LMC Amendments at Planning Commission, refer to the February 22, 2017 Planning Commission Staff Report – [link](#) (see page 93) – and Minutes – [link](#) (see page 7).
- Detailed overview of the previous City Council meeting regarding the proposed LMC Amendments, refer to the March 16, 2017 City Council Draft Minutes (draft minutes are located in the beginning of this meeting packet).

Staff has provided a basic overview of the background for the proposed LMC changes that has transpired since the March 16, 2017 City Council Meeting. Please refer to the March 16, 2017 Staff Report for the background provided prior to that Council Meeting date – [link](#) (see *Background* on page 160).

- On March 16, 2017 City Council discussed the proposed LMC Amendments based on the February 22, 2017 Planning Commission recommendation. City Council continued the proposed LMC amendments to April 13, 2017 to give staff time to accomplish the following:
 - Remove Swede Alley from the proposed LMC Amendments.
 - Further analyze the depth (lateral/horizontal) measurement of fifty-feet (50') for Storefront Property Facades (see [LMC §15-15-1.207\(A\)\(1\)](#) below).
 - Meet and discuss with members of the public or property owners of buildings impacted by the proposed LMC Amendments.
- Based on City Council's input and after further analysis, staff is proposing to amend the title of the proposed LMC amendment to add clarity and consistency. The new title is Storefront Enhancement Zoning. Not only will the new title align with Vertical Zoning, but this will also allow for a clearer definition in LMC § 15-15 Defined Terms.
- After further analysis, staff met with the internal Design Review Team and collected feedback from members of the public and property owners regarding the depth (lateral/horizontal) measurement for Storefront Property Facades as defined in LMC §15-15-1.207(A)(1). Staff found that the original depth (lateral/horizontal) measurement for Storefront Property Facades of fifty feet (50') would potentially hinder the ability for incubator spaces and shared economies to pop-up and also potentially prevent outdoor spaces from contributing to the rhythm and scale of the streetscape. Overall, staff found that the fifty-foot (50') requirement was too great and analyzed the streetscape to determine that thirty-

feet (30') was the appropriate depth (lateral/horizontal) measurement for the purposes of Storefront Enhancement Zoning. Staff has provided additional redlines (red underlined) to LMC §15-15-1.207(A)(1) below to address the depth (lateral/horizontal) measurement for Storefront Property Facades:

- LMC §15-15-1.207 PROPERTY. Any Parcel, Lot, or tract of land, including improvements thereon, in the possession of or owned by, or recorded as the real Property of, the same Person or Persons.

A. Property, Storefront. A separately enclosed space, Floor Area, tenant space or unit that has a storefront window or storefront entrance that fronts on a Public Street. Storefront Property includes the entire Floor Area associated with the storefront window or storefront entrance that fronts on the Public Street. For purposes of this provision, the term "fronts on a Public Street" shall mean a separately enclosed space, Floor Area, tenant space or unit with:

1. For Vertical Zoning, a storefront window and/or storefront entrance at the adjacent Public Street, or within fifty lateral/horizontal feet (50') of the adjacent Public Street measured from the edge of pavement to the storefront window or storefront entrance; and or
2. For Storefront Enhancement Zoning, a storefront window and/or storefront entrance at the adjacent Public Street, or within thirty lateral/horizontal feet (30') of the adjacent Public Street measured from the edge of pavement to the storefront window or storefront entrance; and
3. A storefront window and/or storefront entrance that is not more than eight feet (8') above or below the grade of the adjacent Public Street and where such entrance is not a service or emergency entrance to the Building.

In the case of split-level, multi-level or multi-tenant Buildings with only one primary storefront entrance, only those fully enclosed spaces, Floor Areas, tenant spaces, or units that directly front on the Public Street, as set forth above, shall be designated as a "Storefront Property." The Planning Director or designee shall have the final determination of applicability.

- Based on City Council feedback (March 16th, 2017 and April 13th, 2017) and further analysis by staff, the following bullet point includes the changes made to the proposed LMC Amendments:
 - **STOREFRONT ENHANCEMENT ZONING.** The maximum width of any Storefront Property Façade abutting Main Street or Heber Avenue shall be fifty-feet (50'). Storefront Property Facades in the Historic portion of structures listed on the Historic Sites Inventory which exceed fifty-feet (50') in width are valid Non-Complying Structures. A Storefront Property Façade shall have a storefront entrance door for pedestrian access.

If the Historic storefront entrance, located in the Historic portion of a structure listed on the Historic Sites Inventory, is more than eight feet (8') above the grade of the adjacent Main Street and/or Heber Avenue, then the First Story in the Historic portion of the Historic structure located adjacent to Main Street and/or Heber Avenue shall not be calculated in the maximum Storefront Property Façade width.

- Staff added the footnote addressing Historic storefront entrances because further analysis revealed that there were a handful of Historic structures (including, but not limited to 151 Main Street, 221 Main Street, 227 Main Street) where the First Story was not the location of the Historic storefront entrance. By not calculating the width of the First Story of qualifying Historic structures, staff finds that the Historic storefront entrance will be maintained, including the possibility of its original use, while still allowing for further revitalization of the Historic First Story. The definition of First Story has been included below:
 - 1.107 **FIRST STORY**. The lowest Story in a Building provided the floor level is not more than four feet (4') below Final Grade for more than fifty percent (50%) of the perimeter. Can include habitable or uninhabitable Floor Area.
- Staff met and/or discussed the proposed LMC Amendments with both members of the public and property owners upon request. Staff finds that this allowed for further analysis/redlines by staff and additional clarity for members of the public and property owners.

Alternatives for City Council to Consider

1. Recommended Alternative:

- a. Amend the following LMC Zoning Chapters based on Planning Commission's and City Council's recommended changes:
 - i. **LMC § 15-2.5 HISTORIC RECREATION COMMERCIAL (HRC)**

15-2.5-3 LOT AND SITE REQUIREMENTS

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.

All Development activity must comply with the following minimum Lot and Site requirements:

(...)

- (J) **VERTICAL ZONING**. For HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue, and Park Avenue, excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC Zoned Properties with the following addresses: 702 Main

Street, 710 Main Street, 738 Main Street (for the plaza side Storefronts), 780 Main Street, 804 Main Street (for the plaza side Storefronts), 875 Main Street, 890 Main Street, 900 Main Street, and 820 Park Avenue, new Construction and Construction adding Floor Area to a Building or Lot, shall have a minimum of seventy-five-percent (75%) of the width of the Building facade as Storefront Property.

(K) **STOREFRONT ENHANCEMENT ZONING.** The maximum width of any Storefront Property Façade abutting Main Street or Heber Avenue shall be fifty-feet (50'). Storefront Property Facades in the Historic portion of structures listed on the Historic Sites Inventory which exceed fifty-feet (50') in width are valid Non-Complying Structures. A Storefront Property Façade shall have a storefront entrance door for pedestrian access.

If the Historic storefront entrance, located in the Historic portion of a structure listed on the Historic Sites Inventory, is more than eight feet (8') above the grade of the adjacent Main Street and/or Heber Avenue, then the First Story in the Historic portion of the Historic structure located adjacent to Main Street and/or Heber Avenue shall not be calculated in the maximum Storefront Property Façade width.

ii. **LMC § 15-2.6 HISTORIC COMMERCIAL BUSINESS (HCB)**

15-2.6-3 Lot And Site Requirements

Except as may otherwise be provided in this Code, no Building Permit will be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on private easement connecting the Lot to a Street shown on the Streets Master Plan. All Development must comply with the following:

(...)

(G) **VERTICAL ZONING.** For HCB Zoned Storefront Property adjacent to Main Street and Heber Avenue, new Construction and Construction adding Floor Area to a Building or Lot shall have a minimum of seventy-five percent (75%) of the width of the Building façade as Storefront Property.

(H) **STOREFRONT ENHANCEMENT ZONING.** The maximum width of any Storefront Property Façade abutting Main Street or Heber Avenue shall be fifty-feet (50'). Storefront Property Facades in the Historic portion of structures listed on the Historic Sites Inventory which exceed fifty-feet (50') in width are valid Non-Complying Structures. A Storefront Property Façade shall have a storefront entrance door for pedestrian access.

If the Historic storefront entrance, located in the Historic portion of a structure listed on the Historic Sites Inventory, is more than eight feet (8') above the grade of the adjacent Main Street and/or Heber Avenue, then the First Story in the Historic portion of the Historic structure located adjacent to Main Street and/or Heber Avenue shall not be calculated in the maximum Storefront Property Façade width.

iii. **LMC §15-15 DEFINED TERMS**

LMC §15-15-1.207 PROPERTY. Any Parcel, Lot, or tract of land, including improvements thereon, in the possession of or owned by, or recorded as the real Property of, the same Person or Persons.

A. Property, Storefront. A separately enclosed space, Floor Area, tenant space or unit that has a storefront window or storefront entrance that fronts on a Public Street. Storefront Property includes the entire Floor Area associated with the storefront window or storefront entrance that fronts on the Public Street. For purposes of this provision, the term “fronts on a Public Street” shall mean a separately enclosed space, Floor Area, tenant space or unit with:

1. For Vertical Zoning in the Historic Commercial Business (HCB) and Historic Recreation Commercial (HRC) zoning districts, a storefront window and/or storefront entrance at the adjacent Public Street, or within fifty lateral/horizontal feet (50') of the adjacent Public Street measured from the edge of pavement to the storefront window or storefront entrance; and or
2. For Storefront Enhancement Zoning in the Historic Commercial Business (HCB) and Historic Recreation Commercial (HRC) zoning districts, a storefront window and/or storefront entrance at the adjacent Public Street, or within thirty lateral/horizontal feet (30') of the adjacent Public Street measured from the edge of pavement to the storefront window or storefront entrance; and
3. A storefront window and/or storefront entrance that is not more than eight feet (8') above or below the grade of the adjacent Public Street and where such entrance is not a service or emergency entrance to the Building.

In the case of split-level, multi-level or multi-tenant Buildings with only one primary storefront entrance, only those fully enclosed spaces, Floor Areas, tenant spaces, or units that directly front on the Public Street, as set forth above, shall be designated as a “Storefront Property.” The Planning Director or designee shall have the final determination of applicability.

Pros

Staff outlined the potential positive impacts of the proposed LMC Amendments and Design Guidelines for Historic Districts and Historic Sites amendments in the December 8, 2016 City Council Staff Report – [link](#) (see *Alternatives for City Council to Consider* on page 18 of the packet). The impacts outlined in the December 8, 2016 City Council Staff Report include, but are not limited to:

- a. Limiting the storefront width will prevent unused entrances, negative pedestrian experiences, and changes to the historic rhythm and scale of Main Street. In addition, the storefront widths will maintain consistency within the Main Street National Register Historic District, the HRC zoning district, and the HCB zoning district and maintain the vibrancy that is added by diversified retail mix.
- b. Potential incubator spaces or shared economy spaces can house smaller businesses (i.e. local business) – see Exhibit 2 for a specific diagram demonstrating this intention on Swede Alley and the western boundary of the Historic Commercial Business zoning district. Business activity on Swede Alley or the western boundary does not increase with this proposal because the façade width is not regulated by the current LMC.
- c. Staff is not proposing to limit the storefront width on any single Historic building that may have a façade wider than fifty feet (50') so as to maintain the historic integrity of those specific buildings (i.e. Claim Jumper – 573 Main Street).
- d. The thirty-foot (30') depth (lateral/horizontal) measurement for Storefront Property Façades is the appropriate depth measurement as it will potentially enable incubator spaces and shared economies to pop-up and will enable outdoor spaces to contribute to the rhythm and scale of the streetscape – see Exhibit 2 for a specific diagram demonstrating the depth measurement.
- e. Large commercial spaces dampen the pedestrian experience. Staff's goal will be to create smaller incubator spaces as a “give” to the vibrancy of Main Street and to mitigate the impacts of large spaces.
- f. Incubator spaces may house “shared economy” models as a means of creating affordability on Main Street for local businesses. Prospect (509 Main Street) is a great example of a “shared economy” model for local businesses to share retail space in that it has two sub-tenants in Billy's Barbershop and Pink Elephant Coffee.
- g. The Land Management Code amendments would support the goals and intent of the Main Street Redevelopment Agency (RDA).
- h. Based on a preliminary analysis of Storefront Property Façade widths on Main Street and Heber Avenue, approximately five (5) non-historic and eight (8) Historic Storefront Property Façades exceed fifty-feet (50') in width. An important distinction is that an entire building's façade may exceed fifty-feet (50') in width; however, the intent is to limit individual Storefront Property Façades that make up a building's entire façade width. In total, there are approximately sixty (60) Storefront Properties abutting Main Street and Heber Avenue. This identifies that the market can support Storefront Property Facades that are fifty-feet (50') or less in width.

Cons

- a. There is potential for the Swede Alley or the western boundary of the Historic Commercial Business zoning district storefronts to expand wider than intended. This may create large businesses with a narrow (fifty-foot maximum) Main Street façades.
- b. Rents will likely still be high.
- c. Will pressure City to expand infrastructure in Swede Alley (i.e. sidewalks, utility underground, walkability, etc.).

Consequences of Selecting This Alternative

Park City has remained unique and vibrant because of the diversified retail mix and character of the Main Street National Register Historic District, the HCB, and the HRC zoning districts. The ultimate goal of the maximum storefront width is to maintain the traditional rhythm and scale of the streetscape and create incubator spaces for smaller business. The vibrancy of the street would be maintained as this would diversify retail mix on the street and limit unused entrances.

- 2. Null Alternative:** If no changes are made to the LMC or Design Guidelines, the retail mix and vibrancy on Main Street will remain uncontrolled.

Pros

- a. Retail on Main Street will take its natural course.

Cons

- a. Main Street may become “Anywhere U.S.A.”
- b. The character and historic integrity of the Main Street National Register Historic District may be compromised.
- c. Small business may be pushed out of Main Street.

Further Analysis

Staff will be working on further analysis regarding the indirect effects that may occur from the consequences of the LMC amendments, including potential shifting Conventional Chain Business demand to Bonanza Park or Prospector. Finally, staff is analyzing the potential cumulative effects of additional commercial activity on Main Street, Swede Alley, and General Commercial Zone areas in the City. Positive economic effect for locals and visitors will need to be closely coordinated with Transit, Special Events, and housing demands.

Department Review

This staff report was reviewed by the Planning Department and Legal Department.

Recommendation

Staff recommends the City Council conduct a public hearing, consider public input, and consider approving the Land Management Code Amendments (LMC) to Zoning Chapters 2.5 (Historic Recreation Commercial (HRC)) and 2.6 (Historic Commercial Business (HCB)) and associated definitions in Chapter 15-15 Defined Terms.

Exhibits

Exhibit 1 – Draft Ordinance

Exhibit A – LMC § 15-2.5-3 Lot and Site Requirements in HISTORIC RECREATION COMMERCIAL (HRC)

Exhibit B – LMC § 15-2.6-3 Lot and Site Requirements in HISTORIC COMMERCIAL BUSINESS (HCB)

Exhibit C – LMC § 15-15 Defined Terms

Exhibit 2 – Storefront Property Façade, Maximum Width Diagram

Exhibit 3 – General Plan Implementation – Storefront Enhancement Program Impacts

Exhibit 4 – Historic Commercial Business (HCB) Zoning District Boundaries

Exhibit 5 – Historic Recreation Commercial (HRC) Zoning District Boundaries

Exhibit 6 – Main Street National Register District Boundaries

Exhibit 7 – December 8, 2016 City Council Work Session Staff Report – [link](#) (see page 13)

Exhibit 8 – December 8, 2016 City Council Work Session Minutes – [link](#) (see page 3)

Exhibit 9 – February 22, 2017 Planning Commission Staff Report – [link](#) (see page 93)

Exhibit 10 – February 22, 2017 Planning Commission Minutes – [link](#) (see page 7)

Exhibit 11 – March 16, 2017 City Council Staff Report – [link](#) (see page 157)

Exhibit 1 – Draft Ordinance

Ordinance No. 2017-09

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, AMENDING HISTORIC RECREATION COMMERCIAL (HRC) DISTRICT, SECTION 15-2.5; HISTORIC COMMERCIAL BUSINESS (HCB) DISTRICT, SECTION 15-2.6; AND DEFINED TERMS, SECTION 15-15.

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; and

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 its residents and visitors and to preserve the community's unique character and values; and

WHEREAS, the City reviews the Land Management Code on a regular basis and identifies necessary amendments to address planning and zoning issues that have come up; to address specific LMC issues raised by Staff, Planning Commission, and City Council; and to align the Code with the Council's goals; and

WHEREAS, Park City has an interest in promoting vibrancy and activity in the historic Main Street downtown area located in the Historic Commercial Business (HCB) and the Historic Recreation Commercial (HRC) Zoning Districts and finds this vibrancy to be essential to the City's long term economic and financial well-being; and

WHEREAS, these proposed Land Management Code (LMC) amendments were reviewed for consistency with the recently adopted Park City General Plan.

WHEREAS, the Park City General Plan includes Goal 12 that states, "Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City." Objective 12C states, "Support local owned, independent businesses that reflect the core values of Park City and add to the Park City experience." and Objective 12D states, "Minimize commercial retail chains on Main Street and the impacts of big box and national chains on the unique Park City experience." Detailed Implementation Strategy for Local Business vs. Chain Stores states, "As Park City seeks to maintain its distinct, historic, small-town, tourism based economy, an ordinance restricting formula businesses along Main Street and the Bonanza Park districts should be seriously considered."

WHEREAS, Park City has an interest in the preservation of the historic integrity of Main Street and Heber Avenue as it relates to the historic feel and character, traditional rhythm and scale, and Main Street National Register Historic District designation. Main Street is the historic core of Park City and is a focal point of the tourism economy. The Historic Commercial Districts reflects the history of Park City.

WHEREAS, Park City's Economic Development Plan encourages facilitation and establishment of attractions and areas of interest for both visitors and residents; maintaining and improving the balance of Sustainable Community goals by going beyond economic initiatives to include social and environmental strategies; and protection and preservation of the historic Main Street downtown area as the heart of the region; and

WHEREAS, in the HRC and HCB Zoning Districts, business storefronts located Main Street and Heber Avenue, that do not foster diversity or positive pedestrian experiences to the general public, may diminish the vibrancy, historic rhythm and scale, and activity of the historic Main Street area; and

WHEREAS, the City monitors the downtown business mix and sales tax generation as part of its financial health assessment and finds a diversified business mix is critical to the attractiveness, vitality, and success of the historic Main Street downtown area; and

WHEREAS, the long-term economic sustainability of Park City depends upon the continued economic success and aesthetic attractiveness of the historic Main Street area; and

WHEREAS, in the HRC and HCB Districts, building storefronts that are not inviting to the general public and reflective of Park City's unique historic and resort character may have a negative effect upon the overall economy and vitality of the historic downtown area in terms of satisfaction of visitor experience, diversity of visitors, activity on the street, and sales tax revenue generation; and

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meeting on February 22, 2017 and forwarded a positive recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on March 16, 2017, April 13, 2017, and April 27, 2017; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the values and goals of the Park City General Plan and the Park City Council; to protect health and safety and maintain the quality of life for its residents and visitors; to preserve and protect the vitality, attractiveness, activity and success of the historic Main Street area; to ensure compatible development; to preserve historic resources; and to preserve the community's unique character.

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

SECTION 1. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15-2.5 Historic Recreation Commercial (HRC) Zoning District. The recitals above are incorporated herein as findings of fact. Chapter 15-2.5 of the Land Management Code of Park City is hereby amended as redlined in Exhibit A.

SECTION 2. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15-2.6 Historic Commercial Business (HCB) Zoning District. The recitals above are incorporated herein as findings of fact. Chapter 15-2.6 of the Land Management Code of Park City is hereby amended as redlined in Exhibit B.

SECTION 3. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15-15 Defined Terms. The recitals above are incorporated herein as findings of fact. Chapter 15-15 of the Land Management Code of Park City is hereby amended as redlined in Exhibit C.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this ____ day of _____, 2017

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, Mayor

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney

Exhibits

Exhibit A – LMC § 15-2.5-3 Lot and Site Requirements in HISTORIC RECREATION COMMERCIAL (HRC)

Exhibit B – LMC § 15-2.6-3 Lot and Site Requirements in HISTORIC COMMERCIAL BUSINESS (HCB)

Exhibit C – LMC § 15-15 Defined Terms

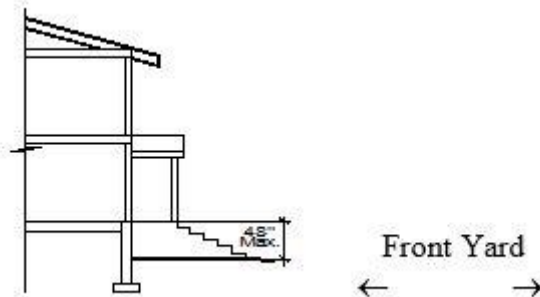
Exhibit A – LMC § 15-2.5-3 Lot and Site Requirements in HISTORIC RECREATION COMMERCIAL (HRC)

15-2.5-3 Lot And Site Requirements

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.

All Development activity must comply with the following minimum Lot and Site requirements:

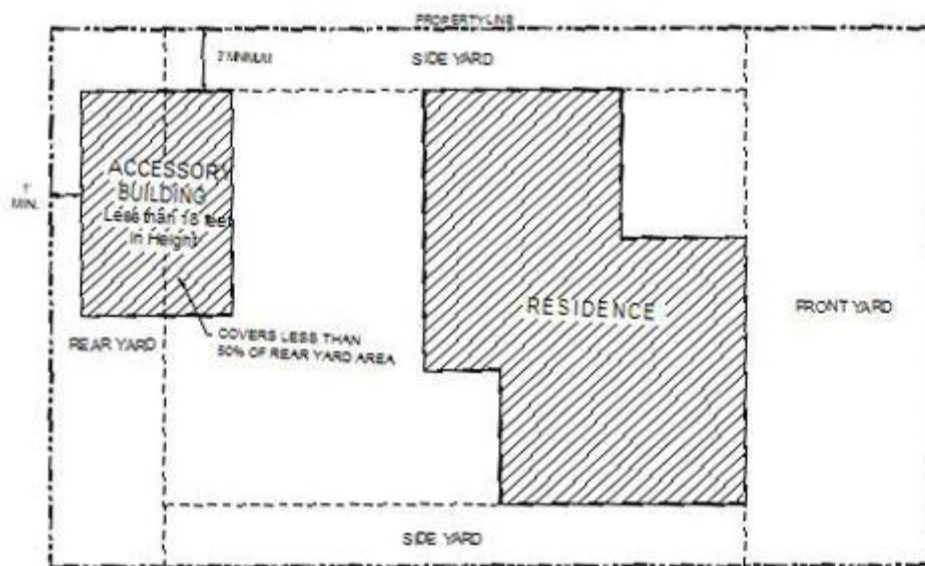
- A. **FRONT YARD.** The minimum Front Yard is ten feet (10').
- B. **FRONT YARD EXCEPTIONS.** The Front Yard must be open and free of any Structure except:
1. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty five feet (25') of the intersection at back of curb.
 2. Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause danger or hazard to traffic by obstructing the view of the Street intersection.



3. Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than three feet (3') into the Front Yard.
 4. Roof overhangs, eaves, and cornices, projecting not more than three feet (3') into the Front Yard.
 5. Sidewalks, patios, and pathways.
 6. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for approved driveways, allowed Parking Areas, patios, and sidewalks may be Hard-Surfaced or graveled.
- C. **REAR YARD.** The minimum Rear Yard is ten feet (10').

D. **REAR YARD EXCEPTIONS.** The Rear Yard must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Rear Yard.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.
3. Window wells and light wells projecting not more than four feet (4') into the Rear Yard.
4. Roof overhangs and eaves projecting not more than two feet (2') into the Rear Yard.
5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. A detached Accessory Building not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building, and maintaining a minimum Rear Yard Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Yard. See the following illustration:



7. Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Building.
8. Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.
9. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2.

10. Patios, decks, steps, pathways, and similar Structures not more than thirty inches (30") above Final Grade, located at least five feet (5') from the Rear Lot Line.

E. SIDE YARD.

1. The minimum Side Yard is five feet (5').
2. On Corner Lots, the Side Yard that faces a Street is ten feet (10') for both main and accessory Structures.
3. A Side Yard between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side Yards shall be based on the minimum required Side Yard for each Lot; however the Planning Commission may consider increasing exterior Side Yards during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Yard exceptions continue to apply.

F. SIDE YARD EXCEPTIONS. The Side Yard must be open and free of any Structure except:

1. Bay Windows, not more than ten feet (10') wide, projecting not more than two feet (2') into the Side Yard.
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Side Yard.
3. Window wells and light wells projecting not more than four feet (4') into the Side Yard.
4. Window sills, belt courses, cornices, trim, exterior siding, and other ornamental features, projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
5. Roof overhangs and eaves projecting not more than two feet (2') into the Side Yard.
6. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height from Final Grade, provided there is at least a one foot (1') Setback to the Side Lot Line.
7. Fences, walls and retaining walls not more than six feet (6'), or as permitted in Section 15-4-2.
8. Driveways leading to a garage or approved Parking Area.
9. Pathways and steps connecting to a City stairway or pathway.

10. A detached Accessory Building not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building, maintaining a minimum Side Yard Setback of three feet (3').
11. A covered arcade between projects provided that the highest point of the arcade is not more than fifteen feet (15') above the elevation of the walk.

G. **FLOOR AREA RATIO.** In all projects within the HRC Zone:

1. **STRUCTURES BUILT AFTER OCTOBER 1, 1985.** Except in the Heber Avenue Sub-Zone Area, non-residential Uses are subject to a Floor Area Ratio to restrict the scope of non-residential Use within the District. For Properties located east of Park Avenue, the Floor Area Ratio for non-residential Uses is 1. For Properties located on the west side of Park Avenue, the Floor Area Ratio for non-residential Uses is 0.7.
2. **STRUCTURES BUILT PRIOR TO OCTOBER 1, 1985.** Structures existing as of October 1, 1985 are not subject to the Floor Area Ratio, and may be used in their entirety for non-residential Uses as provided in this ordinance.

H. **SNOW RELEASE.** Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.

I. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

J. **VERTICAL ZONING.** For HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue, and Park Avenue, excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC Zoned Properties with the following addresses: 702 Main Street, 710 Main Street, 738 Main Street (for the plaza side Storefronts), 780 Main Street, 804 Main Street (for the plaza side Storefronts), 875 Main Street, 890 Main Street, 900 Main Street, and 820 Park Avenue, new Construction and Construction adding Floor Area to a Building or Lot, shall have a minimum of seventy-five-percent (75%) of the width of the Building facade as Storefront Property.

K. **STOREFRONT ENHANCEMENT ZONING.** The maximum width of any Storefront Property Façade abutting Main Street or Heber Avenue shall be fifty-feet (50'). Storefront Property Facades in the Historic portion of structures listed on the Historic Sites Inventory which exceed fifty-feet (50') in width are valid Non-Complying Structures. A Storefront Property Façade shall have a storefront entrance door for pedestrian access.

If the Historic storefront entrance, located in the Historic portion of a structure listed on the Historic Sites Inventory, is more than eight feet (8') above the grade of the adjacent Main Street and/or Heber Avenue, then the First Story in the Historic portion of the Historic structure located adjacent to Main Street and/or Heber Avenue shall not be calculated in the maximum Storefront Property Façade width.

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 16-02 on 1/7/2016

Amended by Ord. 2016-44 on 9/15/2016

Exhibit B – LMC § 15-2.6-3 Lot and Site Requirements in HISTORIC COMMERCIAL BUSINESS (HCB)

15-2.6-3 Lot And Site Requirements

Except as may otherwise be provided in this Code, no Building Permit will be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on private easement connecting the Lot to a Street shown on the Streets Master Plan. All Development must comply with the following:

- A. **LOT SIZE**. The minimum Lot Area is 1250 square feet. The minimum Lot Width is twenty-five feet (25') and Minimum Lot Depth is fifty feet (50').
- B. **FRONT, REAR AND SIDE YARDS**. There are no minimum required Front, Rear, or Side Yard dimensions in the HCB District.
- C. **SIDEWALK PROVISION**. Buildings must be located so as to provide an unobstructed sidewalk at least nine feet (9') wide on both Main Street and Swede Alley. The sidewalk width is measured from the front face of curb to the front of the Building. The alignment of new Building fronts with adjacent Historic fronts is encouraged. A narrower sidewalk may result from the alignment of Building fronts. The Planning and Engineering Departments may grant an exception to the minimum sidewalk width to facilitate such alignment.
- D. **BALCONIES AND TEMPORARY WINTER BALCONY ENCLOSURES**.
 - 1. No Balcony may be erected, enlarged, or altered over a public pedestrian Right-of-Way without the advance approval of the City Council. Balcony supports may not exceed eighteen inches (18") square and are allowed no closer than thirty-six inches (36") from the front face of the curb. Balconies must provide vertical clearance of not less than ten feet (10') from the sidewalk and may not be enclosed permanently. With reasonable notice, the City may require a Balcony be removed from City Property without compensating the Building Owner.
 - 2. Temporary Winter Balcony Enclosures may only be permitted on existing balconies which are on structures which are not on the Historic Sites Inventory. Temporary Winter Balcony Enclosures are only permitted from November 15th through April 30th on balconies facing Main Street.
- E. **INSURANCE REQUIRED**. No Balcony projecting over City Property may be erected, re-erected, located or relocated, or enlarged or structurally modified without first receiving approval of the City Council and submitting a certificate of insurance or a continuous bond protecting the Owner and the City against all claims for personal injuries and/or Property damage in the standard amount determined by City Council. Park City Municipal Corporation must be named in the certificate of insurance as an additional

insured. A thirty (30) day obligation to provide written notice to Park City Municipal Corporation of cancellation or expiration must be included in the insurance certificate.

- F. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.
- G. **VERTICAL ZONING.** For HCB Zoned Storefront Property adjacent to Main Street and Heber Avenue, new Construction and Construction adding Floor Area to a Building or Lot shall have a minimum of seventy-five percent (75%) of the width of the Building façade as Storefront Property.
- H. **STOREFRONT ENHANCEMENT ZONING.** The maximum width of any Storefront Property Façade abutting Main Street or Heber Avenue shall be fifty-feet (50'). Storefront Property Facades in the Historic portion of structures listed on the Historic Sites Inventory which exceed fifty-feet (50') in width are valid Non-Complying Structures. A Storefront Property Façade shall have a storefront entrance door for pedestrian access.

If the Historic storefront entrance, located in the Historic portion of a structure listed on the Historic Sites Inventory, is more than eight feet (8') above the grade of the adjacent Main Street and/or Heber Avenue, then the First Story in the Historic portion of the Historic structure located adjacent to Main Street and/or Heber Avenue shall not be calculated in the maximum Storefront Property Façade width.

*Adopted by Ord. 00-51 on 9/21/2000
Amended by Ord. 06-69 on 10/19/2006
Amended by Ord. 16-01 on 1/7/2016
Amended by Ord. 16-02 on 1/7/2016*

Exhibit C – LMC § 15-15 Defined Terms

15-15 Defined Terms

(...)

1.207 **PROPERTY**. Any Parcel, Lot, or tract of land, including improvements thereon, in the possession of or owned by, or recorded as the real Property of, the same Person or Persons.

A. **Property, Storefront**. A separately enclosed space, Floor Area, tenant space or unit that has a storefront window or storefront entrance that fronts on a Public Street. Storefront Property includes the entire Floor Area associated with the storefront window or storefront entrance that fronts on the Public Street. For purposes of this provision, the term “fronts on a Public Street” shall mean a separately enclosed space, Floor Area, tenant space or unit with:

1. For Vertical Zoning, a storefront window and/or storefront entrance at the adjacent Public Street, or within fifty lateral/horizontal feet (50’) of the adjacent Public Street measured from the edge of pavement to the storefront window or storefront entrance; ~~and or~~
2. For Storefront Enhancement Zoning, a storefront window and/or storefront entrance at the adjacent Public Street, or within thirty lateral/horizontal feet (30’) of the adjacent Public Street measured from the edge of pavement to the storefront window or storefront entrance; and
3. A storefront window and/or storefront entrance that is not more than eight feet (8’) above or below the grade of the adjacent Public Street and where such entrance is not a service or emergency entrance to the Building.

In the case of split-level, multi-level or multi-tenant Buildings with only one primary storefront entrance, only those fully enclosed spaces, Floor Areas, tenant spaces, or units that directly front on the Public Street, as set forth above, shall be designated as a “Storefront Property.” The Planning Director or designee shall have the final determination of applicability.

(...)

Adopted by Ord. 00-25 on 3/30/2000

Amended by Ord. 02-07 on 5/23/2002

Amended by Ord. 02-38 on 9/12/2002

Amended by Ord. 04-39 on 9/23/2004

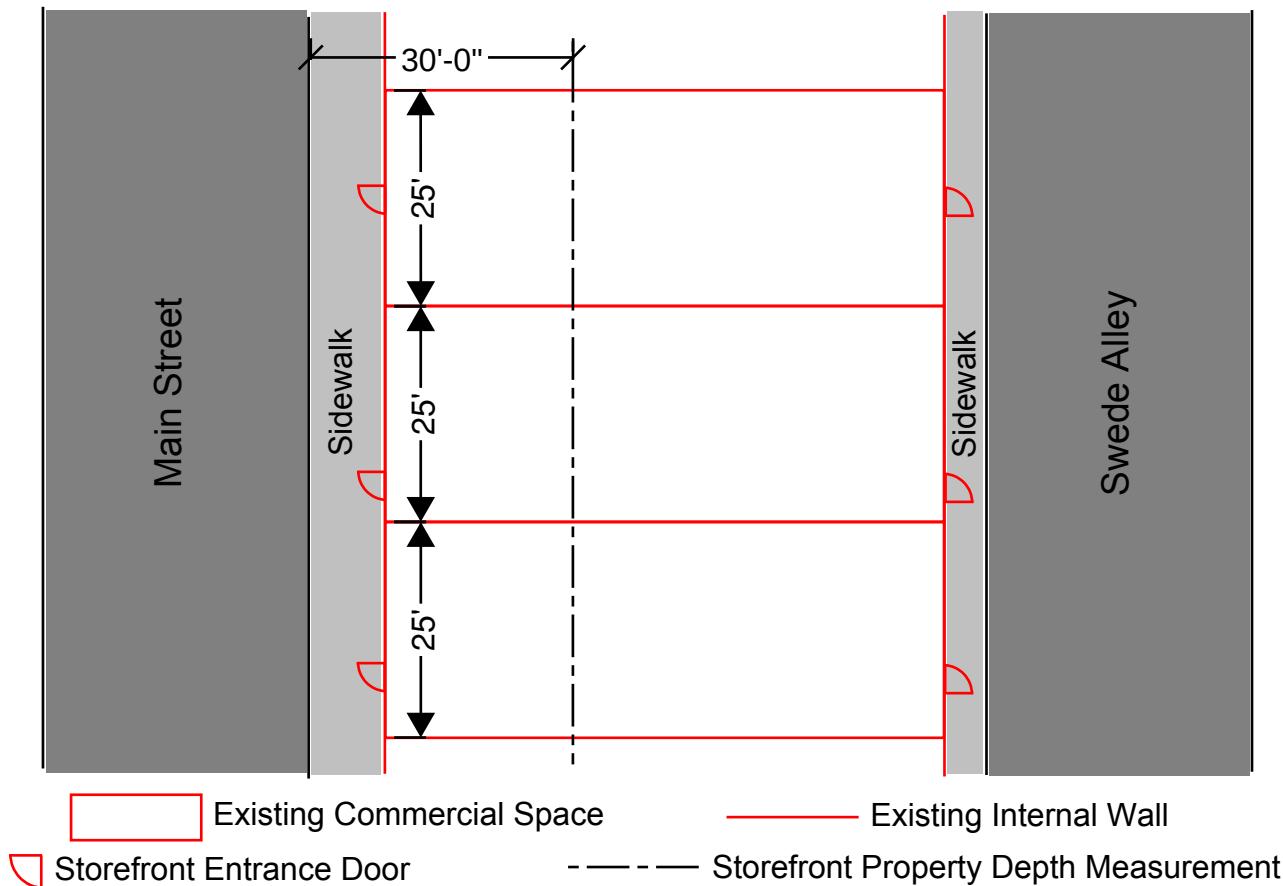
Amended by Ord. 05-01 on 1/13/2005

Amended by Ord. 06-86 on 12/21/2006

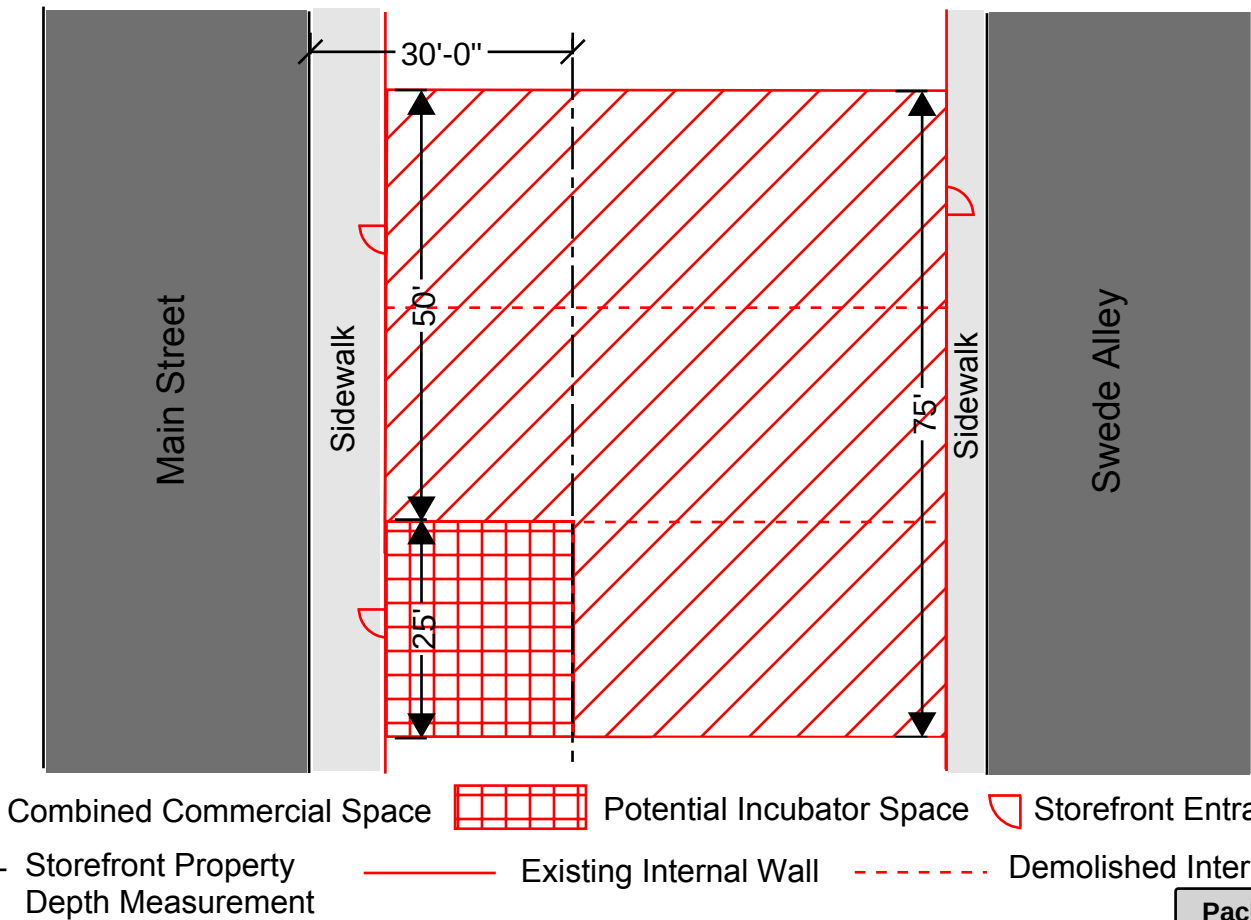
Amended by Ord. 07-25 on 4/19/2007

Amended by Ord. 07-55 on 8/30/2007
Amended by Ord. 08-07 on 3/13/2008
Amended by Ord. 09-05 on 1/22/2009
Amended by Ord. 09-09 on 2/12/2009
Amended by Ord. 09-10 on 3/5/2009
Amended by Ord. 09-14 on 4/9/2009
Amended by Ord. 09-23 on 7/9/2009
Amended by Ord. 09-40 on 11/5/2009
Amended by Ord. 11-05 on 1/27/2011
Amended by Ord. 11-12 on 3/31/2011
Amended by Ord. 12-37 on 12/20/2012
Amended by Ord. 14-57 on 11/20/2014
Amended by Ord. 15-53 on 12/17/2015
Amended by Ord. 16-02 on 1/7/2016
Amended by Ord. 16-15 on 3/24/2016
Amended by Ord. 2016-44 on 9/15/2016
Amended by Ord. 2016-48 on 10/20/2016

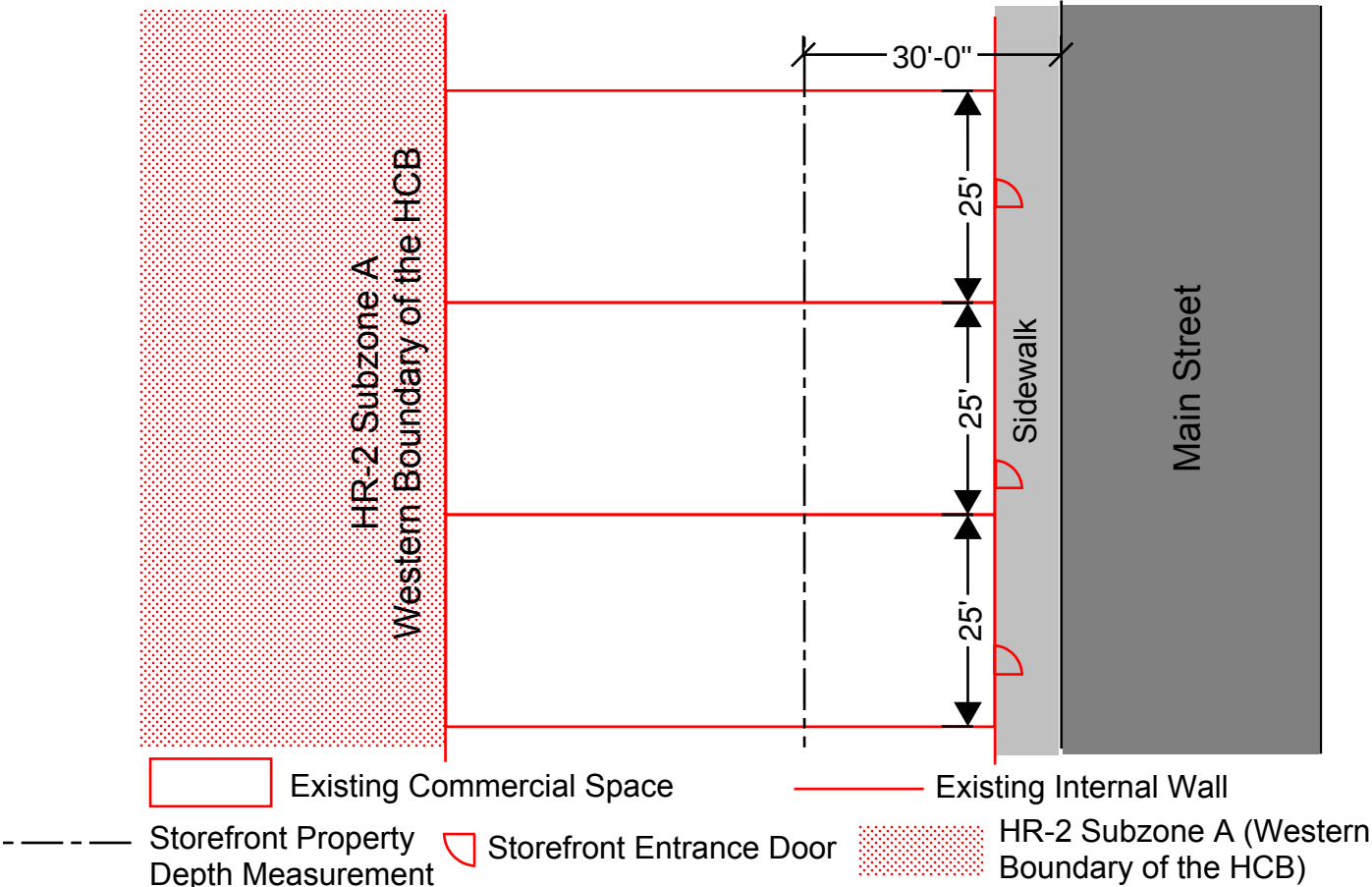
Typical Existing Historic Main Street Commercial Buildings Abutting Swede Alley



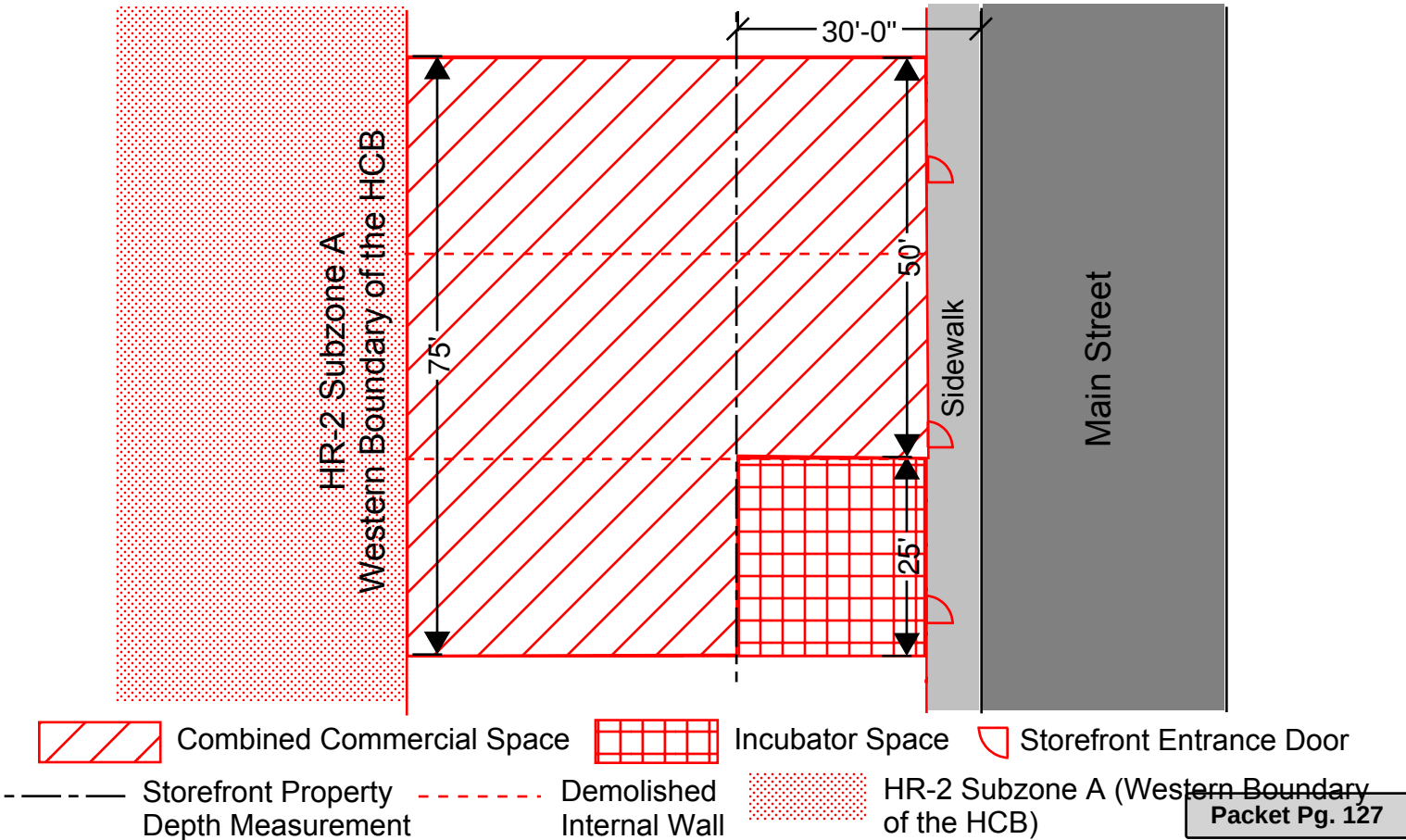
Proposed Converted Main Street Commercial Buildings Abutting Swede Alley



Existing Typical Historic Main Street Commercial Buildings Abutting the Western Boundary of the Historic Commercial Business (HCB) Zoning District



Converted Main Street Commercial Buildings Abutting the Western Boundary of the Historic Commercial Business (HCB) Zoning District Using A 50' Maximum Storefront Width



Typical Historic Main Street Building Facade Widths

The rendering below was taken from the 1983 Historic District Design Guidelines. The photograph below was taken from Google Streetview. The rendering and photograph both depict the same row of buildings on Park City's Main Street. Staff has added approximate widths based on the preliminary Main Street retail linear feet survey that measured facade widths on Main Street and Heber Avenue.

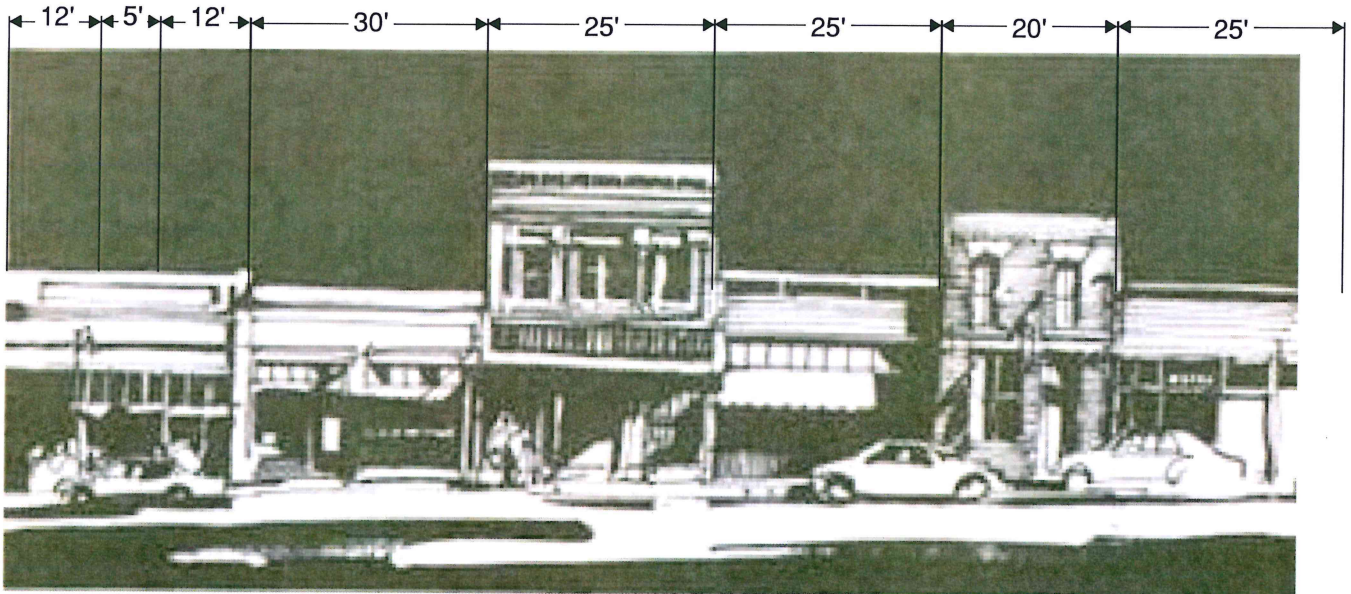
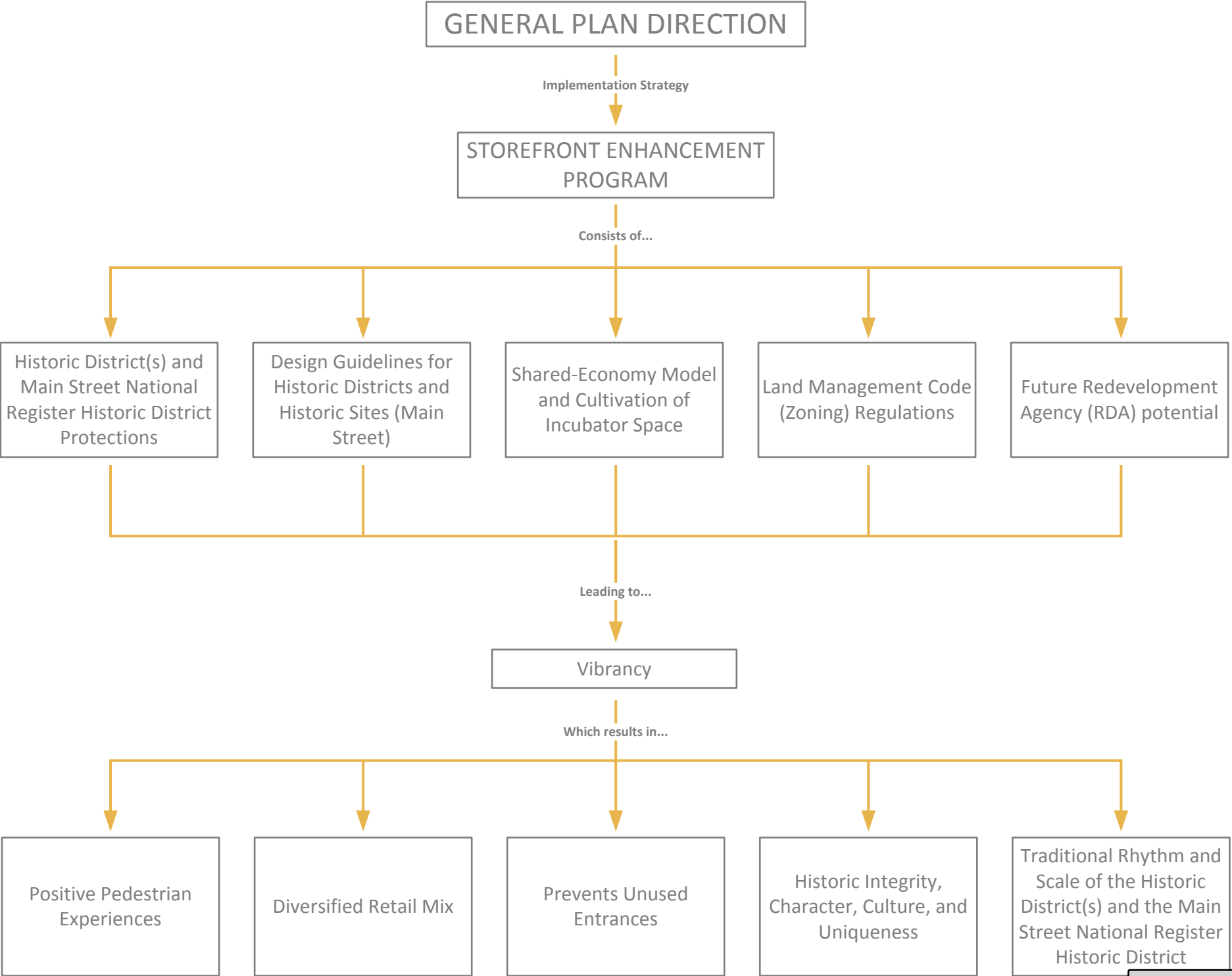
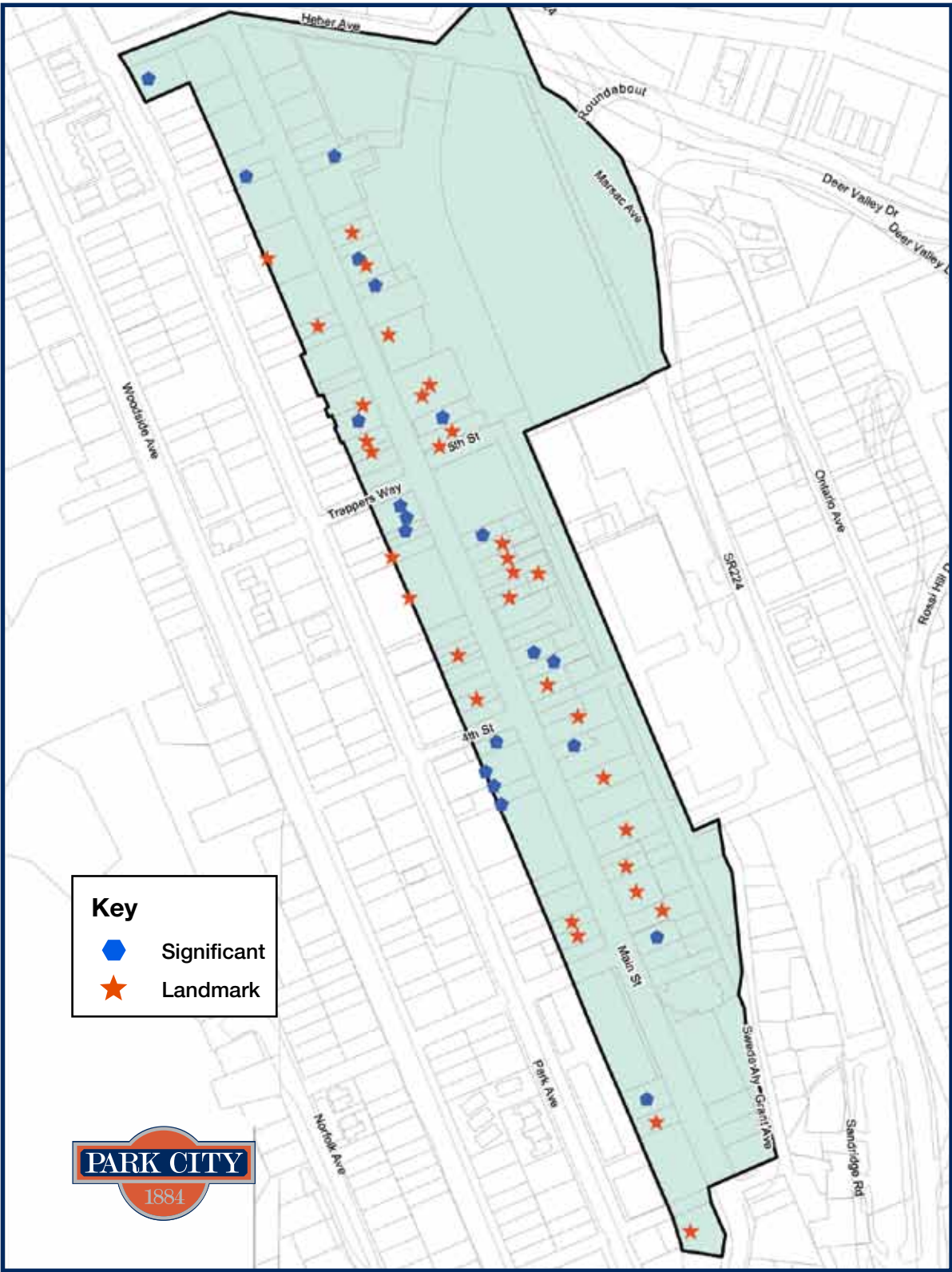


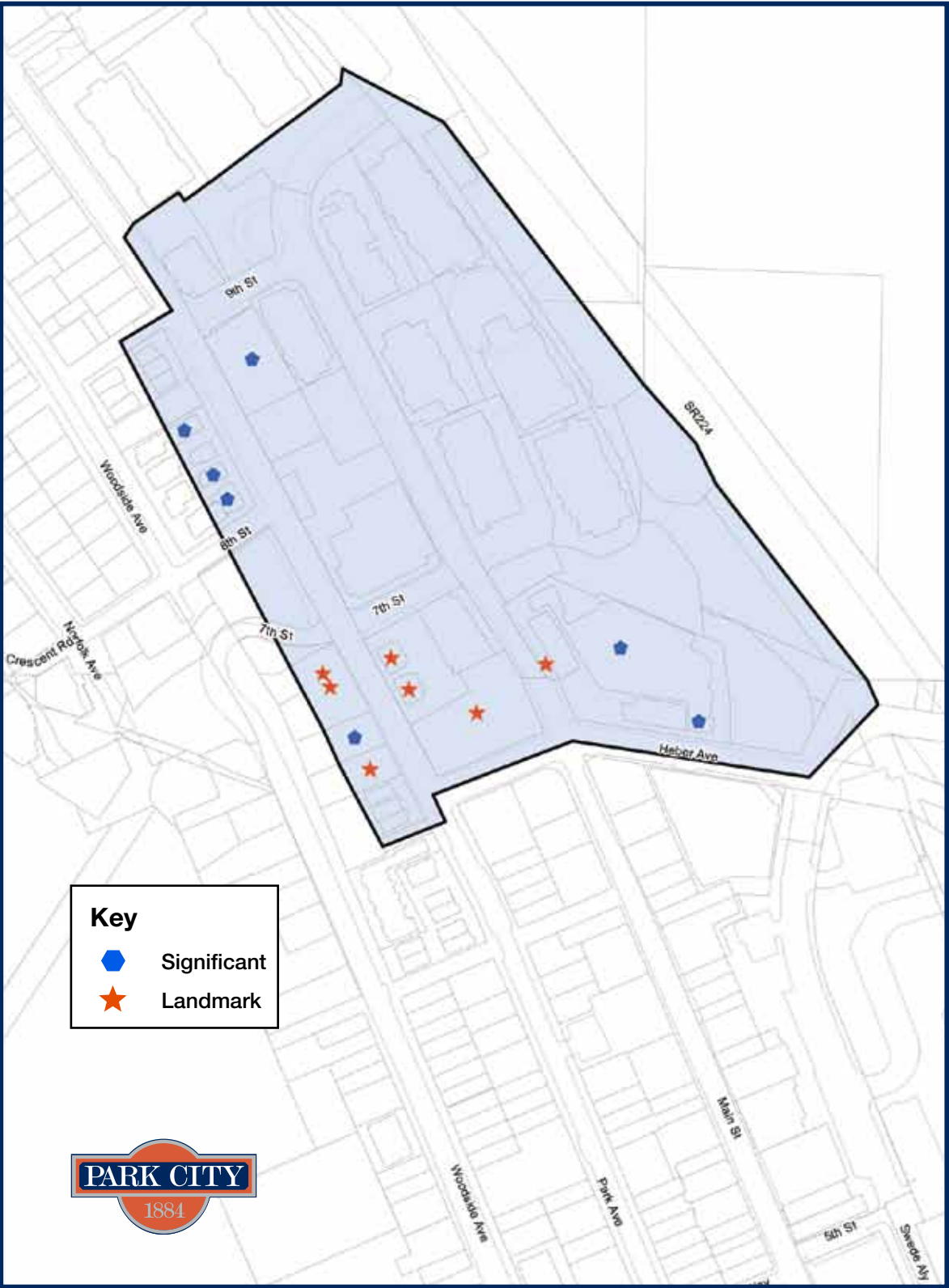
EXHIBIT 3: General Plan Implementation - Storefront Enhancement Program Impacts



Historic Sites in the HCB Zone



Historic Sites in the HR-C Zone



Main Street National Register Historic District





DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Staff provided a staff communication report to Council during the April 13 City Council meeting ([Packet, pg 50](#)). Council had questions and concerns that staff would like to address in this report. Additionally, staff would like to provide elements of the CMP and temporary encroachment agreement so Council can better understand the background of the decision making. The questions staff heard included;

- The tower crane is proposed to be located on the Heber Avenue sidewalk immediately adjacent to the Kimball building. Council questioned why the tower crane could not be located in the elevator shaft, and
- Council questioned why the tower crane was being located in the Public Right-of-Way (ROW).

Respectfully:

Michelle Downard, Deputy Chief Building Official



City Council Staff Report

Subject: Encroachment Permit and Construction Mitigation for a crane located at the Kimball Garage Development - 638 Park Avenue
Author: Michelle Downard, Interim Building Official
Matthew Cassel, P.E., Engineering
Date: April 27, 2017
Type of Item: Administrative

Summary Recommendations:

Staff recommends Council discussion to address questions regarding the use of a crane at the Kimball Development, 638 Main St. Staff further recommends for the Council to authorize the Mayor to sign an air space and encroachment agreement for a tower crane in a form approved by the City Attorney.

Executive Summary

Staff provided a staff communication report to Council during the April 13 City Council meeting ([Packet, pg 50](#)). Council had questions and concerns that staff would like to address in this report. Additionally, staff would like to provide elements of the CMP and temporary encroachment agreement so Council can better understand the background of the decision making. The questions staff heard included;

- The tower crane is proposed to be located on the Heber Avenue sidewalk immediately adjacent to the Kimball building. Council questioned why the tower crane could not be located in the elevator shaft, and
- Council questioned why the tower crane was being located in the Public Right-of-Way (ROW).

Acronyms

CMP – Construction Mitigation Plan

ROW – Right-of-Way

PT – Post Tension (The floors in the proposed building will be post tensioned concrete slabs)

Other Definitions

- Tower Crane – A tower crane is a crane that is anchored to the ground and has a long arm that swings 360 degrees around and is located at the top of the tower. Depending on the size, a tower crane usually has a very small footprint. If a tower crane is installed it should be in place for the duration of the time a crane is needed
- Mobile Crane – A mobile crane is a drivable crane that can be moved at a moment's notice. A mobile crane is relatively unstable and requires the use of outriggers that boom (extend) from the vehicle. The larger the load and the longer the reach of the load, increases the size of the mobile crane and the

length of the outriggers. Staff anticipates a mobile crane will require a partial road closure permit on Heber Avenue every time a delivery occurs because the outriggers will extend into the drive lanes of Heber Avenue.

- Air Right Agreements – Air right agreements are the neighboring property owners' acknowledging and allowing the swing arm to pass over their property. This particular agreement does not allow the contractor to lift loads over other's properties. However, when not in use, this arm will not be locked into place. The reason it is not locked is because that has the potential to create a large wind load on the crane, thus a larger crane footprint would be required. With the swing arm, free to move, it will swing to the direction of the wind. At times, then, the swing arm will be encroaching onto the air space of property surrounding the project. Staff requires the contractor to obtain air right agreements from these properties.

The Problem

Because of the tight quarters around the Kimball Arts building, this is a difficult project to construct and have worked diligently to mitigate as many impacts as possible. Staff has been trying to ensure that the impacts from the construction and the crane are mitigated through the CMP.

Background

The following background starts with and only includes activities associated with the construction of the project. It does not include the planning time frame of the project;

- A demolition permit was issued to the contractor on December 5, 2016,
- A building permit was issued to the contractor on December 16, 2016 to construct the covered walkway,
- The building permit was issued to the contractor on February 16, 2017. As part of the building permit, a CMP was completed for the project.
- A Staff Communication Report was provided to Council on April 13, 2017,
- An encroachment agreement for the City ROW and air rights have not yet been entered into.

Analysis:

To answer the questions concerning the crane, the PRO and CON analysis following in this section should help frame staff's answers;

Constraints of the Project Site (Criteria created by City Staff and provided to Contractor)

- No deliveries or work access allowed from Park Avenue,
- Access to the site for demolition and excavation would come from the northeast corner of the property and off of Main Street. Once the demolition and excavation tasks were completed, the Main Street access would go away,
- No deliveries or work access allowed from Main Street (except for sidewalk construction and utility work),
- All deliveries must come off of Heber Avenue,

- Boardwalk must be constructed on Main Street and Heber Avenue along the new section of the building.

Location of the crane

- Staff's preference was for the Tower Crane to be in the elevator shaft;
 - PROS
 - Crane would be internal to the project,
 - Minimal, if any, disruption to traffic on Heber, Park or Main,
 - CONS
 - Elevator shaft is located to the existing north wall of the building. In order to install a footing for the crane, additional excavation would be required, risking undermining the existing historic structure,
 - The interior location of the crane will impact the air space of private properties to the north of the Kimball,
 - The sidewalk will need to be closed during delivery operations,
 - The crane would have to be removed when the PT concrete slabs are being installed.
- Staff's recommended location was for the Tower Crane to be located on the sidewalk along Heber Avenue;
 - PROS
 - The crane is partially located on Kimball property although it will encroach on the City's sidewalk easement. This easement includes a small portion the Heber Avenue and Main Street sidewalk areas.
 - Minimal, if any disruption to traffic, (traffic lanes will be maintained and shifted,) staff intends to evaluate this road alignment further as it may be the best long term orientation of the traffic lanes
 - A covered walkway can and will be built around the base of the crane for better pedestrian protection.
 - CONS
 - Covered sidewalk will extend into the road section (parking lanes) to skirt the crane,
 - Visually impactful,
 - Width of sidewalk will be reduced to four feet (inside dimensions of the covered walkway),
 - The sidewalk will still need to be closed during delivery operations.
- Use a Mobile Crane located on Heber Avenue;
 - PROS
 - If needed, the crane can be moved/relocated to facilitate events or other Main Street functions,
 - The crane will not be impacting private space so air right agreements will not be needed from neighboring properties,
 - CONS
 - Every time the crane is used, the outriggers will need to be stretched out, which will then require partial or full road closures depending on the activity,

- The sidewalk will need to be closed every time the crane is parked in the area,
- The crane will need to be partially parked on Kimball property and in the Public ROW

The CMP for the site has been drafted to minimize impacts and address CONS as listed above. Conditions of approval are listed within the CMP and/or the Air Space and Encroachment Agreement (Exhibit C) include:

- The crane may only operate from 7:00AM to 12:00PM on weekdays, excluding special events and holidays
- The crane must be removed by November 21, 2017 unless there is appropriate justification for an extension. A mobile crane will be anticipated on site for incidental purposes after that date, and must be justified and approved.
- The contractor agrees to have the crane removed within 7 calendar days after receiving notice from the City.
- The contractor shall notify affected owners and all owners within 300 ft at least 48 hrs. prior to any impactful activity.
- The contractor shall reimburse the City for forgone revenue for the displaced parking.

Department Review:

This report has been reviewed by City Manager, Community Development, and Legal.

Funding:

There are no funding needs for this discussion.

Recommendation:

Staff recommends Council discussion to address questions regarding the use of a crane at the Kimball Development, 638 Main St. Staff further recommends for the Council to authorize the Mayor to sign an air space and encroachment agreement for a tower crane in a form approved by the City Attorney.

Exhibit A- Tower Crane Example

Exhibit B- Mobile Crane Example

Exhibit C- Draft Air Space and Easement Agreement

EXHIBIT A

TOWER CRANE

(This is only an example and is not the crane that will be used for Kimball)



EXHIBIT B

MOBILE CRANE

(This is only an example and is not the crane that might be used for Kimball)




Comvex
TRUCK EXPORTER
www.truckexporter.co.uk

**TEMPORARY AIRSPACE AND TEMPORARY ENCROACHMENT AGREEMENT
FOR TEMPORARY PLACEMENT OF CRANE ON CITY RIGHT OF WAY AND IN
CITY AIRSPACE**

THIS AGREEMENT is made and entered into as of this ____ day of _____, 20__, by and between PARK CITY MUNICIPAL CORPORATION, P O Box 1480, Park City, UT 84060, a municipal corporation of the State of Utah (hereinafter "City"), the Property Owner, or its duly authorized legal representative _____ (herein after "Owner"), the General Contractor _____, whose address is _____ (hereinafter "Contractor"), and the Crane Contractor _____ whose address _____ (hereinafter "Crane Contractor").

WHEREAS, the Owner is the owner of certain real property located at _____ in Park City, Utah;

WHEREAS, the City has a street, alley, sidewalk, and/or other public right-of-way adjacent to the Owner's Property;

WHEREAS, the Owner, Contractor, and Crane Contractor desire to locate a crane which will pass over the City's right-of-way located at _____; and

WHEREAS, the "airspace" is the space over the City's property, rights of way and improvements, if any.

WHEREAS, the Operator desires to operate and swing a crane, or parts of a crane, or transport materials via crane in the airspace over the public Right of Way; and

WHEREAS, the City is willing to allow the placement of a crane in or over the City's property, rights-of-way and airspace, under the terms and conditions as set forth in this Agreement, without prejudice to the City's right to request that the crane be removed at a later date.

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

1. The foregoing recitals are true and correct and are incorporated herein as if repeated in their entirety.
2. The City hereby grants permission for the placement of the crane in Park City's easement located at _____. Placement of said crane shall be in accordance with the placement area approved by the City and depicted by Exhibit A attached hereto.

3. The City hereby grants to the Operator a temporary non-exclusive right and license to utilize the airspace of the Right of Way subject to the terms and conditions as set forth in this Agreement.
4. The airspace and the Operator's rights under this Agreement shall not be transferred, assigned, or conveyed to another party without the prior written consent of the City.
5. The boom, jib, hook, hoist, any line connected to the crane, or any material connected to, or being transported by the crane shall at all times be no less than _____ feet above the highest improvement point on the Property.
6. The crane has a diameter of _____ feet and shall not extend, or swing any part or materials beyond that distance.
7. The Operator shall give the City three (3) days written notice before placement of the crane.
8. The Owner, Contractor, and Crane Contractor shall procure and maintain for the duration of the Agreement, including all renewal terms, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Contractor or Crane Contractor, their agents, representatives, employees, or subcontractors.
9. The Owner, Contractor, and Crane Contractor shall provide Park City Municipal Corporation a Certificate of Insurance evidencing the following minimum insurance coverage:
 - A. General Liability insurance written on an occurrence basis with limits no less than Two Million Dollars (\$2,000,000) combined single limit per occurrence and Three Million Dollars (\$3,000,000) aggregate for personal injury, bodily injury and property damage. Coverage shall include but not be limited to: blanket contractual; products/completed operations; broad form property damage; explosion, collapse and underground (XCU) if specifically requested; and employer's practices.

The Owner, Contractor, and Crane Contractor shall increase the limits of such insurance to at least the amount of the Limitation of Judgments described in Section 63G-7-604 of the Governmental Immunity Act of Utah, as calculated by the state risk manager every two years and stated in Utah Admin. Code R37-4-3.
 - B. Automobile Liability insurance with limits no less than Two Million Dollars (\$2,000,000) combined single limit per accident for bodily injury and

property damage.

- C.** Workers' compensation and employer's liability insurance sufficient to cover all of the Contractor's and Crane Contractor's employees pursuant to Utah law. This requirement includes those who are doing business as an individual and/or as a sole proprietor as well as corporations, limited liability companies, partnerships, and all other similar business entities.

In the event any work is subcontracted, the Contractor and Crane Contractor shall require its subcontractor(s) similarly to provide workers' compensation insurance for all of the latter's employees, unless a waiver of coverage is allowed and acquired pursuant to Utah law.

- 10.** Park City Municipal Corporation shall be named as an additional insured on general liability and auto liability insurance policies and a copy of the endorsement naming the City as an additional insured shall be attached to the Certificate of Insurance. The City reserves the right to request certified copies of any required policies. Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.
- 11.** The insurance shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- 12.** The Owner, Contractor, and Crane Contractor clearly and unequivocally agree to indemnify and to hold the City and its agents, employees, and officers, harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against the City arising out of, in connection with, or incident to the execution of this Agreement and/or the Contractor's performance or failure to perform any aspect of this Agreement; provided, however, that if such claims are caused by or result from the concurrent negligence of the City, its agents, employees, and officers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Contractor or others; and provided further, that nothing herein shall require the Contractor to hold harmless or defend the City, its agents, employees and/or officers from any claims arising from the sole negligence of the City, its agents, employees, and/or officers.
- 13.** At any time, the City may require either the permanent or temporary removal of said crane. Owner, both for them and their successors in interest in the Property, agrees that at such time as the City requires temporary or permanent removal of the aforesaid crane, they will do so promptly and at their own expense. Owner further agrees that if they should fail to do so within seven (7) calendar days of a request from the City for removal, the City may remove the aforesaid crane and

impose the cost of removal thereof as a lien against the Property. Such lien shall be in parity or coequal with the lien of all state, county, district and City taxes, superior in dignity to all other liens, titles and claims. In the event of an emergency, the City shall have the right to remove the crane without notice to Owner, Contractor, or Crane Contractor and without any obligation or liability to Owner, Contractor, or Crane Contractor for damages to the crane or other property.

- 14.** This Agreement shall terminate upon the earlier of: (a) the Operator's removal of the crane; or (b) November 21, 2017 at which time the Operator must remove the crane.
- 15.** This Agreement and the Operator's temporary rights shall not interfere with any improvement, construction, or maintenance plans that the City currently has, or may have in the future, if any. In the event that the Licensor is going to utilize the airspace, or the underlying property thereby making it unsafe for the Operator to utilize the airspace, for improvements, construction, or maintenance the City will provide the Operator with two (2) days prior written notice which shall include the start date of the improvements, construction, or maintenance.
- 16.** The Operator shall promptly correct any damage and remove any debris from the Property caused by or resulting from the Operator's utilization of the crane.
- 17.** The Owner, Contractor, and Crane Contractor shall obey all laws, ordinances regulations and the Construction Mitigation Plan of the United States, the State of Utah, and Park City in performing this Agreement. All conditions of the Construction Mitigation Plan, which is attached hereto as Exhibit B, shall be met including but not limited to parking restriction, road closure restrictions, limitations on working days and working hours. All required City permits must be obtained including but not limited to work in the public ROW permits, parking permits and any road or partial road closure permits.
- 18.** The Owner, Contractor, and Crane Contractor shall comply with the following conditions:
 - A.** Crane activity, construction material, parking, deliveries and any other impacts to the public way is not permitted to occur on dates that would have a negative impact on Special Events and/or Holidays. See anticipated dates below. Additional dates may be added with 48 hrs written notice to the contractor.
 - B.** No Crane activity is permitted during the following dates:
Memorial Day, Friday, May 26th through Monday, May 29th, 2017.
Savor the Summit, June 17, 2017
Independence Day, Saturday, July 1st through Tuesday, July 4th, 2017.
Pioneer Day, Friday, July 21st through Monday, July 24th, 2017.

Kimball Arts Festival, Thursday, August 3rd, through Sunday, August 6th, 2017.

Labor Day Friday, September 1st through Monday, September 4th, 2017.

Halloween, Tuesday, October 31st, 2017.

Park Silly Sunday Market 2017

- June 4, 11, 18, 25
- July 2, 9, 16, 23, 30
- August 13 (no event Sunday!!)
- August 20, 27,
- September 3, 10, 17

The crane must be removed from the site by November 21, 2017. Any extension from this date must be applied for and justified by the contractor. The City will have full discretion to deny the extension request.

- C. The crane may only operate beyond the parameters of the construction fence during the hours of 7:00AM to 12:00PM on weekdays
 - D. This agreement does not apply to any mobile crane. In order to have such a crane on site, an additional agreement is required.
 - E. The contractor shall to notify affected owners and all owners within 300 feet at least 48 hours prior to any impactful activity, included, but not limited to road closures, significant deliveries which take longer than 1 hour or as determined by the Park City Building and Engineering Department. The contractor is responsible to keep a log of who was contacted, when and their feedback, including concerns. This log must be provided to the City upon request.
 - F. The contractor is responsible to reimburse the City for forgone revenue for the parking spots displaced by the walkway.
19. This Agreement may be terminated by either party without cause upon seven (7) days prior written notice to the other party.
20. If the Owner, Contractor, and Crane Contractor is no longer a part of this project, the Owner shall notify the City in writing.
21. It is agreed by the Parties that the forgiveness of the non-performance of any provision of this Agreement does not constitute a subsequent waiver of the provisions of this Agreement. No waiver shall be effective unless it is in writing and signed by an authorized representative of the waiving party.

22. The Parties agree that this Agreement is the complete expression of the terms hereto and any oral representations or understandings not incorporated herein are excluded. Further, any modification of this Agreement shall be in writing and signed by all Parties.

DATED this _____ day of _____, 20____

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, Mayor

Attest: _____
City Recorder

Approved as to form: _____
City Attorney

Owner Signature

Print Name and Title

Contractor Signature

Print Name and Title

Crane Contractor Signature

Print Name and Title

STATE OF UTAH)
 ss
COUNTY OF SUMMIT)

On the ____ day of _____, 20____, _____
_____ personally appeared before me _____
who, being first duly sworn and upon oath, and in full recognition of the penalty for perjury in the State of Utah, did acknowledged to me that she/he is the Contractor(s) or,

if the Contractor(s) is a Corporation, that she/he is an authorized representative of the Corporation, and that she/he signed the foregoing instrument on their behalf.

Notary Public

STATE OF UTAH)
 ss
COUNTY OF SUMMIT)

On the ____ day of _____, 20____, _____
_____ personally appeared before me _____
who, being first duly sworn and upon oath, and in full recognition of the penalty for perjury in the State of Utah, did acknowledged to me that she/he is the Crane Contractor(s) of the property or, if the Crane Contractor (s) is a Corporation, that she/he is an authorized representative of the Corporation, and that she/he signed the foregoing instrument on their behalf.

Notary Public

STATE OF UTAH)
 ss
COUNTY OF SUMMIT)

On the ____ day of _____, 20____, _____
_____ personally appeared before me _____
who, being first duly sworn and upon oath, and in full recognition of the penalty for perjury in the State of Utah, did acknowledged to me that she/he is the Owner(s) of the property or, if the Owner(s) is a Corporation, that she/he is an authorized representative of the Corporation, and that she/he signed the foregoing instrument on their behalf.

Notary Public



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

In May, 2016, PCMC entered into a REPC to purchase the southern portion of the Yard property. In March, 2017, Council by ordinance approved the Yard Subdivision, creating two lots, with the Blind Dog and Boneyard/Wine Dive on Lot 1 and the unimproved property PCMC is purchasing as Lot 2. PCMC and the seller of Lot 2, 1251 Kearns, LLC (Mark Fischer), intend to close the purchase of Lot 2 on May 2, 2017. As part of that closing, PCMC and the seller desire to execute a Supplemental Addendum to clarify those items in the REPC that the parties agreed to work through prior to closing.

Respectfully:

Michelle Kellogg, City Recorder

City Council Staff Report



Subject: Purchase of Yard Subdivision Lot 2
Author: Tom Daley, Deputy City Attorney
Jonathan Weidenhamer, Economic Development Manager
Departments: City Attorney's Office, Economic Development
Date: April 27, 2017
Type of Item: Administrative

Summary Recommendation

City Council should hold a public hearing, consider and approve the Supplemental Addendum to the Real Estate Purchase Contract (REPC) for Land for Lot 2 of the Yard Subdivision.

Executive Summary

In May, 2016, PCMC entered into a REPC to purchase the southern portion of the Yard property. In March, 2017, Council by ordinance approved the Yard Subdivision, creating two lots, with the Blind Dog and Boneyard/Wine Dive on Lot 1 and the unimproved property PCMC is purchasing as Lot 2. PCMC and the seller of Lot 2, 1251 Kearns, LLC (Mark Fischer), intend to close the purchase of Lot 2 on May 2, 2017. As part of that closing, PCMC and the seller desire to execute a Supplemental Addendum to clarify those items in the REPC that the parties agreed to work through prior to closing.

Acronyms

PCMC Park City Municipal Corporation
REPC Real Estate Purchase Contract

Background and Analysis

The REPC included several items that the parties committed to resolve and/or complete during the due diligence period set out in the REPC. Those items include:

- Final purchase price;
- Approval and recording of a plat covering both lots in the Yard Subdivision;
- Location of rights-of-way, easements and roadways in both Lots 1 and 2;
- Determination of required parking for existing uses on Lot 1;
- Lease of thirty-five (35) parking spaces in Lot 2 to meet the parking demand created by the event center on Lot 1; and
- An agreement providing PCMC with pedestrian access through Lot 1 to Kearns Blvd.

As all of those items have been resolved and closing is scheduled for May 2, 2017, staff is recommending that council authorize the City Manager to execute the Supplemental Addendum to the REPC, which is attached hereto as Exhibit A.

The Supplemental Addendum identifies the final purchase price of \$5,985,144.00, which is the figure arrived at by multiplying the platted square footage of Lot 2 (99,752.4 sq ft) times the agreed purchase price of \$60.00 per square foot.

The Supplemental Addendum also indicates that PCMC and 1251 Kearns, LLC intend to enter into the following agreements on or before the closing date:

1. A lease agreement between PCMC and 1251 Kearns LLC providing 1251 Kearns, LLC with the use of up to 35 parking spaces in Lot 2 to be made available when the event center on Lot 1 is in use. The lease payment is \$200 per month; the term expires no later than May 31, 2020, with PCMC able to terminate at any time and for any reason with ninety (90) days written notice.
2. An access easement agreement granting PCMC pedestrian access through Lot 1 to Kearns Blvd. There is no cost associated with this agreement, and the term is open-ended although 1251 Kearns, LLC can terminate at any time with ninety (90) days written notice. PCMC will accept the maintenance responsibility of this access.
3. A license agreement between PCMC and 1251 Kearns, LLC to allow the placement of three storage pods in a designated area within Lot 2. The pods shall occupy no more than six (6) parking stalls. There is no cost associated with this license and the term is open-ended, although PCMC can revoke the license for any reason at any time with ninety (90) days written notice. The owner of the pods shall accept all liability and responsibility for the pods.
4. A lease agreement between PCMC and Mark Fischer for the parking of Two recreational vehicles and one trailer on Lot 2. The lease payment is \$100 per month; the term shall run to no later than May 31, 2020, although PCMC may terminate the lease at any time and for any reason with ninety (90) days written notice. Fischer shall accept all responsibility and liability for the vehicles and trailer.

Finally, the Supplemental Addendum clarifies that the exhibits attached to Addendum A to the REPC are superseded by the approved and recorded plat that was created in conformance with the Yard Subdivision ordinance passed and adopted by the City Council on March 30, 2017.

PCMC's Intended Use of Lot 2

PCMC anticipates building affordable housing and/or transportation infrastructure on Lot 2 in the next 2-4 years. Staff will return to Council in the near future to discuss possible interest in interim uses for Lot 2. Currently a conditional Use Permit approved on June 10, 2009 allows for a commercial parking lot on Lot 2.

After closing on May 2, 2017, all existing uses of Lot 2, other than those covered by the aforementioned leases and license, will cease. Commercial parking may continue as an allowed conditional use.

Alternatives for City Council to Consider

- 1. Recommended Alternative:** Consider authorizing the City Manager to execute the attached Supplemental Addendum.

Pros

- a. This would memorialize the agreement of the parties on several items identified in the REPC, including the purchase price.

Cons

- b. Staff has not identified any cons to entering into the Supplemental Addendum.
- 2. Null Alternative:** This would result in a lack of clarity on several aspects of the purchase of Lot 2 of the Yard Subdivision.

Department Review

This report has been reviewed by the Executive Department, Budget and Finance Department, Economic Development Manager, and the City Attorney's Office.

Funding Source

Lower Park Avenue RDA Housing Fund

Attachments

Attachment A: Supplemental Addendum to REPC
Exhibit B – Yard Subdivision Plat

**SUPPLEMENTAL ADDENDUM TO REAL ESTATE PURCHASE CONTRACT
(THE YARD)**

THIS SUPPLEMENTAL ADDENDUM is made and entered into this ____ day of _____, 2017, by and between PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation, (“Buyer”), and 1251 Kearns, LLC (“Seller”), to supplement and clarify the Real Estate Purchase Contract for Land with an offer reference date of April 29, 2016.

WITNESSETH:

WHEREAS, Buyer and Seller entered into a Real Estate Purchase Contract for Land which included an Addendum A and five (5) exhibits thereto (hereinafter “REPC”); and

WHEREAS, the Property, as defined in the REPC, is now identified as Lot 2 of the Yard Subdivision, pursuant to the subdivision ordinance passed and adopted by the City Council of Park City on March 30, 2017; and

WHEREAS, Buyer and Seller have agreed that the date for Closing of the purchase of Lot 2 shall be May 2, 2017; and

WHEREAS, Buyer and Seller desire to execute this Supplemental Addendum to the REPC for the purpose of clarifying and modifying the REPC.

NOW, THEREFORE, in consideration of the mutual promises made herein and other valuable consideration, Buyer and Seller agree to supplement and clarify the REPC as follows:

A. REPC

Paragraph 2: This paragraph provides that the purchase price shall be adjusted as deemed necessary by a determination of square footage of the Property as depicted on the plat. Seller and Buyer agree that the platted square footage of the property is 99,752.4 sq ft, which, when multiplied by the agreed price of \$60.00 per square foot, amounts to a purchase price of \$5,985,144.00.

B. Addendum A to the REPC

Paragraph a: No changes.

Paragraph b: No changes.

Paragraph c: No changes.

Paragraph d: No changes.

Paragraph e: No changes.

Paragraph f: Buyer and Seller agree that the Yard Subdivision plat, which has been approved and executed in conformance with the subdivision ordinance passed and adopted by the City Council of Park City on March 30, 2017, accurately reflects the rights-of-way, curb cuts, proposed sidewalks, and any necessary utility easements agreed to by Buyer and Seller.

Paragraph g: Buyer and Seller agree that the Yard Subdivision plat, which has been approved and executed in conformance with the subdivision ordinance passed and adopted by the City Council of Park City on March 30, 2017, accurately reflects the rights-of-way agreed to by Buyer and Seller.

Paragraph h: Buyer and Seller agree that the Yard Subdivision plat, which has been approved and executed in conformance with the subdivision ordinance passed and adopted by the City Council of Park City on March 30, 2017, accurately reflects the easements agreed to by Buyer and Seller.

Paragraph i: Buyer and Seller agree that the Yard Subdivision plat has been approved and executed in conformance with the subdivision ordinance passed and adopted by the City Council of Park City on March 30, 2017, and that the plat shall be recorded prior to Closing on May 2, 2017.

Paragraph j: Buyer and Seller agree that the Yard Subdivision plat created pursuant to the subdivision ordinance for the Yard, adopted and passed by the City Council of Park City on March 30, 2017, reflects the required parking for the uses on Lot 1 of the subdivision. The subdivision ordinance further requires Seller to obtain from Buyer permission to use thirty-five (35) parking spaces on Lot 2 as a condition to Seller using the Indoor Event Facility located on Lot 1 of the subdivision. Buyer and Seller have executed concurrently with this Supplemental Addendum a lease allowing such use by Seller.

Paragraph k: Buyer and Seller have executed concurrently with this Supplemental Addendum an access agreement providing Seller with access across Lot 1 of the Yard Subdivision for the purpose of facilitating parking and public transportation.

Paragraph l: Buyer and Seller have explored the possibility of Buyer acquiring what is now Lot 1 of the Yard Subdivision created by ordinance on March 30, 2017 and have elected to terminate those discussions.

C. Exhibits to Addendum A to the REPC

Exhibit 1: Buyer and Seller agree that Exhibit 1 is superseded by the Yard Subdivision plat recorded in conformance with the subdivision ordinance passed and adopted by the City Council of Park City on March 30, 2017.

Exhibit 2: Buyer and Seller agree that Exhibit 2 is superseded by the Yard Subdivision plat recorded in conformance with the subdivision ordinance passed and adopted by the City Council of Park City on March 30, 2017.

Exhibit 3: Buyer and Seller agree that Exhibit 3 is superseded by the Yard Subdivision plat recorded in conformance with the subdivision ordinance passed and adopted by the City Council of Park City on March 30, 2017.

Exhibit 4: Buyer and Seller agree that Exhibit 4 is superseded by the Yard Subdivision plat recorded in conformance with the subdivision ordinance passed and adopted by the City Council of Park City on March 30, 2017.

Exhibit 5: Buyer and Seller agree that Exhibit 5 is superseded by the Yard Subdivision plat recorded in conformance with the subdivision ordinance passed and adopted by the City Council of Park City on March 30, 2017.

Buyer and Seller agree that all other terms and conditions of the REPC and its Addenda A, to the extent they are not inconsistent with this Supplemental Addendum, shall remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have caused this Supplemental Addendum to be executed the day and year first herein above written.

SELLER: 1251 Kearns, LLC

By: _____
Signature

Name Printed

Title

BUYER:

PARK CITY MUNICIPAL CORPORATION, a
Utah municipal corporation
445 Marsac Avenue
P.O. Box 1480
Park City UT 84060-1480

Diane Foster, City Manager

Attest:

City Recorder's Office

Approved as to form:

City Attorney's Office



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Bike Month is a nationwide celebration and a chance to showcase the many benefits of bicycling and promote safety awareness. Bike Month events throughout the month of May will take place around the state of Utah. Park City will continue as it has in previous years by participating and sponsoring events that include community rides and safety education programs to support Bike Month and Bike to Work Week. Park City's adopted General Plan, Traffic and Transportation Master Plan and Trails Master Plan support advancing the bicycle as a viable and environmentally-friendly form of transportation and recreation. Staff recommends Council adopt the resolution proclaiming the month of May as Bike and Bicycle Safety Month and the Week of May 15th as Bike to Work Week in Park City.

Respectfully:

Alfred Knotts, Transportation Planning Manager



City Council Staff Report

Subject: Adoption of Resolution proclaiming May as Bike and Bicycle Safety Month and the Week of May 15th as Bike to Work Week in Park City

Author: Alfred Knotts, Linda Jager & Julia Collins

Department: Transportation and Sustainability

Date: April 27, 2017

Type of Item: Legislative

Summary Recommendation

Staff recommends City Council adopt a resolution that proclaims the month of May as Bike and Bicycle Safety Month and the Week of May 15th as Bike to Work Week in Park City, recognizing this as an economical, healthy, convenient and environmentally-friendly form of transportation, recreation and enjoyment of Park City's scenic beauty that supports the City's transportation and sustainability goals.

Executive Summary

Bike Month is a nationwide celebration and a chance to showcase the many benefits of bicycling and promote safety awareness. Bike Month events throughout the month of May will take place around the state of Utah. Park City will continue as it has in previous years by participating and sponsoring events that include community rides and safety education programs to support Bike Month and Bike to Work Week. Park City's adopted General Plan, Traffic and Transportation Master Plan and Trails Master Plan support advancing the bicycle as a viable and environmentally-friendly form of transportation and recreation. Staff recommends Council adopt the resolution proclaiming the month of May as Bike and Bicycle Safety Month and the Week of May 15th as Bike to Work Week in Park City.

Acronyms

TTMP Traffic and Transportation Master Plan

Background & Analysis

In 1956, the League of American Bicyclists established May as National Bike Month. Bike Month continues across the Nation sixty years later with a collection of community awareness campaigns, community rides and safety education programs. In 2016, among the 51 largest U.S. cities, 43 hosted Bike to Work Week and Bike Month events.

The state of Utah continues this celebration, as Governor Gary Herbert declared May as Bike Month on April 20, 2016 and will continue the tradition this year. The former Utah Governor Mike Leavitt started May as Bike Month with a proclamation in 1997.



Image from Governor's Declaration of Bike Month.

<http://photos.utah.gov/index.php?album=Photos%20from%202006/5%20-%20May/May%2011/Declaration%20-%20Bike%20Month/>

During the month of May, bicycling events of all types are organized throughout the state of Utah. This year, as in previous years, Park City will be partnering with community organizations and businesses to hold events promoting bicycling and bicycle safety to users of all skill levels. Events will include participation and partnerships from Park City Municipal, school district, parks and recreation departments, police, local businesses, advocacy groups and other community groups such as Mountain Trails. The objective of the events will be promoting safe bicycling as an environmentally-friendly alternative to the automobile as well as a leisure and recreational activity for community residents and visitors.

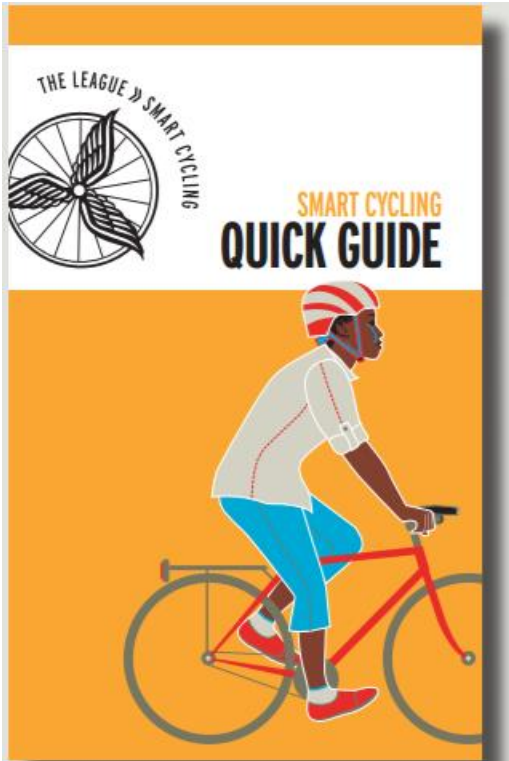
With increased interest in expanding transportation choices to include healthy, sustainable and economic transportation options, it's not surprising that, from 2000 to 2013, the number of bicycle commuters nationwide grew by more than 62 percent. According to the 2012 Utah Statewide Household Travel Survey, 73 percent of all households own bicycles and that over 60 percent of all trips statewide are less than two miles. The mechanism for translating enthusiasm and trips into bicycle riders can take many formats. The data suggests that biking is increasing in popularity and the majority of trips are doable by bike for most folks. Given those trends, promoting May as Bike and Bicycle Safety Month is one way to capitalize through a promotional and educational format to highlight bicycling as a fun, sustainable and economical way to get to destinations.

Over the years, Park City has experienced numerous accolades for being a bike friendly City. The International Mountain Biking Association has awarded Park City Gold-Level Ride Center designation, its highest honor for a mountain biking community. The League of American Bicyclists, named Park City and Snyderville Basin as a 'Silver Level' Bicycle Friendly Community in 2010

Since that time, staff has worked to maintain our “Silver Level” status by advancing transportation choices and promoting bicycle use throughout Park City and the Snyderville Basin. Staff recommends memorializing the ‘Bike Month and Bicycle Safety Month’ proclamation with the installation of ‘Bicycle Friendly Community’ signage at the gateway entrances of SR 224 and SR 248.



<http://bikeleague.org/bikemonth>



http://bikeleague.org/sites/default/files/2017_Bike_Month_Guide.pdf

Consistency with Trails Master Plan, Traffic and Transportation Master Plan, and General Plan

2008 Trails Master Plan:

Park City has an adopted plan for trails, the Park City Trails Master Plan Update 2008, which facilitates the development of an alternative transportation system for non-motorized transportation that helps support the road and transit system. The vision for trails identified in the plan is as follows: *"Non-motorized travel is a viable transportation option to the automobile. It improves the quality of life, community aesthetic, environment and thus our quality of life,"* The Trails Master Plan further notes that trails and bicycle facilities are an integral part of the overall strategy of Park City to rely less on the single-occupant vehicle. Adoption of this Resolution promoting bicycle travel and bicycle safety further supports the goals and objectives of the Trails Master Plan.

2011 TTMP:

The adopted 2011 TTMP identifies several goals related to alternative modes of transportation, specifically the following related to bicycle transportation:

GOAL 1: Park City will have a multimodal transportation system with complete streets and balanced availability of pedestrian, bicycle, transit and auto travel.

GOAL 4: Park City will have a complete and well-connected network of trails, bicycle lanes and sidewalks that supports safe, convenient and pleasant walking and bicycling to accommodate the needs of residents, visitors, and guests for short trips within the City and surrounding neighborhoods

GOAL 7: Park City's transportation system will contribute positively to public health and quality of life by achieving a high level of travel safety and by creating an environment that supports active living.

GOAL 8: Park City's transportation system will contribute positively to improved environmental, social and economic sustainability of the community.

As such, adoption of this resolution is consistent with and serves to implement the adopted 2011 TTMP.

2014 General Plan:

The requested action is consistent with Goal 3 within the "Small Town" element of the 2014 General Plan which states "Park City will encourage alternative modes of transportation on a regional and local scale to maintain our small town character."

As demonstrated above, passage of this Resolution promoting bicycle travel and bicycle safety further supports the policies, goals and/or objectives of the Trails Master Plan, TTMP, and General Plan, all of which have been adopted by Council.

Alternatives for City Council to Consider

- 1. Recommended Alternative:** Staff recommends that Council adopt the attached resolution proclaiming the month of May as 'National Bike Month and Bicycle Safety Month' in Park City and further promoting Park City's status as a 'Bicycle Friendly Community.'

Pros

This proclamation promotes alternative transportation modes, increases safety awareness for all residents and visitors, aligned with the strategic transportation goals of Council, advances the objectives of adopted Trails Master Plan, TTMP, and General Plan and has positive impact on our thriving mountain community.

Cons

Staff has not identified any cons associated with the recommended action.

- 2. Null Alternative:** Should Council not approve the staff recommendation recognizing May as Bike and Bicycle Safety Month, a communitywide opportunity is missed to celebrate and promote an alternative transportation as a viable and sustainable transportation mode and promote safety awareness to all demographics.

Department Review

This report was reviewed by Transportation, Sustainability, Legal and Executive departments.

Funding Source

Funding for Bike Month events will be provided by the Transportation and Sustainability Department.

Attachment

A - Resolution proclaiming the month of May as 'Bike Month and Bicycle Safety Month' in Park City



Resolution No. 12-2017

Resolution Proclaiming the Month of May as Bike Month and Bicycle Safety Month and the Week of May 15th as Bike To Work Week in Park City

WHEREAS, the bicycle is a viable and environmentally-sound form of transportation and a form of recreation supported by the Park City's adopted General Plan, Traffic and Transportation Master Plan, and Trails Master Plan; and

WHEREAS, alternatives modes of transportation such as bicycling advance Park City toward addressing critical priorities associated with transportation and energy related community goals

WHEREAS, many Park City residents and visitors will experience the joys of bicycling during the month of May through the participation in educational programs, commuting events, helmet and education promotion activities, or just getting out and going for a leisurely ride; and

WHEREAS, creating bicycle-friendly communities has been shown to improve citizens' health, well-being, and quality of life, growing the economy of Park City, to improve traffic safety, and to reduce pollution and congestion; and

WHEREAS, in 1956 the League of American Bicyclists began declaring May as "Bike Month", Park City Municipal, schools, parks and recreation department, police departments, companies and civic groups will be promoting bicycling as an environmentally-friendly alternative to the automobile as well as a leisure and recreational activity, during the month of May 2017; and

WHEREAS, Park City and the Snyderville Basin were awarded Silver Status as a "Bicycle Friendly Community" by the League of American Bicyclist in 2010

WHEREAS, May has been declared National Bike Month by Utah Governor Gary Hebert proclaimed on April 20, 2016, and former Governor Mike Levitt proclaimed Bike Month in Utah since April 25, 1997 and is so again; and

WHEREAS, the education of bicyclists and motorists as to the proper and safe operation of bicycles and safety education in an effort to reduce collisions, injuries, and fatalities and improve health and safety of all users.

NOW, THEREFORE, BE IT RESOVLED that the Mayor and members of the City Council of Park City, Utah, do hereby proclaim the week of May 15th through May 20th 2016 as Bike to Work Week and recognize the month of May as 'Bike Month and Bicycle Safety Month' in Park City.

PASSED AND ADOPTED this 27th day of April, 2017.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark Harrington, City Attorney



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Staff recommends that City Council hold a public hearing, review and approve the Supplemental Plan for the 2017 Park Silly Sunday Market based on findings that they are operating consistently with the City Services Agreement and Level Three Special Event Permit, as entered into on November 10, 2016.

Staff currently anticipates returning to the July 20th City Council meeting for the 2017 Mid-Season Review.

Respectfully:

Jennifer Diersen,



City Council Staff Report

Subject: 2017 Park Silly Sunday Market Supplemental Plan & Approval
Author: Jenny Diersen, Special Event Coordinator
Department: Special Events
Date: Thursday, April 27, 2017
Type of Item: Administrative

Summary Recommendation

Staff recommends that City Council hold a public hearing, and review and approve the Supplemental Plan for the 2017 Park Silly Sunday Market based on findings that they are operating consistently with the City Services Agreement and Level Three Special Event Permit, as entered into on November 10, 2016.

Executive Summary

As part of the requirements in the City Services Agreement, staff is returning to update City Council with the Park Silly Sunday Market Supplemental Plan. Park Silly Sunday Market continues to work with staff to address suggestions, concerns and implement mitigation opportunities as they arise. Staff finds that Park Silly Sunday Market has been operating in compliance with the Council approved 'Measures of Success' metrics, City Services Agreement and Special Event License for their operations in 2017.

Staff currently anticipates returning to the July 20th City Council meeting for the 2017 Mid-Season Review.

Acronyms

HPCA – Historic Park City Alliance
PCMC – Park City Municipal Corporation
PSSM – Park Silly Sunday Market
SEAC – Special Events Advisory Committee

The Problem and the Opportunity

The PSSM has become an important part of Park City's cultural identity and event calendar. Its success includes cultivating new, local businesses, and creation of community gathering space. The success of the event has also created impacts that need to be mitigated for specifically in the Old Town neighborhood and Main Street areas. Staff believes PSSM is in compliance based on the current City Services Contract.

Background

<u>Date</u>	<u>Item</u>
September 22, 2016	Special Event Work Session Update / Minutes - pages 7 - 11
November 3, 2016	PSSM 2016 End of Season Review / Minutes – pages 14-15
November 10, 2016	PSSM Contract Extension / Minutes (pages 7 -8)

On November 10th, City Council approved an extension to the PSSM City Service Contract that included the following terms:

- 1 year contract with no automatic renewal.
- PCMC covers the City Service Fees estimated at \$77,000 for 2017.
- PCMC will make a cash payment of \$20,000 to PSSM.
- PSSM will operate 14 markets on Sundays from June 4, 2017 through September 17, 2017.
- All other terms from the previous contract would remain the same, including:
 - Use areas,
 - City Council Check-ins; and
 - Performance Measures.

The goals of the previous contract and agreement were to reduce the negative impacts of the market, and provide a means for all stakeholders to provide feedback in an effort to reach the goals of all parties involved.

As part of the City Service Contract section 2.2, the Supplemental Plan shall have Council approval by the last Thursday Council meeting in March of each contracted year for the Market to begin. Staff is late in returning for the approval of the Supplemental Plan due to both staff and PSSMs continued coordination for event operations and impacts.

The 2017 Pre Season Measures of Success chart is included as Exhibit B, and the 2017 Supplemental Plan Summary is included as Exhibit C regarding the following topics:

- Operational Times & Days 2017
- Working Group
- Financial Considerations
- HPCA Vendor Cancellation Policy
- SEAC Engagement
- Recap of supplemental changes from previous years

Analysis Summary

As the End of Season Measures of Success and Analysis of 2016 and 2017 Supplemental Plan shows, PSSM has been operating consistently with the current City Service Contract.

Comments regarding PSSM continue to be divided between both supporters of the event and those that are requesting changes. During the 2016 PSSM operations, staff received a handful of complaints from residents, City staff and businesses regarding the event. Any time a grievance was received by Special Events Staff or PSSM, the complaints were brought to the attention of PSSM immediately and the challenges were further mitigated. Staff also received [letters of support](#) for the event. PSSM has been and continues to be willing to address suggestions and challenges brought to their attention under the parameters of their current contract.

Staff believes in future years, further mitigation efforts and changes will be needed. However, this report is specifically focused on the required 2017 Supplemental Plan approval; staff will hold discussion of future potential mitigation strategies and changes with Council for future contracts later this spring and summer.

Alternatives for City Council to Consider

1. Recommended Alternative: In accordance with Findings, Conclusions and Conditions of Approval, Staff recommends that City Council:

- Approve the Supplemental Plan for the 2017 Park Silly Sunday Market based on findings that they are operating consistently with the City Services agreement as entered into on November 10, 2016.
- Requests that Council appoint two (2) Council Liaisons to the Working Group for the 2017 season.
- Staff is currently scheduled for the July 20th, 2017 City Council meeting to present a mid-season review of the market. A summary of the changes for the 2017 supplemental plan are summarized as follows:
 - Dates will be held on Sundays, June 4 through September 17, with the exception that the event will not be held on August 6 or 13th.
 - Hours will be held from 10:00 to 5:00 p.m., with the exception that the Market will close at 6:00 p.m. on Sunday, September 17.
 - HPCA Vendor Cancellation Policy will be followed by all vendors. Vendors who do not cancel by 5:00 p.m. on the Thursday before the event will be charged a \$150 cancellation fee. This is to discourage the no show of HPCA members.
 - SEAC Engagement – PSSM will work in coordination with staff to establish dates where members of SEAC can walk through the Market and learn more about the operations of the event.
 - City Service Fees & Municipal Funds are currently estimated at \$77,283 in City Services and a cash payment of \$20,000.00.

Pros:

- a. Staff believes the event's programs align with City Council's goals of providing a complete community that values economic diversity and arts and culture, creating engaged and effective government, and a thriving mountain community in the following ways:
 - Vibrant arts and culture offering;
 - Protected and celebrated history, as well by creating a community gathering place;
 - Safe Community;
 - Balance between tourism and local quality of life;
 - Varied and extensive event offerings;
 - Accessibility during peak times
 - Well utilized, fare-free, regional public transit, walk-able and bike-able community;
 - World-class, multi-seasonal resort destination

2. Deny Alternative: Deny that Park Silly Sunday Market is operated consistently with their City Services Agreement and satisfactorily meeting the requirements of the 2017 Measures of Success and Supplemental Plan.

Cons

- a. Compliance with the Measures of Success and City Services Agreement for the 2017 season would not be approved.

3. Continue the Item Alternative: The City Council may continue the item for more information or discussion, thus postponing the findings and approval of the 2017 Supplemental Plan and Measures of Success,

Cons:

- a. This will further postpone the approval of Supplemental Plan for the 2017 PSSM season with regards to the compliance of the Measures of Success and City Service Agreement.

4. Do Nothing Alternative: The Council may do nothing and take no action. The findings of compliance with the 2017 Supplemental Plan and Measures of Success in compliance with the City Services Agreement would not be accepted for the 2017 Park Silly Sunday Market Season.

Cons

- a. This would provide lack of direction regarding the operation of the 2017 PSSM with regards to the Measures of Success and City Services Agreement.

Department Review

Special Events, Sustainability, Economic Development, Legal, Executive, Budget, Emergency Management have reviewed this report. Building, Police, Public Works, Transit and Transportation Planning Departments have not reviewed this report but are working with PSSM to ensure that all mitigations and measures of success are met.

Additionally, SEAC is aware that this item is being presented to Council this evening. Staff does have debriefed of the PSSM scheduled for SEAC's agenda on July 19 (mid-season review) and September 20 (end-of-season review).

Funding Source

Funding for the Park Silly Market comes from the Transportation and Parking Fund from income generated through the paid parking meter program.

Attachments

Exhibit A	2017 PSSM Level Three Special Event Permit Findings, Conclusions and Conditions of Approval DRAFT
Exhibit B	2017 Preseason Summary Measures of Success, Vendor Definition & Mix
Exhibit C	2017 PSSM Supplemental Plan Summary
Exhibit D	2017 PSSM Use Area & Sign Plan
Exhibit E	2017 PSSM Sponsor and Marketing Plan <i>(this is a link, not an actual attachment)</i>
Exhibit F	2017 Parking Map
Exhibit G	2016 PSSM Year End Summary & Measures of Success



Exhibit A – PSSM Level Three Special Event Permit DRAFT

SPECIAL EVENT PERMIT

Type of License: Level One Level Two X Level Three
Event Name: 2016 Park Silly Sunday Market
Event Date(s): Sundays, June 4th through September 17th, 2017
No Market on August 6th or August 13th
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: Special Events Coordinator X City Council of Park City
Approval Date: April 27, 2017

The Park City Council has approved the Level Three Special Event Permit for the Park Silly Sunday Market as part of the current City Services Agreement that was executed on March 11, 2014. 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 4th through September 17th from 10:00 to 5:00 p.m. The market will not be held on August 6th to accommodate the Park City Kimball Arts Festival or August 13th. This Level Three Special Event Permit has been issued under the authority described within the Park City Municipal Code Section 4-8-4(C) based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. Park Silly Sunday Market will operate during the following 2017 dates:
Sundays, June 4th through September 17th from 10:00 to 5:00 p.m.
The market will not be held on August 6th to accommodate the Park City Kimball Arts Festival or August 13th.
2. 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 sooner when possible. 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 that efficiency of traffic, transportation and public safety.
3. The permittee has secured permission from the school district to allow the use their parking areas at the Schools around Kearns Blvd. (Hwy. 248). The permittee will use the City's current transit schedule for attendees that use this lot.
4. The applicant is working with Park City Parking Services Department on nonexclusive use of City parking lots for vendors and market attendees. 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.
5. The applicant has established a weather and emergency plan and will train staff and volunteers to the requirements of the plans. The applicant has established these plans to maximize the safety event attendees, volunteers, staff, 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 were 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 anytime due weather or emergency conditions.

6. 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.
7. 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.
8. There are other Special Event Permits that have been granted for Sundays, June 4th through September 17th.

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:

DATE	EVENT	A – Geographic Separation	B - Proposed Time & Duration	C – Anticipated Attendance
July 9, 2017	Park City Food & Wine Classic	Locations throughout Park City	8am – 8pm	30 – 50 at individual locations
July 9, 2017	State Room Presents Concert	Deer Valley	7:00 p.m. – 10:00 p.m.	3,000
September 10, 2017	Walk A Mile In Her Shoes	City Park	7 a.m. to noon	200
September 17, 2017	Tour De Suds	City Park	9 a.m. to noon	250
September 17, 2017	Autumn Aloft	N40 Fields	7:00 a.m. to noon	2,500
September 17, 2017	Harley Fall Ride	Brew Pub Plaza	Noon to 3:00 p.m.	300

9. 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.
10. 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 this Chapter and has not failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.
11. 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 March 11, 2014 and supports Council's goal of creating a complete community that values economic diversity, arts and culture, and a thriving mountain community. 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.

Conclusions of Law:



1. The application is consistent with the requirements of the Park City Municipal Code, Title 4, Chapter 8.

Conditions of Approval:

1. The applicant, 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 shall keep all noise to Market hours, which are between 10:00 a.m. and 5:00 p.m., Sundays, June 4th through September 17th, 2017. The applicant must apply and receive permission pursuant to Park City Municipal Code [6-3](#) prior to conducting any activity in excess of the noise ordinance. The applicant will work with City Staff to orient the activities so as to minimize sound impacts to the neighborhood and the applicant shall monitor the following:
(A) The permittee, or his/her designee, shall provide on-site management for each aspect of the event.
3. The permittee has agreed to return to and give a mid-season and end-of-season review for the 2017 market season.
4. In addition to minimum insurance as required by state law or applicable regulation (for example worker's compensation, auto, and liquor liability as applicable), Applicants shall provide proof of public liability insurance in an amount as determined by the City Attorney's Office, and shall further name Park City Municipal Corporation as an additional insured.
5. 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.
6. The permittee is responsible for creating an Operational, Parking and Pedestrian Management Plan in a form approved by the Park City Municipal Event Manager and Chief of Police.
7. The permittee is responsible for providing volunteers during event with a volunteer plan during both events.
8. The applicant use of barricade and signage will be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) for the duration of the event.
9. 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.
10. 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.
11. The Applicant will provide a vendor list and sign plan for the event. All handouts, flyers, banners and other signage, shall comply with Park City Municipal's sign code.
12. PSSM will operate for fourteen (14) Sundays, June 4th through September 17th. PSSM will not be held on August 6 or August 13th due to other events that are scheduled.
13. PSSM will extend its operational time by one hour on September 17, 2017 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.
14. Estimated fee waivers for City Services in 2017 are \$77,283, and contracted municipal funds for the 2017 season are in the amount of \$20,000.00. Changes in City Service fees shall be reported at the mid-season and end-of-season review.



15. 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.
16. PSSM shall report zero waste statistics in pounds for the 2017 season as to allow for comparison to the previous year.
17. PSSM shall maintain the following vendor types at no more than 6 Import Vendors per market.
18. 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 Parking. In addition, PSSM shall be permitted to utilize four (4) parking spaces in the Mawhinney Lot at City Park for up to four (4) PSSM Box Trucks. During times when the Mawhinney Lot is closed or in use by another event, such as Miners Day, PSSM shall work with Staff to find other possible locations for these four parking spaces.
19. PSSM estimates overall attendance in 2017 will be 200,000. PSSM shall work with Staff to address the challenges and opportunities created by the growth in attendance to the event with regards to maintaining public safety, traffic and transportation impacts to the City.
20. PSSM use area remains the same as in years past, however, PSSM has been working to coordinate access for residents who will live at the Rio Grande 820 Park Residential Development. Additionally, PSSM has kept Miners Park on their site plan as a possible use area, but acknowledges that the site could go under construction this year and during that time they would not be allowed to program the space.
21. PSSM will work with the Fire Marshall, and Public Safety Personnel regarding placement of emergency staff and equipment, but 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 May 1, 2017 for all HPCA vendor requests as pertains to the Vendor Mix requirements. Any unfilled dates for June that are not fulfilled by the May 1 deadline, will be filled by other vendors as pertains to the Vendor Mix requirements, and subsequently on the first of each month through August 1, 2017. 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.

PASSED AND APPROVED this Thursday, the 27th day of April, 2017.

PARK CITY MUNICIPAL CORPORATION

City Manager, Diane Foster

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

Exhibit B – 2017 PSSM Pre Season Summary Measures of Success

Park Silly Sunday Market – 2017 Season Preview Measures of Success		Legend S – Succeeding in meeting Contract Requirements I - In progress / Meeting Requirements U – Unsatisfactory - Not meeting Requirements
Vendor Mix		
Importers (allowed per week maximum) i. 2016 - 8	Notes: Requirements are currently being met	I
Jewelers (allowed per week maximum) i. 2016 - 12	Notes: Requirements are currently being met	I
On-site Food Vendors & Snack food Vendors (per week maximum) i. 2016 - 12	Notes: Requirements are currently being met	I
PSSM will invite tow (2) HPCA representatives in the jurying of jewelry vendors.	Notes: Requirement was met by PSSM. HPCA sent two representatives.	S
PSSM will coordinate three (3) market walk through with the HPCA and PCMC to identify possible conflicts and/or issues with vendor mix.	Notes: Dates have been suggested. 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. Increase communication between departments and PSSM to encourage parking of vendors in 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. from 9 th to 13 th Street. Parking Enforcement continues to communicate with the residents to resolve parking concerns during the Park Silly Sunday Market.	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.	Notes: Meeting requirements; PSSMs print, online and radio advertising includes directions for participants to take alternate transportation to the event. Including City transit, biking 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: Requirements are currently being met - Intersection is currently manageable and requires no additional resources.	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.	I
b. Location of interior sponsor signs	Notes: Requirements are currently being met	I
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. Staff is working to coordinate the meeting between the Parks/Streets Department and PSSM.	I

Exhibit B – 2017 PSSM Pre Season Summary Measures of Success

b. Meet with Street Department two (2) additional times throughout summer to address any issues with plan.	Notes: Will meet during the 2017 Market Season	I
Coordination with PCMC and HPCA		
a. PSSM will schedule monthly ‘Working Group’ meetings from June through September.	Notes: PSSM has recommended dates for the 2017 Working Group meetings and has requested representatives from both HPCA , City Staff and City Council.	I
b. PSSM will schedule three (3) market walkthroughs with the “Working Group” within the season.	Notes: PSSM has set dates for the 2017 Working Group.	I
c. PSSM will schedule a weekly market walk through with City representatives	Notes: PSSM and the City have scheduled the weekly meetings. Meetings are to be conducted at 9 a.m. prior to the start of each Market.	I
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	Notes: Requirements are currently being met. Zero waste statistics will be reported by pound. Vendor types and mix will be reported weekly and included in mid-season and end of season review.	I
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 4 Market. ii. At any time they add license plates to the market throughout the 2015 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 met by PSSM, as they have provided an initial list of vendor license plates. PSSM will continue to provide the list of license plates to Parking Services staff weekly.	I
Marketing and PR		
a. HPCA logo on all advertisements & promotions	Notes: Requirements currently being met.	I
b. Engage in cross promotions with Chamber, HPCA, Park City Restaurant association	Notes: Requirements currently being met.	I
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.	I
Other Items:		
Attendance must average 7,500 visitors to the market per season. This number shall be established and verified annually by City Staff and PSSM .	Notes: Average attendance per week in 2016 was 14,222 per week with an overall attendance of 199,109. PSSM and staff believe this number will increase in 2017.	I
Quantify Marketing & PR Value – of at least \$150,000	Notes: In progress.	I
PSSM shall present an annual report to the city in February of the 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.	Notes: Requirements being met in this pre-season report. In addition, the past season information was presented in November 3, 2016.	I

Exhibit B – 2017 PSSM Pre Season Summary Measures of Success

There are a few items that staff would like to inform Council on outside of the measures as written:

PSSM staff has been reminded that all amplified noise, music and announcements are to be halted prior to 5:00 p.m. in accordance with their contract. The only exception is that noise, music and announcements shall end by 6 p.m. on September 18th, 2016. Staff has requested for PSSM to conduct outreach of residents reminding them of the extension as that date approaches.

In 2014, Park Avenue Residents reported that the climbing wall, erected on 9th Street, had an air horn attached to the top that people would activate when they reached the top, and asked that this horn be disconnected. PSSM has been reminded that the horn not be activated on the climbing wall during the 2017 season.

The Park City Police reported that the vendor load-in and load-out on Park Ave were causing traffic congestions at those times. After a review period during the 2014 Market season with Park City Police Department and the Special Events Department it was concluded that load-in congestion occurs for very short but specific times and could be easily managed with signs and notification to vendors. They reported that the load-out congestion occurs similarly but would aid with the help additional officers. The market patrol officer times were shifted to assist with the load-out of vendors. PSSM and Staff have reviewed debrief notes and are working with Park City Police Department to come up with a 2017 schedule of officers noting the challenges from the 2014 season, and the solutions during the 2015 season.

In the 2015 season, unforeseen City construction impacts caused PSSM to lose two (2) vendor booths at the Farmers Market location. PSSM had to change the location of these vendors other locations in the market footprint. Though PSSM was able to accommodate vendors inside the market footprint, initially vendors were upset about the change of location. Staff is working to ensure that PSSM is aware of all construction ahead of time by providing the market with a construction mitigation matrix.

Exhibit B - 2017 PSSM Pre season Measures of Success, Vendor Mix Requirements

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 (8 per market date).

2017 Vendor Mix Requirements

1. Vendor Mix (maximum allowed per week)

- a. importers— 6
- b. Jewelers — 12
- c. Food Vendors & Snack Food Vendors — 12
- d. PSSM will include HPCA representative in jury of jewelry vendors.
- e. PSSM will coordinate three (3) market walk through with the HPCA and PCMC to identify possible conflicts or other issues with vendor mix.
- f. PSSM will provide to the City a list of vendor classification definitions along with preference criteria for vendor mix.

Changes to the 2017 Park Silly Sunday Market Supplemental Plan Include:

Dates

The Park Silly Sunday Market will operate for fourteen (14) Sundays. The 2017 Market will run from June 4th through September 17th from 10:00 a.m. to 5:00 p.m.

Exceptions:

- a. The Park Silly Sunday Market will not be held on Sunday, August 6, 2017 in order to accommodate the Annual Park City Kimball Arts Festival.
- b. The Park Silly Sunday Market will not be held on Sunday, August 13, 2017. While this date would have normally been in consideration with allowance in section B.2.2.2 in the Park Silly Sunday Market and coordination with the Tour of Utah, even though the Tour of Utah will not be held, the market has declined in writing to host the Market on this date.

Hours

The Park Silly Sunday Market will 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 is requesting to extend the close of market by one hour on September 17, 2017 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.2.2.3, in which Park City shall consider expanded hours and special holiday late closures (Opening Day, Holiday Weekends and Silly Fest).

Working Group

In accordance with section D.9.8, 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. PSSM has selected an additional date in September to allow the working group to experience the importance of their sustainable efforts, and is including the End of Season Debrief to ensure that all parties can participate in offering feedback for the PSSM.

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. Staff asks Council to appoint two (2) Park City Council Representatives for the Working Group for the 2017 Season, as part of the Supplemental Plan approval.

Dates are proposed as follows, times to be varied as to experience the start, mid-day and end of the market:

- | | |
|-----------------------------|--|
| 1: June 11; 11:00 a.m. | Walk-through, Main Street |
| 2: July 23; 2:00 p.m. | Meet at High School – Park & Ride to the Market |
| 3: August 20; 11:00 a.m. | Walk-through, Main Street |
| 4: September 12; 10:00 a.m. | Sustainable Efforts – Compost to the pigs in Kamas |

HPCA Vendor Cancellation & Date Requests

PSSM has increased the HPCA Vendor Cancellation Fee. 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. HPCA has been made aware of the increase in fee to reflect the value of the booth space and agrees to this change. This change is 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 May 1, 2017 for all HPCA requests. 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, 2016.

SEAC Engagement

Staff is working with PSSM to find times and dates where SEAC members can walk through the event and learn more about the operations of the event.

City Service Fees & Municipal Funds

Estimated fee waivers for 2017 are \$77,283 which is an \$80.00 increase from last year based the increased Level Three (3) Special Event Permit Application Fee. Additionally, last spring, staff did not account for fee increases for afterhours staffing in the Building Department and have incorporated them into the Fee Estimate for 2017. Finally, Public Safety fees are estimated at the level of service required by Public Safety – these fees were less last year due to positions that were unfilled or no-showed.

Staff believes there may also be changes to the cost of parking fees in coordination with the Parking Demand implementation, and understands there may be city fee increases for banner installation. All of these changes are not currently included in this year's fee estimate as the fee schedule has not been approved. At this time, staff does not anticipate any other additional changes to City Service Fees. Staff will continue to report any adjustment in the anticipated fees when they return for the required mid-season and end of season review.

Additionally, cash payment for the PSSM has decreased to the amount of twenty-thousand dollars (\$20,000.00), as compared to forty-thousand dollars (\$40,000) in years past. Upon City Council's approval of the supplemental plan for 2017, the \$20,000 cash payment will be released to PSSM.

A summary of City Service Fees is listed in the chart below.

Departments	Actual Item 2015	Actual Fees 2015	Estimated Item 2016	Estimate Fees 2016	End Of Season Item 2016	End Of Season Actual	Estimated Item 2017	Estimate Fees 2017
Parking Department	Parking spaces for 14 days	\$22,050	Parking spaces for 14 days	\$22,050	Parking spaces for 14 days	\$22,050	Parking spaces 14 days	\$22,050

Exhibit C – 2017 Supplemental Plan Summary

Police Department	520 Hours	\$39,000	520 Hours	\$39,000	502 Hours	\$37,500	520 Hours	\$39,000
Transit Department	15 Hours	\$2,250	15 Hours	\$2,250	15 Hours	\$2,250	15 Hours	\$2,250
Parks Department	Banner installation	\$648.70	Banner Installation	\$648	Banner installation	\$648	Banner Installation	\$648
Building Department	Inspections and permits	\$3,375	Inspections and Permits	\$3,375	Inspections and permits	\$7,575	Inspections and permits	\$7,575
Application Fee	Annual Permit Fee	\$80	Annual Permit Fee	\$160	Annual Permit Fee	\$160	Annual Permit Fee	\$160
VMS Signs & Barricades	2 VMS/ Electronic Signs	\$5,600	2 VMS/ Electronic Signs	\$5,600	2 VMS/ Electronic Signs	\$5,600	2 VMS/ Electronic Signs	\$5,600
Total Fees	2015 Actual	\$73,003.70	2016 Fee Estimate	\$73,083	2016 Actual	\$75,783	2017 Fee Estimate	\$77,283

A summary of amendments that are the same from past years that will carry forward from the 2016 PSSM are as follows:

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 2016 vendor mix is as follows and is attached as Exhibit F:

- Importers – 6
 - This number decreased by 2 (two) from the 2015 market, but has remained the same from the 2016 market season.
 - This allows the Market to focus on ensuring that vendors are increasingly displaying local products and businesses. Furthermore, Staff believes this change can be met, as in 2016, there was only one of fourteen markets where the importer maximum occurred.
- Jewelers – 12
 - The number of jewelers remains the same as in 2016.
 - Two (2) members of HPCA took part in the jewelry vendor jury.
 - The continued involvement of HPCA in the jewelry vendor jury allows merchants on Main Street to participate in the selection of jewelers, which allows for a diverse, non-conflicting, offering of jewelry at both the Market and Main Street businesses.
- On-site Food Vendors & Snack Food Vendors – 12
 - The number of Food & Snack Food Vendors remains the same as in 2016.
 - HPCA is to have the first right of refusal on three (3) types of food vendors (Onsite, Gourmet, Snack).
 - Park City Restaurant Association is to have the second right of refusal.
 - The inclusion of HPCA and the Restaurant Association involvement in participation of Food Vendors, allows for the Market to ensure that

vendors are highlight local businesses and foods, while continuing to create a diverse offering to market attendees.

Zero Waste

In 2016, PSSM's zero waste efforts generated 25,910 pounds of compost, co-mingled recyclables and glass, as compared to 4,150 pounds of waste to the landfill. PSSM will report zero waste statistics weekly to Staff, who will compile a total amount of zero waste statistics at the mid-season and end of season reports.

In 2014, zero wastes statistics were reported in measurement units 'by bag'. In 2015, zero waste statistics were reported in measurement units 'by pound'. To receive accurate, comparable statistics on zero waste efforts of the market, these statistics will continue to reported by pounds moving forward.

Parking

The Parking Plan will include creation of two temporary residential parking zones on the West side of the street between 923-959 Park Avenue and from the Library entrance to 13th Street. Special Events and Parking Services Department will continue to work together to compile Main Street Parking Counts each Sunday at 10 a.m., 1 p.m. and 4 p.m. Exhibit G– 2016 Measures of Success & Analysis.

In an effort to increase coordination, Park Silly Sunday Market has required 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. PSSM will submit an updated vendor plate numbers to the Parking Services Department each Sunday no later than 10 a.m.

Site Plan

Park Silly Sunday Market has been meeting with staff to understand site plan variations with the opening of a new property that is adjacent to 9th Street (820 Park, the Rio Grande) and understand construction timelines for both City and private projects.

- PSSM has worked with staff and the Building Department to coordinate site plan changes due to the opening of a new property, the Rio Grande at 820 Park Avenue, that is adjacent to 9th Street. PSSM has made small changes to the site plan to allow access (ingress and egress) to the private parking garage in coordination with the property owner. The property owner has stated that the garage will not be open for general parking, as the garage is only for the residents. PSSM has moved the climbing wall to the north side of 9th street, as in previous years it was located on the south side of 9th street.
- PSSM and staff will continue to work and address site plan variations due to private and City construction to ensure smooth flow of traffic and transportation around the venue, as well as, safety of event participants along with the ease of access to residents in the PSSM Use Area.
- PSSM is aware of two construction projects in the Main Street area including 4th Street Utilities and Sidewalk Construction. Additionally PSSM is working to ensure there are no conflicts with private construction projects at 638 Park (Old Kimball Garage) and Marriott Summit Watch (Sidewalk Repair). The 2017 Market Use Area and Site Plan is attached as Exhibit D.

Event Coordination

Exhibit C – 2017 Supplemental Plan Summary

A summary of events that occur on the same day as Park Silly Sunday Market 2017 Season is below. Staff does not have any concerns with these events occurring simultaneously. 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 coordinating mitigations to impacts they cause. PSSM continues to be willing to work with the organizers of Walk A Mile In Her Shoes, Autumn Aloft and Tour De Suds to coordinate event logistics:

DATE	EVENT	A – Geographic Separation	B - Proposed Time & Duration	C – Anticipated Attendance
July 9	Park City Food & Wine Classic	Various Locations	8am – 8pm	30 – 50 per venue
July 9	State Room Presents Concert	Deer Valley	7:00 p.m. to 10:00 p.m.	3,000
September 10	Walk A Mile In Her Shoes	City Park	8 a.m. to noon	250
September 18	Autumn Aloft	Main Street, N40	7 a.m. to noon	2,500
September 18	Tour De Suds	City Park	9 a.m. to noon	250

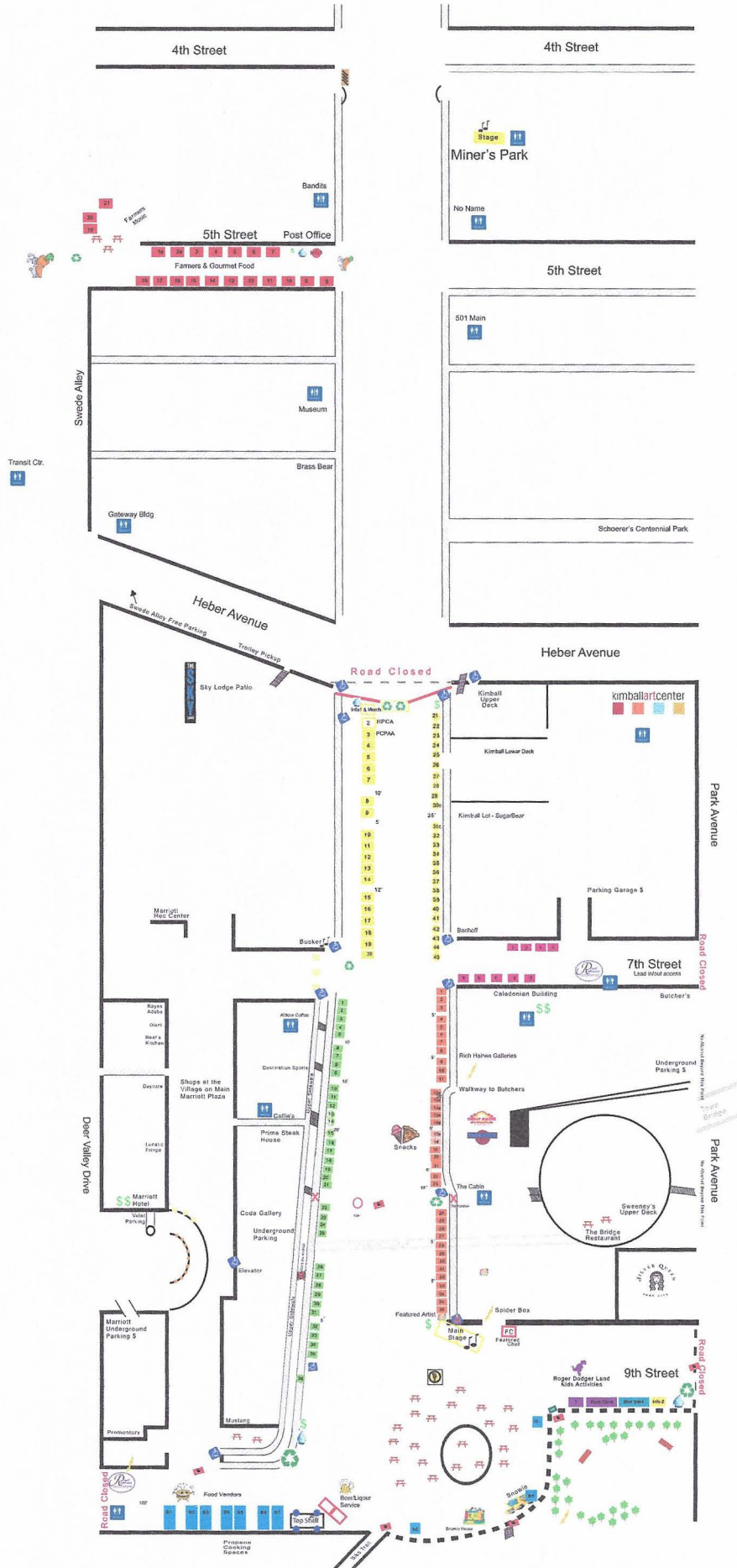
Staff anticipates that there may be additional concerts scheduled at Deer Valley for the Big Stars Bright Nights Concert Series on evenings after PSSM has ended. We will report these dates, as well as, any other events that are not currently known during the mid-season and end of season reviews.

Additionally, staff is working with PSSM and has provided a list of events that occur both before and after each market, as to help understand impacts and coordination needs for set-up and break-down of all events, and impacts to the overall event calendar. At this time, staff with working with PSSM to understand the coordination and logistics during large event weekends such as Fourth of July, Miners Day and Triple Crown weekends.

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.

5x8 Booth	Restrooms	Seating	Cooking Vendors	Featured Artist
10x10 Booth	Water Stations	Music & Entertainment	Snack Foods	Featured Chef
Information/First Aid Booth	Zero Waste Stations	Beer Garden	Farmer's Market	DABC Line Kids Activities
Cash Stations				



2017 Signage Plan

Drop	Location	Sign
1	School District Office	Market Parking
2	High School	Market Parking
3	Kearns & Bonanza	Market Parking
4	Opp Side of 224	Park Silly Today
5	Opp Side of 224	Park Silly Today
6	Welcome to PC Sign	Park Silly Today
7	Bonanza & DV Drive	Market Parking (Left Arrow)
8	DV Drive	Market Parking (Up Arrow)
9	DV Drive & Main St	(3) Red Barriers VIP Potty No Main St Access
10	DV Drive & Swede	Main Street Access (right arrow)
11	DV Drive & Sandridge Lots	Vendor Parking Vendor Parking
12	Farmers Market	(2) Green Barriers (1 on each side) Zero Waste Information
13	Transit Station	Farmers Market
14	Heber & Main	(2) Red Barriers (2) Farmers Market Information Booth
15	Park Ave & 7th	Road Closed Restroom Restroom / First Aid No Left/Right Turn Zero Waste
16	Park Ave & Flying Sumo DABC Line	Zero Waste No Alcohol
17	Park Ave & 9th & Stage	(4) Red Barriers (10) Silver Barriers - Bar

No Left/Right Turn

(2) Bike Valet

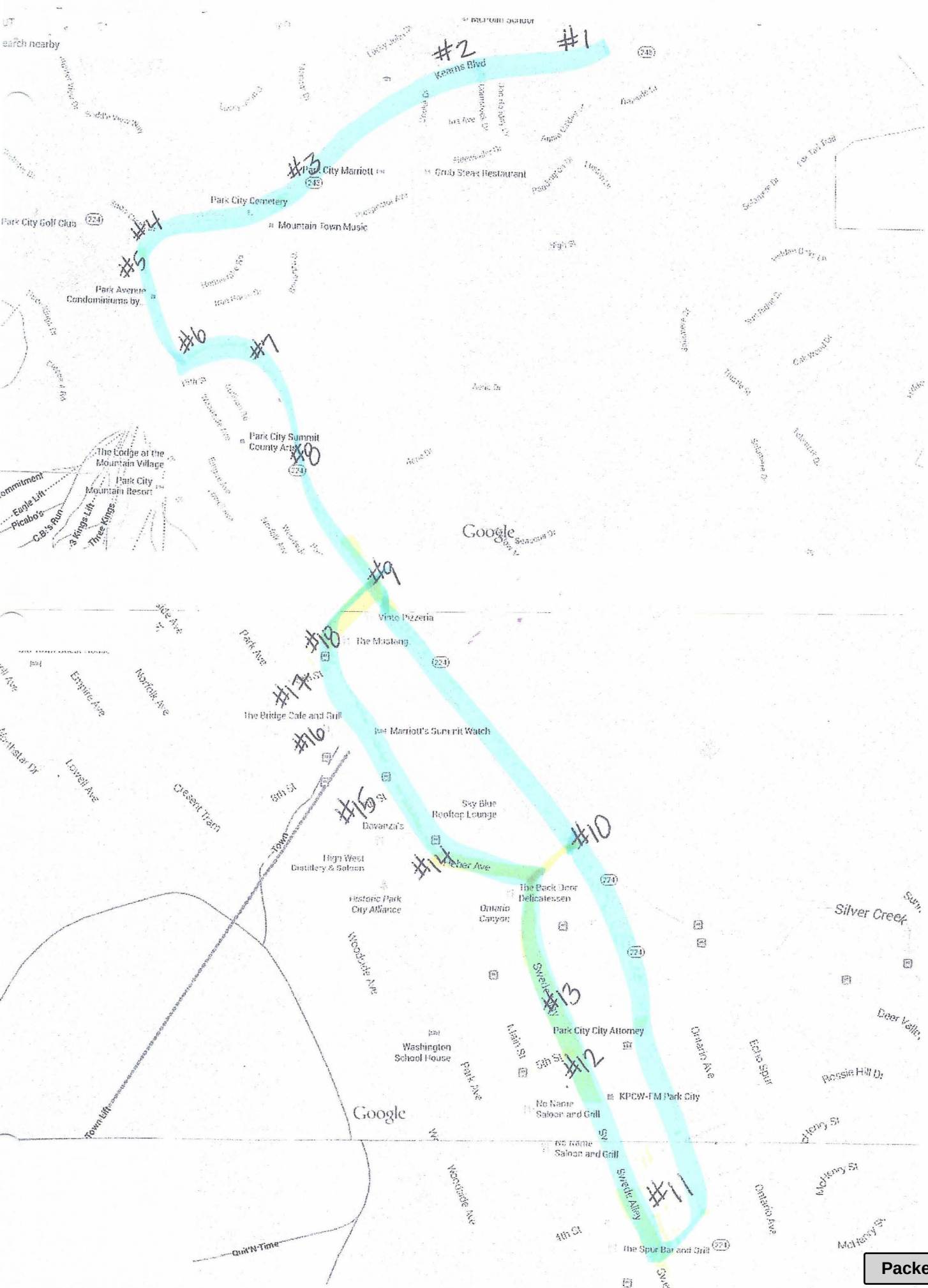
(2) Zero Waste

(4) No Alcohol

Road Closed

Wristband

Restroom





F. Who will monitor and refill water, soap and paper towels at the hand wash station?

PSSM Staff

8. Drinking water must be provided free of charge. How will this be done? A garbage can must be provided next to the drinking station. Depending on the size of the event you may be required to provide additional stations. ④ Main St / Heber Info station, Bar area, Farmers Market, corner of 9th St.
9. First Aid Stations: The station must be accessible to an ambulance and clearly marked. There must be 2 licensed medical personal at least 18 years old for events up to 2500 people. Two more are required for each additional 5000 attendees. The health dept must be notified of any serious injuries or communicable diseases. You may be required to provide a stand by ambulance. A list of required equipment for the first aid station can be obtained from the health dept.
10. You must provide a plan for dangerous conditions during the gathering. This plan will include evacuation, cancellation or delay of the gathering, and provision for support facility. The plan will also address nuisances or health hazards associated with animals present at the gathering. This plan must be approved by Scott Adams at the Park City Fire District before you mass gathering will be approved. You can contact him at 435-940-2532 or sadams@pcfd.org.
11. Attach a site plan delineating the area where the gathering is to be held including:
- Parking area available for patrons
 - Location of entrance, exit, and interior roadways and walks
 - Location of operator's headquarters at the gathering
 - Location of restroom facilities
 - Location of water stations
 - Location and number of food stands, and the types of food to be served if known
 - Food vendors must contact the Health Dept. for Temporary Food Service Permits
 - Location, number, type, and provider of solid waste containers
 - Location of the first aid station
 - Plan to provide lighting adequate to ensure the comfort and safety of attendees and staff
12. Signs must be provided that show where first aid, restroom, drinking facilities and exits are located. Signs must be large enough and high enough that attendees can easily see them. Please include sign's on your site plan.
13. Include a site cleanup plan.

Applicant's signature _____ Date _____

FOR OFFICE USE ONLY

Application Fee \$65 Inspection Fee (\$65/hour): _____ Seasonal Fee \$300
Amount: \$ _____ Check #: _____ ☐ Cash ☐ Credit Card Permit MG16- _____
Approved by _____ Date _____

10. Dangerous conditions: see Evacuation Plan

Health Hazards w/animals present: see Hold Harmless Agreement

11. Attach a site plan delineating the area where the gathering is to be held including:

- a. **Parking area available for patrons:** Parking on Park Ave. and Main Street, Sweede Alley Flag Pole Lot, China Bridge Lot and Wasatch Brew Pub.
- b. **Location of entrance, exit and interior roadways and walks:** Main Street/ Heber, 7th and Park and 9th and Park. No vehicles in venue from 9:00am-7:00pm. Sidewalks and handicap access is left open for walking.
- c. **Location of operators headquarters at the gathering:** Information Booth 1 on 125 Heber Ave
- d. **Locations, type and provider of restroom facilities:** (2) 8 stall bathrooms by Royal Restrooms. The stall unit is completely self-contained and is operable using a 110 volt outlet or generator for the lights and heat or air conditioning. Water is supplied by a spigot and garden hose or a 125 gallon, on-board fresh water holding tank. The unit houses 450 gallon on-board waste holding tank. Also, see sign offs from restaurants on Main street to ensure the rest of the stalls.
- e. **Location and Description of water stations:** (4) - (1) corner of Heber and Main, (2) at information booth 2, (3) below Mustang Restaurant on Main Street. 3-5 jugs at each station, (4) at Farmers Market Info Booth 3
- f. **Location and number of food stands and the types of food to be served, if known:** 7 cooking food vendors: BBQ, Poutine, Lobster, Vegetarian, etc. located at the bottom of Main Street.
-Food vendors must contact the Health Dept. for Temporary Food Service Permits.
- g. **Location, number, type and provider of solid waste containers:** (7) Zero Waste stations (see map for locations)
- h. **Location of first aid station:** on 7th Street, also all info booths have first aid supplies.
- i. **Plan to provide lighting adequate to ensure the comfort and safety of attendees and staff:** Daylight hours

13. Attach Plans of the following:

a. **Site clean up plan after the gathering:** Production Crew Set up at 5:50am - 10am and take down 5pm - 7pm

b. **Plan for directional and exit signs:** Market parking w/arrow up 100 North of 9th Street on NW side. Signs are placed in Venue to indicate areas of map: Bathrooms, Water Stations, info/first aid, animals on leashes, etc.

Exhibit F – PSSM 2017 Parking Map



- Variable Message Boards (VMS)
- Supplemental Market Parking at High School
- Non-exclusive PSSM vendor parking, shared general parking

- Residential Parking Zones on Park Avenue
- Road Closures (Market Footprint)
- General Parking

Exhibit G – 2016 PSSM End of Season Summary Measures of Success

Park Silly Sunday Market - Mid- Season Review Measures of Success		Legend S –Satisfactory Meeting Contracted Requirements I - In progress / Meeting Requirements U – Unsatisfactory/ Not meeting Requirements
Vendor Mix		
A. Importers (allowed per week maximum) i. 2016 – 6	Notes: Sent weekly reports. Importer maximums were met 7 times through the 2016 season. Otherwise, PSSM had under the allowed 6 importers each market.	S
B. Jewelers (allowed per week maximum) i. 2016 – 12	Notes: Sent weekly reports. Jeweler maximums were met 9 times through the 2016 season. Otherwise, PSSM had under the allowed 12 jewelers each market.	S
C. On-site Food Vendors & Snack food Vendors (per week maximum) i. 2016 – 12	Notes: Sent weekly reports. Food Vendors & Snack Food Vendor maximums were met 3 times through the 2016 season. Otherwise, PSSM had under the allowed 12 food or snack vendors each market.	S
D. PSSM will include a HPCA representative in the jurying of jewelry vendors	Notes: Meeting requirement – Representative was Puggy Holmgren	S
E. PSSM will coordinate three (3) market walk through with the HPCA and PCMC to identify possible conflicts and/or issues with vendor mix.	Notes: Meeting requirements: All Walk-throughs were completed PSSM provided walk through dates, times and reminders to help identify conflicts. Meetings were held on Sundays, June 12 and August 21 at 11 a.m., and Sunday, July 17 at 3:00 p.m. Additionally PSSM held an additional working group in September for a debrief and to see their sustainable efforts regarding composting in Kamas/Oakley.	S
F. PSSM will provide to the City a list of vendor classification definitions along with preference criteria for vendor mix.	Notes: Requirements were provided in March of 2016.	S
Parking / Traffic / Pedestrian Management		
A. Create event parking plan i. Identify vendor vehicle 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. Setup program to encourage parking of vendors in approved vendor locations	Notes: i. PSSM continues to work with Staff & private parking garages to park vendors in appropriate areas. Park Silly Sunday Market has been taking vendor license plate numbers as they enter into the market so Parking Services can better identify vendors. The Market continues to notify vendors that parking is at the Sand Ridge Lots or the top of China Bridge. Park Silly Sunday Market added Vendor License Plate column to their application for the 2016 year, as to allow easier license plate collection. ii. A resident parking area has been established and is being enforced along the west side of Park Ave. from 9 th to 14 th Street. Door to door notification took place on 6/2/2016. Parking Enforcement continued to communicate with the residents to resolve parking concerns and challenges during the market. Neither Special Events, Parking Services Staff nor PSSM received any direct complaints about the Residential Parking area. The residential parking zones received little use during PSSM, and additional outreach regarding this program may be needed. The Library reported parking challenges on Sunday, July 3 in both the Mawhinney Parking Lot and Library Parking Lot, as they had a several programs at the Library and parking was full. Staff continues to coordinate with PSSM to ensure that the parking at the Library is accessible during the market by encouraging the Library to place signs up that say “Library Patrons Only, No Event Parking” at each entrance. Library has reported back that they are discussing placing signs and that they have not had any further challenges. The Park City Police Department responded to several calls in August and September regarding vehicles being left overnight on lower main street. Staff coordinated with the Police Department and Park Silly Market to place additional	S

Exhibit G – 2016 PSSM End of Season Summary Measures of Success

	notices on lower main street by 5 p.m. each Saturday reminding patrons to remove their cars from that section of the street for the market the next morning. Even with the additional signage that was created, cars were left and had to be towed the following morning in order to allow for the event setup. iii. Supplemental Parking has been established at the Park City High School and continues to be an important resource for locals, visitors and vendors alike. Park Silly Market also works with Canyons Transportation for SLC visitors to provide a shuttle from SLC area hotels to the Market each Sunday.	
B. 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.	Notes: Meeting requirements. i. Staff went on KPCW weekly throughout the summer regarding upcoming events and discusses parking and transportation and coordination for all events as well as the market each week. ii. PSSMs print, online and radio advertising includes directions for participants to take alternate transportation to the event. Including City transit, bikes or walking to attend. iii. Bike Valet at 9th Street has received more than 2,000 bikes this season. iv. PSSM worked with Canyon Transportation to provide shuttle service from SLC hotels to PSSM.	S
C. 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 met in March of 2016. SEAC recommends additional signage for the farmers market and restrooms to help people find these items.	S
D. Work with City to Create a pedestrian management plan that addresses the crossings of Heber/Main and Swede Alley	Notes: Requirements have been met – Intersection remained manageable and required no additional resources. During high attendance of the 3rd of July, there was a time period when PSSM staff worked to help control pedestrian crossings at the Heber and Main intersections. Staff continues to monitor this situation and feels that PSSM works to mitigate challenges as they arise and that it is not necessary for a permanent cross guard to be placed at the intersection during the event.	S
<u>Market Set-Up and Inspections</u>		
A. Weekly notification to staff of footprint or operational changes	Notes: Meeting requirements. PSSM started a new service for their bouncy houses and fire permitting was taken care of prior to the start time of the next market for the use.	S
B. Location of interior sponsor signs	Notes: Meeting requirements. Signs were noted after a PSSM market and it was discovered that these were signs that were placed by businesses and staff worked to have them removed by the businesses a timely manner.	S
<u>Street Cleaning and Trash Removal</u>		
A. Pre-Meet with City's Street Department to create a street cleaning and trash removal plan	Notes: Requirements have been met: Additional trash and street sweeping were required after Savor the Summit to ensure street was clean for PSSM. No concerns were received by the Parks or Streets department through the duration of the 2016 season.	S
B. Meet with Street Department two (2) additional times throughout summer to address any issues with plan.	Notes: Meeting requirements: Park City Streets Crew and PSSM have had no negative reports and have not found it necessary to meet. As challenges arise they are coordinated and addressed by both Staff and PSSM representatives in a timely manner.	S

Exhibit G – 2016 PSSM End of Season Summary Measures of Success

	PSSM has reported a trip hazard with regard to the gutter and curb damage (not caused by PSSM) on main street that will need to be filled. Additionally, small inconsistencies with variable message boards have been coordinated as soon as challenges arise.	
Coordination with PCMC and HPCA		
A. PSSM will schedule monthly 'Working Group' meetings from June through September	Notes: Requirements have been met. Meetings were held on Sundays, June 12, July 17 and August 21, with additional meetings in September to look at sustainability efforts and debrief the season.	S
B. PSSM will schedule three (3) market walkthroughs with the "Working Group" within the season.	Notes: Met requirements with attendance from each entity of the working group. Meetings were held on Sundays, June 12, July 17 and August 21.	S
C. PSSM will schedule a weekly market walk through with City representatives	Notes: Met requirements. Staff from Departments including Special Events, Building, Police, and Parking walked through the venue and were onsite to address concerns, impacts and challenges each week. Any concerns by City or PSSM staff were addressed immediately.	S
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	Notes: Total PSSM attendance of the event has amounted to 199,109 with an average attendance of 14,222. Total landfill diversion is 25,520 pounds of recyclable, compost and glass vs 4,150 going to the landfill. More than 2,500 bikes were part of the Bike Valet program during the PSSM. iii. Limited Vendor Categories: Import vendors were consistently meeting or under the maximum allotment of 6 Import Vendors. Jewelry vendors have been at the maximum allotment of 12, except markets where they were under the allotment. To-go/Snack food Vendors were consistently under or meeting the maximum allotment of 12. During the market there were: 866 Artists 155 Designers 74 Importers 140 Farmers 266 Gourmet Foods 162 Jewelers 147 On Site Snack Foods 96 Service Vendors 35 Youth Vendors 1942 Vendors 26% of vendors were from Summit County 68% of vendors were from outside of Summit County 6% of vendors were from out of state	S
Marketing and PR		
a. Main Street/HPCA logo on all advertisements & promotions	Notes: Met requirements.	S
b. Engage in co-promotions with Chamber, HPCA, Park City Restaurant association	Notes: Meeting requirements. Park Silly Market provides free promotions of Park City businesses in their Park Silly Info Booths (3) each Sunday. Park Silly Market provides one free booth for HPCA each Sunday. HPCA/ Main Street membership information and logo placement on all media and advertising. Park Silly Market gives restaurants first right of refusal to apply as a food vendor for restaurant association. Park Silly Market also provides free advertising or promotion by request for all HPCA, Chamber and Restaurant Association	S

Exhibit G – 2016 PSSM End of Season Summary Measures of Success

	Members through social media outlets which reach 17,000.	
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 spots and promotions; V. Website spots, summer guides, fairs, non-profit organization calendar listings; VI. Email blasts; and VII. Social media, ‘ if applicable”	Notes: Met all requirements.	S
<u>Other Items:</u>		
Attendance must average 7,500 visitors to the market per season. This number shall be established and verified annually by Staff and PSSM	Notes: Total attendance for 2016 is 199,109, with an average of 14,222 per weekend. Both July 3 and July 10 th weekends saw more than 20,000 people.	S
Quantify Marketing & PR Value – of at least \$150,000	Notes: Current estimated value as determined by Staff is in excess of \$150,000.	S
PSSM shall present an annual report to the city in February of the 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.	Notes: In March of 2016, a Supplemental Report for the 2016 PSSM was provided.	S

2016 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 (8 per market date).

2016 Vendor Mix Requirements

1. Vendor Mix (maximum allowed per week)

- a. importers– 6
- b. Jewelers – 12
- c. Food Vendors & Snack Food Vendors – 12
- d. PSSM will include HPCA representative in jury of jewelry vendors.
- e. PSSM will coordinate three (3) market walk through with the HPCA and PCMC to identify possible conflicts or other issues with vendor mix.
- f. PSSM will provide to the City a list of vendor classification definitions along with preference criteria for vendor mix.

Exhibit G – 2016 Analysis of PSSM

The End of Season Review is to be presented to and approved by the Park City Council by November 15th of each contract year. As of November 3, 2016 all operational, financial, and collaborative requirements within the City Services Agreement between Park City Municipal Corporation and Park Silly Sunday Market are currently being executed. Staff monitored the operations of the market to ensure that all Supplemental Plans and Measures of Success for 2016 were to be met.

Operational Times & Days

Park Silly Sunday Market operated their 2016 season within the 2016 Market Use Area (Exhibit C). The season began on Sunday, June 5 and ended Sunday, September 18, 2016. The Park Silly Sunday Market operated from 10:00 a.m. to 5:00 p.m. Set up began no earlier than 6:00 a.m. and the street was cleared and available for parking no later than 8:00 p.m. on each market day. In 2016, the PSSM operated on 14 Sundays.

Exceptions:

1. The Park Silly Sunday Market was not held on Sunday, August 7, 2016 in order to accommodate the Tour of Utah, Final Stage.
2. The Park Silly Sunday Market was not held on Sunday, August 14, 2016 in order to accommodate the Annual Park City Kimball Arts Festival.
 - a. Lower Main Street will be utilized for the Final Stage of the Tour of Utah, consistent with allowances in Section B.2.2.2, the Park Silly Sunday Market declined in writing to host the Market on Sunday, August 7, 2015.
3. The Park Silly Sunday Market requested to extend the close of market by one hour on September 18, 2016 for Silly Fest. During this time Park Silly Sunday Market had a 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 still occurred by 8:00 p.m.
 - a. Park Silly Sunday Market asked for this extension of hours which is consistent with allowances in Section B.2.2.3, in which Park City shall consider expanded hours and special holiday late closures (Opening Day, Holiday Weekends and Silly Fest).

Council approved the allowance of the extended hour for September 18th in March of 2016. PSSM and staff worked to remind local residents and businesses of the extended closure on this date. Music ended at 6 p.m. and Main Street was cleared and reopened by 7:30 p.m.

Working Group

In accordance with section D.9.8, to the City Services Contract, Park Silly Sunday Market has satisfactorily conducted a Working Group, 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.

Dates were as follows, times and meeting locations on Main Street were varied as to experience the start, mid-day and end of day of the market at a later date:

- 1: June 21, 11 to 12 p.m., 5th Street
- 2: July 19, 11 to 12 p.m., 5th Street
- 3: August 16, 2 to 3 p.m., Brew Pub Parking Lot
- 4: September 6, 11 to 12 p.m., 5th Street (Labor Day Weekend)
- 5: September 23, 10 to 11 a.m. at PSSM Office - End of Season Review

Park Silly Sunday Market notified all parties (HPCA, Council, and Staff) of all Walk Through dates prior to the Market Season in 2016. In addition, PSSM continued to remind those necessary parties of the meeting dates, times and locations before the meeting. On one occasion, HPCA had no representation, and on another occasion only

Exhibit G – 2016 Analysis of PSSM

had one representative for the meetings in 2016. Working Group Meetings started at varied times (11:00 a.m. and 2:00 p.m.) and also started at the 5th Street and Wasatch Brew Pub on different occasions, so that Working Group could view various areas on the street. Additionally, the working group took a trip out to Oakley to watch as the sustainable efforts of the market helped to feed local pigs. Every Tuesday, PSSM's compost goes to feed these happy pigs!

Park Silly Sunday Market Service Obligations

In accordance with section D.9.3 of the City Services Contract, Park Silly Sunday Market agrees to provide the HPCA with access to vendor space.

- a. One 10 x 10 vendor booth space with full set up for HPCA member use each week.
- b. Space in the PSSM Information kiosk/table for HPCA outreach, coupons, information, etc...
- c. Deadline of May 1, 2016 for all HPCA requests.

Staff received changes for 2016, and received documented correspondence for the following changes:

- c. Deadline of May 1, 2015 for all HPCA requests. Any unfilled dates for June that are not fulfilled by the May 1 deadline, will be filled by other vendors as pertains to the Vendor Mix requirements, and subsequently on the first of each month through August 1, 2016.
- d. 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 \$50.00 cancellation/no show fee. The next scheduled member will not be permitted to participate or load-in if the cancellation/no-show fee has not been paid.

The amendment to the deadline for HPCA was agreed upon by PSSM and HPCA, and approved by Council in spring of 2015, and noted again in the supplemental plan in spring of 2016. This amendment allowed HPCA membership more time to schedule and confirm business participation while allowing PSSM time to sell to vendors if HPCA membership did not book a particular Sunday.

During the 2016 season, HPCA filled all of the requests as outlined above, except for the September 18 (closing date) market. PSSM filled the space with an artist vendor. There were three times where scheduled HPCA vendors did not show up and not call by the deadline (Thursday before the scheduled Sunday) HPCA was charged the \$50.00 no show/cancellation fee and paid the fee before to the following week.

Financial Consideration & City Services

The End of Season Report reviews contracted municipal funds for the 2016 season as well as total amount of City Services and Fee Waivers as pertains to actual costs and fee waivers for the 2016 season. The City Service Agreement includes the following sections C and E:

C. City Services

6. City Services

6.1 Basic City Services. In addition to enhanced restroom and trash services to all events, at no additional cost to PSSM, Park City will provide the following City Services:

- (a). PSSM shall be entitled to a waiver of the following fees:
 - a. Parking Fees for any approved Use Areas.
 - b. Building Permit fee and inspection fees for all tents and temporary structures.
 - c. Transit Department fees (labor and operational costs) for re-routing transit and moving bus stop locations on Park Avenue.
 - d. Transit Department for re-routing Main Street Trolley.
 - e. Parks Department for street banner installation (does not include banner costs).

Exhibit G – 2016 Analysis of PSSM

- f. Application fees for the Master Festival Event License.
- g. Use of City-Owned type 1 and bicycle barricades, if available.
- (b.) PSSM shall be entitled to a credit of 480 hours (4 officers, 8 hours for 15 Sundays) or enhanced Police patrols when determined necessary by the Park City Police Department.
- (c.) PSSM shall be entitled to use of Park City Main Street and other approved use areas at no cost, as outlined in the use areas.
- (d). Installation and two (2) municipal electronic message signs, as otherwise agreed in accordance with mutually acceptable Supplemental Plans Concerning Traffic Control.

E. Financial

10. Service Contract. Subject to annual budget appropriation, Park City hereby agrees to make the following annual contributions to PSSM towards the cost of the Market for the term of this contract:

Contracted Year 2015

- (a) Cash payment for the contracted period December 2, 2015 through December 1, 2016 will be as follows:
 - (i.) \$40,000.00 will be for Operations, Expanded Activities, Marketing, Media, Cross Promotions and Public Relations as defined in Section D.9.4
- (b) Annual fee waivers, based on a combination of the following:
 - (i.) Fee waivers – 2015 fees estimated at \$42,000, (not including waiver of parking use fees)

10.1 Park City agrees that this agreement and all Park City's Obligations and contributions shall be included in the City Manager's Recommended Budget delivered to the City Council on the first scheduled meeting in May and must be approved by the Park City Council no later than June 30 of each year. Payment shall be made within 15 days of the Supplemental Plan approval. No payments shall be made prior to approval of the Supplemental Plan.

Based on the Master Festival Event License and City Services Agreement between PCMC and PSSM and sections C and E estimated fees in the Spring of 2016 Supplemental plan were \$72,539.70. After totaling actual total City Services and Fees for 2016 are \$73,003.70 (\$50,953.70 not including Parking fees). Financial Annual Contributions of \$40,000.00 were released in April 2016.

Actual total fees reported after the last market from City Departments were a difference of \$2,910.00 between the estimate for 2016 and actual of 2016. Costs changes are explained as follows, please note, parking costs are included:

During the review of the pre-season report as reported on March 31, 2016, staff reported that fee reduction was estimated to only increase by \$80 for the change in cost of Special Event Application Fee.

As reported at the July mid-season review, since the start of the 2016 PSSM market there have been two changes to the anticipated fees including:

- A decrease in estimated Police Services. This decrease in fees was due to an officer who was unable to attend scheduled shift on 6/5 and 7/17. This decreased fee reduction request by \$1,350.
- An increase in estimated Building Department fees regarding afterhours fees of \$300. The City continues to send an inspector to each of the 14 PSSM during walk through, increasing the afterhours fees by \$4,200 and bringing the total Building Permit fees to \$7,575. At the time that the PSSM received their Building Permit and scheduled inspections, they were not made

Exhibit G – 2016 Analysis of PSSM

aware of these fee increases for the 2016 year, and therefore, staff felt it was necessary to grant the request for reduction as these fees were not anticipated by PSSM.

Staff, including Special Events, Budget, Police and Building Department is supportive of supporting both of these adjustments to the fee reduction estimates for the event, based on the 2014 City Service Agreement and because these fee adjustments were not anticipated prior to the market season. Staff intends to continue to move forward with reducing these fees (totaling \$75,993) as mentioned above unless City Council directs otherwise.

A chart below indicates the above fee reduction changes.

Departments	Actual Item 2015	Actual Fees 2015	Estimated Item 2016	Estimate Fees 2016	Mid-Season Item 2016	Mid-Season Estimate 2016	End Of Season Item 2016	End Of Season Actual
Parking Department	Parking spaces for 14 days	\$22,050	Parking spaces for 14 days	\$22,050	Parking spaces for 14 days	\$22,050	Parking spaces for 14 days	\$22,050
Police Department	520 Hours	\$39,000	520 Hours	\$39,000	511 Hours	\$38,250	502 Hours	\$37,500
Transit Department	15 Hours	\$2,250	15 Hours	\$2,250	15 Hours	\$2,250	15 Hours	\$2,250
Parks Department	Banner installation	\$648.70	Banner Installation	\$648	Banner installation	\$648	Banner installation	\$648
Building Department	Inspections and permits	\$3,375	Inspections and Permits	\$3,375	Inspections and permits	\$7,575	Inspections and permits	\$7,575
Application Fee	Annual Permit Fee	\$80	Annual Permit Fee	\$160	Annual Permit Fee	\$160	Annual Permit Fee	\$160
VMS Signs & Barricades	2 VMS/ Electronic Signs	\$5,600	2 VMS/ Electronic Signs	\$5,600	2 VMS/ Electronic Signs	\$5,600	2 VMS/ Electronic Signs	\$5,600
Total Fees	2015 Actual	\$73,003.70	2016 Fee Estimate	\$73,083	2016 Mid Season Estimate	\$76,533	2016 Actual	\$75,783

End of Year Comparison Numbers for PSSM**Attendance:**

Total yearly PSSM attendance by PCMC & PSSM Staff:

- 2016 PSSM Season – 199,109 = 5.5% increase from 2015, 64% increase since 2011.
- 2015 PSSM Season – 188,589 = 14.25 % increase from 2014, 55% increase since 2011.
- 2014 PSSM Season – 165,000 = 6.5% increase from 2013
- 2013 PSSM Season – 155,000 = 11% increase from 2012

Exhibit G – 2016 Analysis of PSSM

- 2012 PSSM Season – 140,000 = 15% increase from 2011
- 2011 PSSM Season – 121,272

Average weekly attendance:

- 2016 – 14,222 = 5.5% increase from 2015, 76% increase from 2011.
- 2015 – 13,471 = 17 % increase from 2014, 66% increase from 2011.
- 2014 – 11,500
- 2013 – 10,500
- 2012 – 9,200
- 2011 - 8,085

Bike Valet

2016 – 2,571 = 37% increase from 2015

2015 – 1,876 = 6% decrease from 2014

2014 – 1,995

Zero Waste Statistics

*Waste Statistics will be reported in pounds moving forward for year over year comparison.

2015:

To Landfill – 2,760 lbs

Compost – 1,840 lbs

Co-mingled Recycle – 9,240 lbs

Glass – 3,300 lbs

2016: *87% diversion rate

To Landfill – 4,150 lbs

Compost - 1,840 lbs

Co-mingled Recycle – 22,465 lbs

Glass – 1,605 lbs

* Luke Cartin, PCMC's Sustainability Manager stated that the zero waste program was very successful at 87%. This shows that other large events can work towards implementing a successful sustainability plan into their operations. He further stated that it may be interesting to track statistics on how people arrive to the market in future years to help measure the success of bike valet, the school/satellite parking, and shuttling from SLC.

PSSM Parking Counts & Update

As staff reported during the Mid-Season Update in July, the following parking challenges were further mitigated during the 2016 season.

Park Avenue

Staff continues to coordinate residential parking on Park Avenue. The Parking Services Department worked with the Special Event Department to distribute information regarding parking impacts during PSSM as well as other major events in June prior to PSSM beginning. Additionally, the Parking Services Department conducts counts of City Owned spaces including the residential zones three times per day during the Market and continues to find that only a few residents are parking the temporary residential zone. The challenge is that these residential zones have continued to sit open with no vehicles parked in them, rather permitted residents or unpermitted vehicles. Staff continued to monitor the residential zones, as staff believed it may have cause residents to use these designated parking areas as the Market continued to grow in attendance each Sunday. Staff continued to find that these residential specific areas on Park Avenue were not well used. Staff believes additional notification to residents may be needed in future years about this program.

Aerie

Exhibit G – 2016 Analysis of PSSM

Staff received complaints from Aerie residents regarding perceived vendor parking on Aerie Drive. Staff is worked to investigate parking challenges by utilizing vendor license plates provided by PSSM. Additionally, staff will work to post temporary no parking signs in the area to continue to mitigate parking challenges in the Aerie Drive area. Permanent no parking signs have now been placed in this area. Park Silly Sunday Market continues to coordinate with the City to ensure vendors are parked in correct locations.

Woodside

Staff recently received notice of complaints from the Engineering Department regarding parking on Woodside Avenue. Staff will work to ensure no parking signs are posted in the area to mitigate parking challenges. No further complaints were received.

Lower Main Street Saturday Overnight Parking

During August, the Park City Police Department noticed an increase in the amount of vehicles parked overnight on Saturday night on lower Main Street even though permanent signs are posted on lamp posts restricting parking on Main Street between the hours of 2 a.m. and 6 a.m. The Police Department reported this problem, as they would have to order a tow early in the morning on Sunday for PSSM set up. They additionally noted that the signs were difficult to read as some of the signs were covered up by flower baskets. Staff worked to find a solution with the Police Department and placed noticing barricades on Lower Main Street by 5 p.m. each Saturday for the duration of the market. Even with the additional signage, several cars remained parked overnight and had to be towed. Staff believes additional notification may be required for patrons parking on lower Main Street overnight. Staff does not believe that this is a problem of PSSM, but rather regarding coordination between Parking Services, Police and Special Events for more notification and enforcement of parking regulations.

Vendor License Plates

As mentioned above, PSSM continues to work to give staff vendor license plate numbers to help ensure that vendors are parking in vendor parking areas including Sand Ridge, top of China Bridge and Park City High School. If a vendor is found to be parked incorrectly, vendors are notified by the Parking Services Department with a flyer and asked to contact either Parking Services Department or PSSM staff to get further information regarding approved parking areas so that other parking areas can be left for residents and as well as our visitors. Vendors who are parked outside of identified vendor locations are not ticketed at this time as long as they are appropriately parked and adhering to time constraints of the particular spaces.

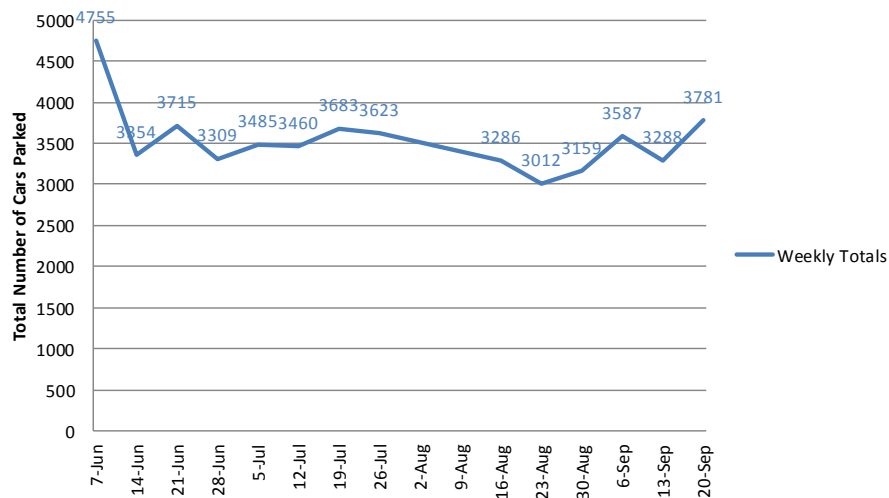
Exhibit G – 2016 Analysis of PSSM

2015 Parking Counts

Total Counts

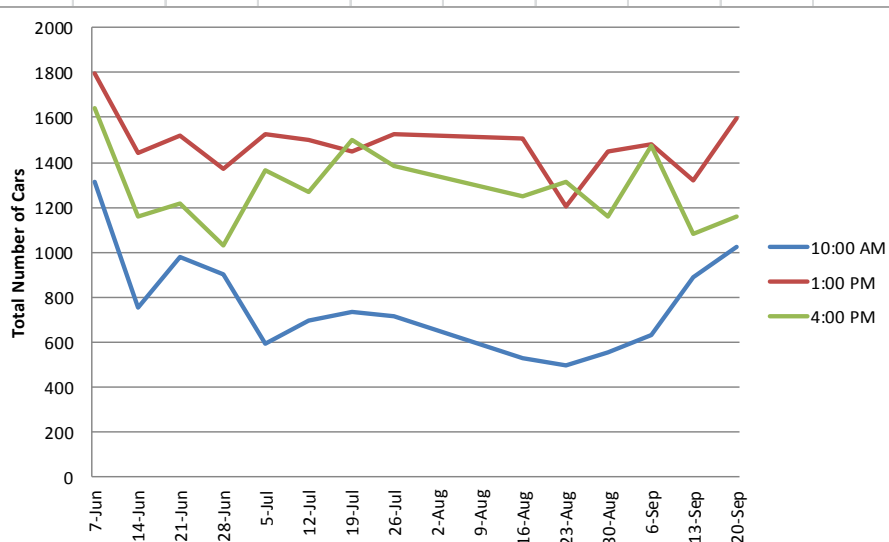
	7-Jun	14-Jun	21-Jun	28-Jun	5-Jul	12-Jul	19-Jul	26-Jul	16-Aug	23-Aug	30-Aug	6-Sep	13-Sep	20-Sep
Weekly Totals	4755	3354	3715	3309	3485	3460	3683	3623	3286	3012	3159	3587	3288	3781

Season Weekly Totals



Hourly Totals of Cars Parked

	7-Jun	14-Jun	21-Jun	28-Jun	5-Jul	12-Jul	19-Jul	26-Jul	16-Aug	23-Aug	30-Aug	6-Sep	13-Sep	20-Sep
10:00 AM	1316	753	980	905	593	694	734	714	528	495	553	632	889	1025
1:00 PM	1794	1441	1517	1374	1527	1499	1446	1524	1508	1202	1447	1481	1318	1595
4:00 PM	1645	1160	1218	1030	1365	1267	1503	1385	1250	1315	1159	1474	1081	1161



Side Note:

Sunday August 2nd Arts Festival
 Sunday August 9th Tour of Utah

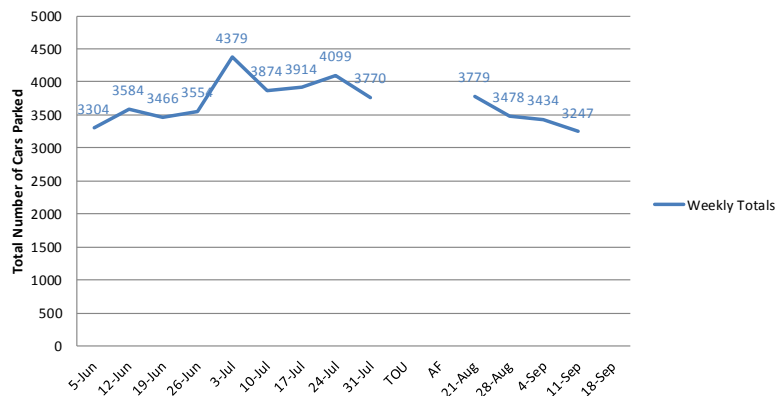
Exhibit G – 2016 Analysis of PSSM

2016 Parking Counts

Total Counts

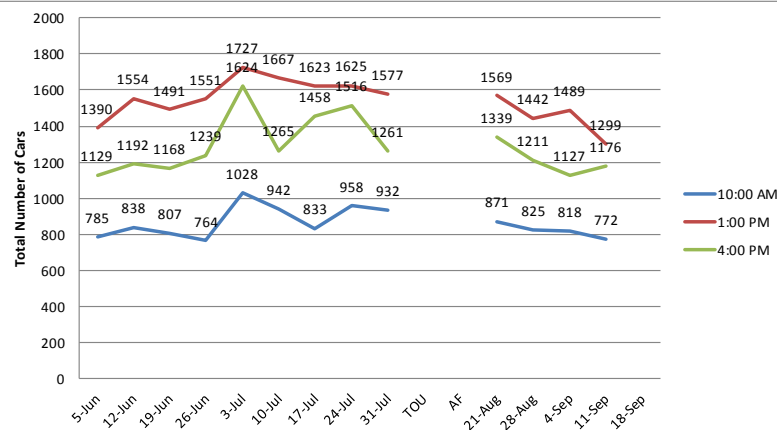
	5-Jun	12-Jun	19-Jun	26-Jun	3-Jul	10-Jul	17-Jul	24-Jul	31-Jul	TOU	AF	21-Aug	28-Aug	4-Sep	11-Sep	18-Sep
Weekly Totals	3304	3584	3466	3554	4379	3874	3914	4099	3770			3779	3478	3434	3247	

Season Weekly Totals



Hourly Totals of Cars Parked

	5-Jun	12-Jun	19-Jun	26-Jun	3-Jul	10-Jul	17-Jul	24-Jul	31-Jul	TOU	AF	21-Aug	28-Aug	4-Sep	11-Sep	18-Sep
10:00 AM	785	838	807	764	1028	942	833	958	932			871	825	818	772	
1:00 PM	1390	1554	1491	1551	1727	1667	1623	1625	1577			1569	1442	1489	1299	
4:00 PM	1129	1192	1168	1239	1624	1265	1458	1516	1261			1339	1211	1127	1176	



August 7th	Tour Of Utah
August 14th	Arts Fest



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

The site known as 2467 Iron Mountain Drive consists of Lot 43 of the Iron Canyon Subdivision. The property owner requests to adjust the "Building Pad" area shown on the Iron Canyon Subdivision plat (recorded in 1983) to adapt to the current proposed design of the new residence. The new building pad is proposed to be the same square footage as the platted building pad (4,000 sf.) and in the same general location. The entire site contains a total area of 3.1308 acres.

Respectfully:

Makena Hawley, Planner I

City Council Staff Report

Subject: Iron Canyon Subdivision Building
Pad Adjustment for Lot 43
Author: Makena Hawley, City Planner
Project Number: PL-17-03478
Date: April 27, 2017
Type of Item: Legislative – Plat Amendment

Summary Recommendations

Staff recommends the City Council hold a public hearing for the Iron Canyon Subdivision Building Pad Adjustment for Lot 43 located at 2467 Iron Mountain Drive and consider approving the requested application based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Description

Applicant: Kyle Conti, represented by Steve Schueler
Location: 2467 Iron Mountain Drive
Zoning: Single Family (SF)
Adjacent Land Uses: Residential
Reason for Review: Plat Amendments require Planning Commission review and City Council review and action.

Executive Summary/Proposal

The site known as 2467 Iron Mountain Drive consists of Lot 43 of the Iron Canyon Subdivision. The property owner requests to adjust the “Building Pad” area shown on the Iron Canyon Subdivision plat (recorded in 1983) to adapt to the current proposed design of the new residence. The new building pad is proposed to be the same square footage as the platted building pad (4,000 sf.) and in the same general location. The entire site contains a total area of 3.1308 acres.

Background

On February 16, 2017, the City received a Plat Amendment application for the Iron Canyon Subdivision Amendment to Lot 43; the application was deemed complete on February 27, 2016. The property is located at 2467 Iron Mountain Drive. The property is in the Single Family (SF) District. The subject property consists of Lot 43 of the Iron Canyon Subdivision, approved in 1983.

There are a number of lots within the Iron Canyon Subdivision that have completed similar building pad adjustments including the following:

- Lot 29 – Completed in 2005 (See Exhibit G)
- Lot 11 – Completed in 2006 (See Exhibit H)
- Lot 5 – Completed in 2006 (See Exhibit I)
- Lot 4 – Completed in 2006 (See Exhibit J)

On April 12, 2017, the Planning Commission reviewed the requested application and held a public hearing. The Commission forwarded a positive recommendation to the City Council; the vote was unanimous (4-0).

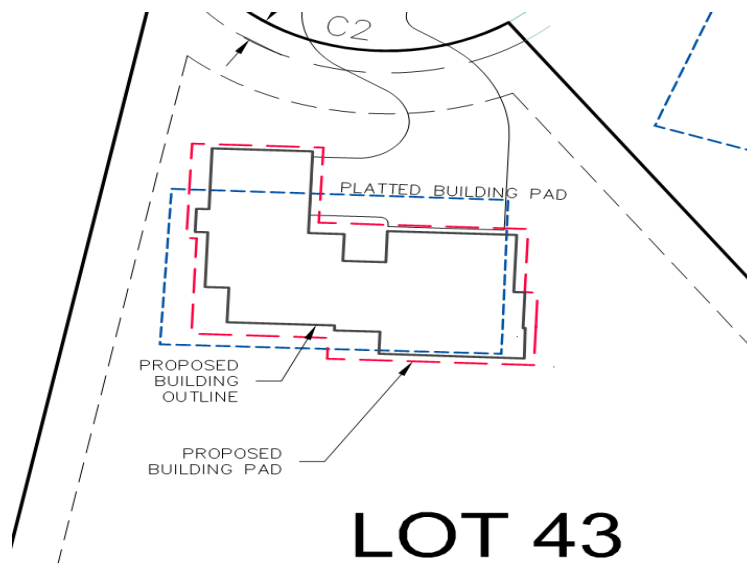
Purpose

The purpose of the Single Family SF District is to:

- A. maintain existing predominately Single Family detached residential neighborhoods,
- B. allow for Single Family Development Compatible with existing Developments,
- C. maintain the character of mountain resort neighborhoods with Compatible residential design; and
- D. require Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile.

Analysis

The Plat Amendment proposes to adjust the building pad of Lot 43 of the Iron Canyon Subdivision. The square footage of the existing building pad is 4,000 square feet and the proposed building pad will also be 4,000 square feet. The proposed changes to the building pad take place towards the front of the lot by expanding the building pad by approximately 12 feet on the west side. The proposal also pushes the building pad towards the rear (east) approximately 3 feet and finally pushes the building pad approximately 8 feet towards the east side yard. All the building pad changes meet the Land Management Code setback requirements. Staff finds that the proposed plat amendment would be consistent with the pattern of development in the neighborhood. Please see below drawing:



A single-family dwelling is an allowed use in the SF District. The following table shows applicable Land Management Code (LMC) development parameters in the SF District:

Required	Existing	Permitted
Allowed Building Pad Size	The plat requires 4,000 sf.	4,000 square feet maximum. Complies
Front yard setbacks	20 ft. front yard with 25 ft. for front facing garages.	33 feet to the building pad from the front property line. Complies.
Rear yard setbacks	15 feet rear yard	357 feet to the building pad from the rear property line. Complies.
Side yard setbacks	12 feet	19 feet to west side property line, 44 feet to east side property line. Complies.

The City Engineer will require a ten foot public snow storage easement.

The Building Department is requiring Condition of Approval #5 to provide modified 13-D sprinklers for new construction by the Chief Building Official at the time of review of the building permit submittal.

Good Cause

Staff finds good cause for this Plat Amendment as the proposed modification to the building pad does not increase its area nor the general location of the building pad.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC §15-1-18.

Department Review

This project has gone through an interdepartmental review, no issues were raised.

Notice

On March 23, 2017 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on March 29, 2017 according to requirements of the Land Management Code.

Public Input

No public input has been received by the time of this report.

Alternatives

- The City Council may approve the Iron Canyon Subdivision Building Pad Adjustment for Lot 43 as conditioned or amended; or
- The City Council may deny the Iron Canyon Subdivision Building Pad Adjustment for Lot 43 and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the Iron Canyon Subdivision Building Pad Adjustment for Lot 43.

- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

Significant Impacts

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

Consequences of not taking recommended action

Consequences of not taking the Planning Department's recommendation are that plat would remain as is and any proposed design would need to comply within the limitations of the existing building pad.

Summary Recommendation

Staff recommends the City Council hold a public hearing for the Iron Canyon Subdivision Building Pad Adjustment for Lot 43 located at 2467 Iron Mountain Drive and consider approving the requested application based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)
Exhibit B – Survey with Existing Conditions
Exhibit C – Applicant Project Description
Exhibit D – Aerial Photograph
Exhibit E – Site Photographs
Exhibit F– Iron Canyon Subdivision Plat
Exhibit G – Iron Canyon Subdivision Lot 29 Building Pad Adjustment
Exhibit H – Iron Canyon Subdivision Amendment to Lot 11
Exhibit I – Iron Canyon Lot 5 Amended Subdivision
Exhibit J – Iron Canyon Subdivision Lot 4 Plat Amendment

Exhibit A – Draft Ordinance

Ordinance No. 2017-18

AN ORDINANCE APPROVING THE IRON CANYON SUBDIVISION BUILDING PAD ADJUSTMENT FOR LOT 43 LOCATED AT 2467 IRON MOUNTAIN DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 2467 Iron Mountain Drive have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on March 23, 2017, the property was properly noticed and posted in the Park Record; and

WHEREAS, on March 23, 2017, proper legal notice was sent to all affected property owners and the property was posted according the requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on April 12, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on April 12, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 27, 2017 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 2467 Iron Mountain Drive Plat Amendment.

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

SECTION 1. APPROVAL. The Iron Canyon Subdivision Building Pad Adjustment for Lot 43, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 2467 Iron Mountain Drive.
2. The property is in the Single Family (SF) District.
3. Adjacent land uses are single family residential.
4. The subject property consists of Lot 43 of the Iron Canyon Subdivision, approved in 1983.

5. The plat amendment changes small portions of the “Building Pad” area shown on the Iron Canyon Subdivision plat (recorded in 1983) to adapt to the current proposed design of the new residence.
6. The building pad is proposed to be the same square footage as the platted building pad (4,000 sf.) and in the same general location.
7. The entire site contains a total area of 3.1308 acres.
8. On February 16, 2017, the City received a Plat Amendment application for the Iron Canyon Subdivision Amendment to Lot 43; the application was deemed complete on February 27, 2016.
9. Four (4) lots within the Iron Canyon Subdivision have completed similar building pad adjustments including the following: Lots 4, 5, 11 and 29.
10. Staff finds that the proposed plat amendment results in a building pad that is consistent with the pattern of development in the neighborhood.
11. Per the existing plat, the maximum building pad is 4,000 sf. and this plat amendment results in a building pad that is not greater than 4,000 sf.
12. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. There is good cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding 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 date and an extension is granted by the City Council.
3. A ten feet (10') wide public snow storage easement along the frontage of Iron Mountain Drive shall be shown on the plat.
4. Modified 13-D sprinklers are required by the Chief Building Official for new construction at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
5. New construction shall comply with Land Management Code Section 15-2.2 regarding setbacks, building height, building envelope, building pad, etc.
6. All other conditions of approval and platted requirements for the Iron Canyon Subdivision continue to apply and shall be noted on the plat.

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

PASSED AND ADOPTED this 27^h day of April 2017.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

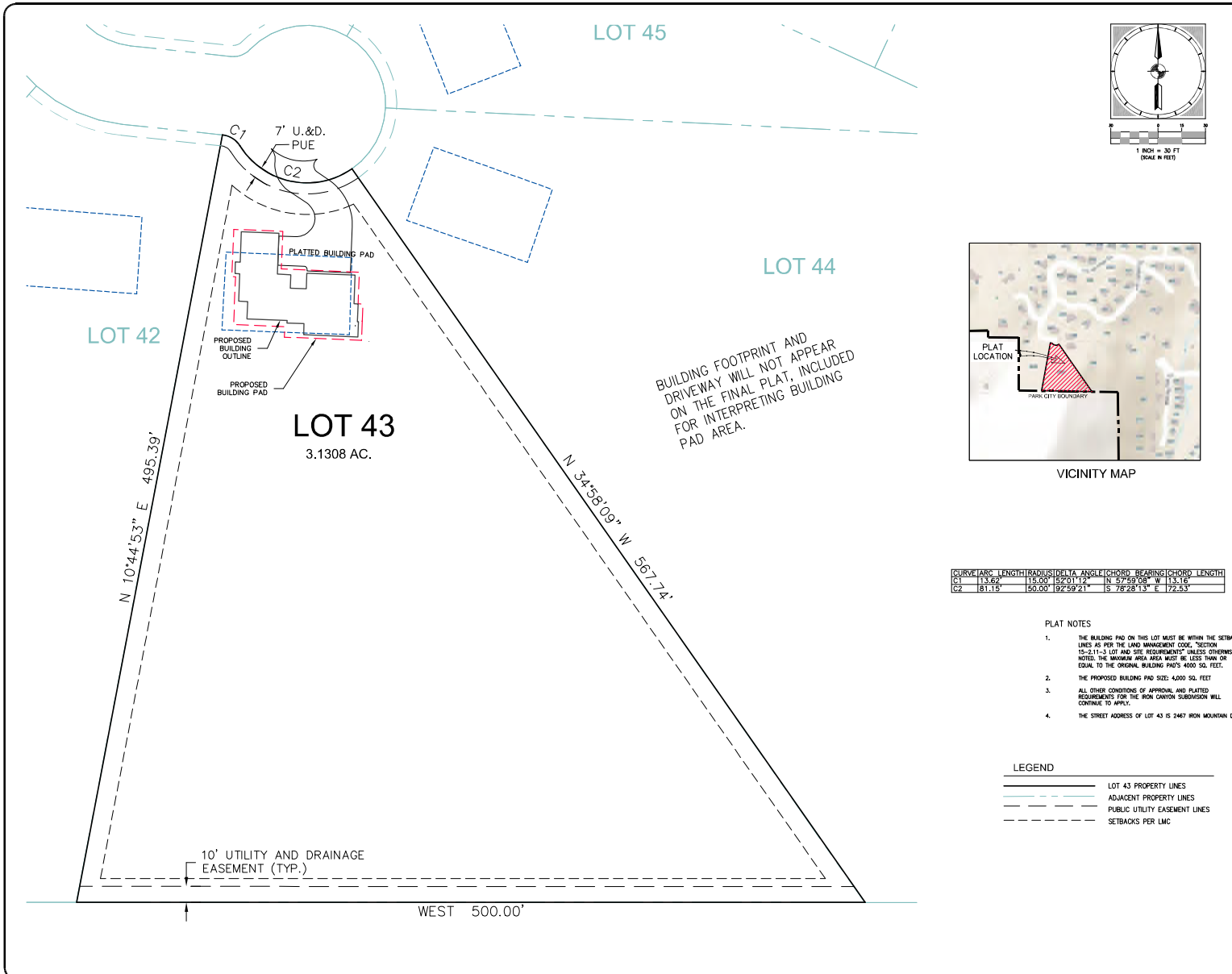
City Recorder

APPROVED AS TO FORM:

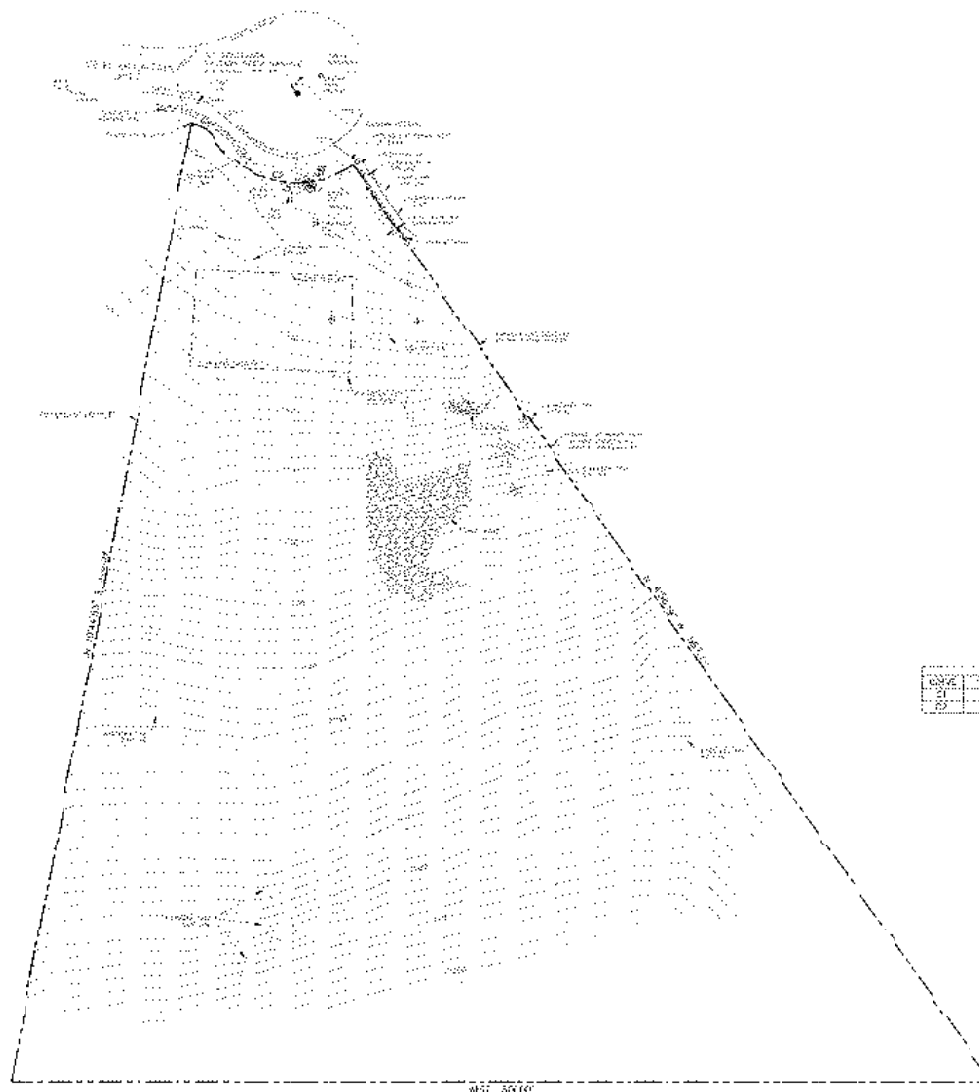
Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

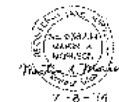
Exhibit A – Draft Ordinance with Proposed Plat Attachment 1



BOUNDARY DESCRIPTION ALL OF LOT 43 LYING WITHIN IRON CANYON SUBDIVISION PLAT, ON FILE AND OF RECORD AT THE SUMMIT COUNTY RECORDER'S OFFICE.	
SURVEYOR'S CERTIFICATE IN ACCORDANCE WITH SECTION 10-36-603 OF THE UTAH CODE, I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 145796 IN ACCORDANCE WITH TITLE 58, CHAPTER 23, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.	
BING CHRISTENSEN PROFESSIONAL LAND SURVEYOR	DATE _____ SURVEYOR'S SEAL
OWNER'S DEDICATION I KNOW ALL MEN BY THESE PRESENTS THAT I (WE) THE UNDERSIGNED OWNER(S) OF THE HEREIN DESCRIBED TRACT OF LAND, HEREAFTER TO BE KNOWN AS IRON CANYON LOT 43 AMENDED. IN WITNESS WHEREOF, I (WE) HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 2017.	
FEE OWNER (OR AGENT) _____ PRINTED NAME _____ DATE _____	FEE OWNER (OR AGENT) _____ PRINTED NAME _____ DATE _____
ACKNOWLEDGEMENT STATE OF _____) S.S. COUNTY OF _____) ON THIS _____ DAY OF _____, 2017, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____, IN SAID STATE OF _____, THE SIGNER OF THE ABOVE OWNER'S DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND AND HE SIGNED THE ABOVE OWNER'S DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.	
NOTARY PUBLIC _____	
APPROVAL AS TO FORM APPROVED AT TO FORM ON THIS _____ DAY OF _____, 2017. PARK CITY ATTORNEY _____	PARK CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 2017. CHAIRMAN _____
PARK CITY COUNCIL PRESENTED TO THE BOARD OF PARK CITY COUNCIL THIS _____ DAY OF _____, 2017, AT WHICH TIME THIS PLAT AMENDMENT WAS APPROVED.	PARK CITY ENGINEER APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____, 2017.
DAYOR _____ CITY RECORDER _____	PARK CITY ENGINEER _____
SEWER DISTRICT APPROVAL REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS _____ DAY OF _____, 2017. S.B.W.R.D. _____	RECORDED ENTRY # _____ DATE _____ STATE OF _____ COUNTY OF _____ RECORDED AND FILED AT THE REQUEST OF: _____ COUNTY RECORDER _____



SOURCE OF FUNDING

[illegible]

4015

1. Wie oft werden "Wasser" oder "Doppel" "ausgegeben"?
2. Wie oft ist "Wasser" bei "Wasser"?
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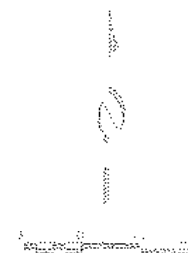
[illegible]

Exhibit C – Applicant Project Description

TO : Park City Planning Department

FR: Steve Schueler; Summit Engineering Group

RE: Plat Amendment, Lot 43, Iron Canyon Subdivision

Project Description-Building Pad Adjustment

DT: 2/16/2017

This plat amendment is to adjust the “Building Pad” area as shown on the Iron Canyon plat (recorded 1983). building pads are shown on the recorded plat, for each lot, but not legally located such that a licensed surveyor could re-create the location of a given building pad. Nor is the building pad defined in the plat, however, through scaling the building pad appears to be about 50’ X 80’ or approximately 4,000 SF.

This plat amendment proposes to adjust the building pad to adapt to the current design for a proposed residence. The new building pad is proposed to be the same square footage as the platted building pad and in the same location.

Exhibit D – Aerial Photograph

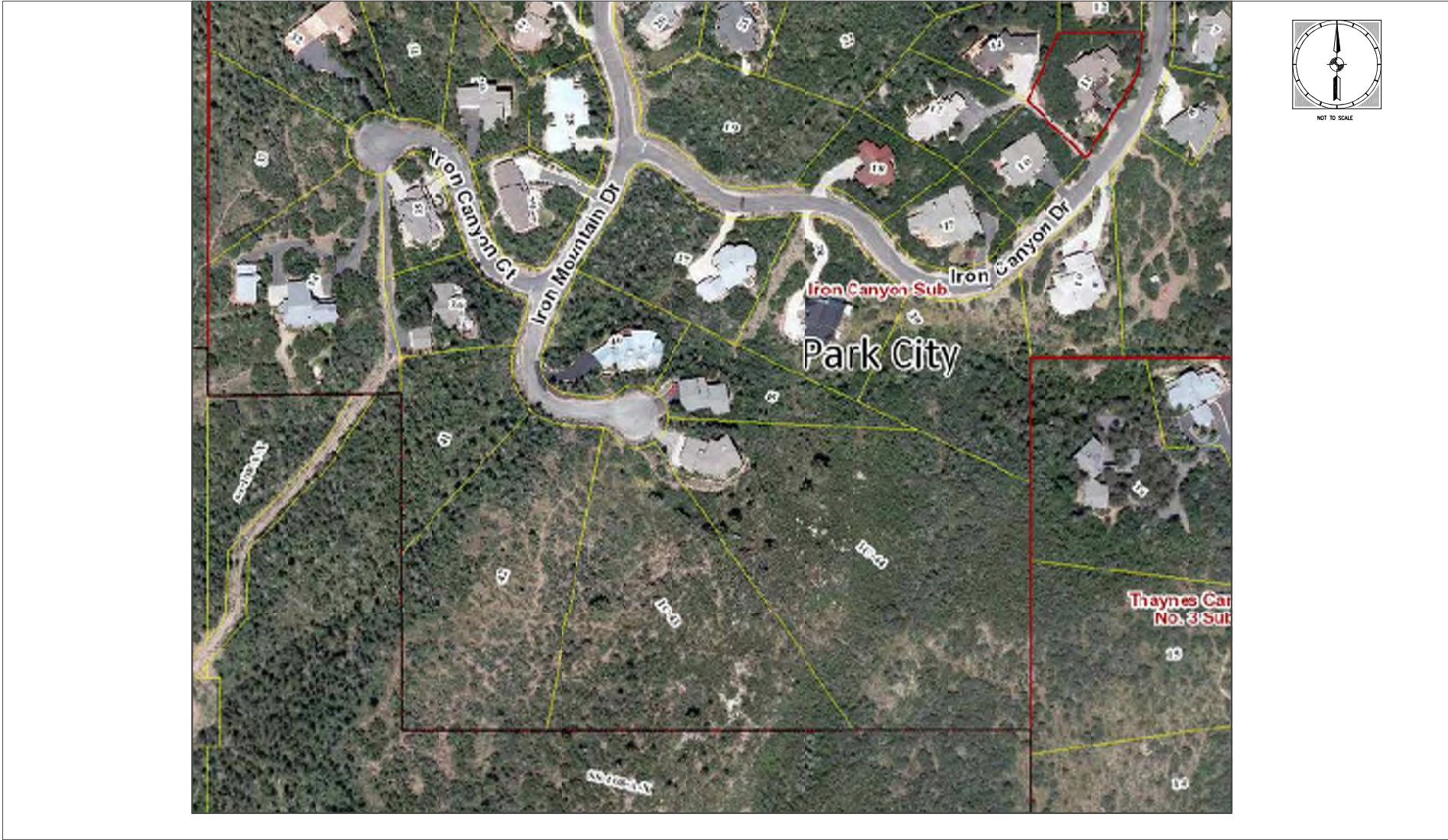


Exhibit E – Site Photographs

Conti Plat Amendment Application



Conti Property-North Boundary Looking South



Conti Property-North Boundary Looking Southwest



Conti-mid-property-Looking Southwest

February 16, 2017

Conti Plat Amendment Application



Conti-mid-property-Looking Southeast



Conti-mid-property-Looking Southwest

February 16, 2017

Conti Plat Amendment Application



Conti Property-Northwest Boundary Looking East

February 16, 2017

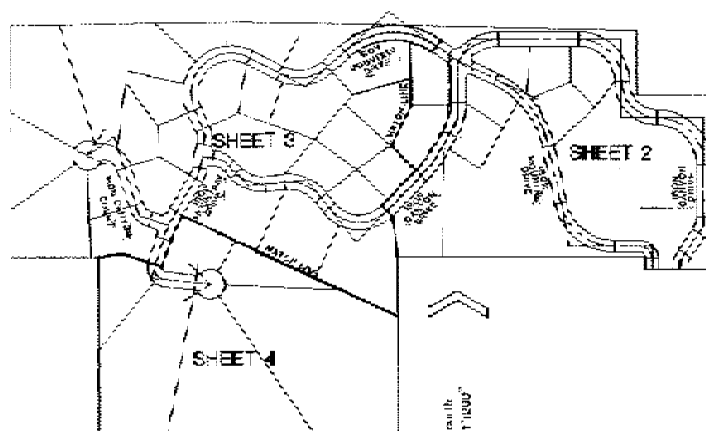
Conti Plat Amendment Application



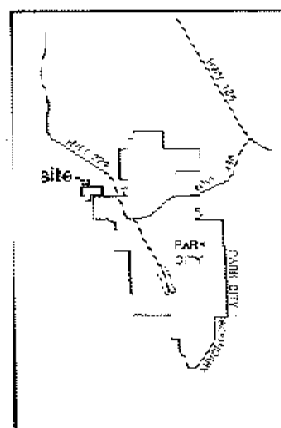
Conti-mid-property-Looking Southwest

February 16, 2017

Exhibit F– Iron Canyon Subdivision Plat



INDEX MAP

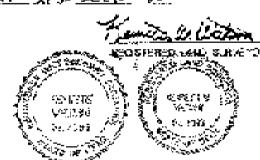


VICINITY MAP

SURVEYOR'S CERTIFICATE

[illegible]

29 Sept 1952



LEGAL DESCRIPTION

1562 G. J. P. VAN DER KAM ET AL.

A portion of this location is the U.S. left of Section 5 with an N.W. 1/4 of Section 6, T15N, R2E, S2E. Soil: Dark Ash and description being Section 6 being located as follows:

[illegible]

OWNER'S DEDICATION

KNOW ALL BY THESE PRESENTS THAT THE FOREGOING OWNERS OF THE DESCRIBED TRACT OF LAND HEREBY GRANTING AND CONVEYING THE SAME TO BE SUBDIVIDED INTO EIGHT SECTIONS TO BE HEREINAFTER DESIGNATED AS SECTION 1, TO BE HEREINAFTER DESIGNATED FOR THE PURPOSE OF THE PUBLIC UTILITIES OF THE CITY OF CHICAGO, AS AUTHORIZED FOR PUBLIC USE, THE DO WARRANT, DEFEND AND SAVE THE CITY AGAINST CLAIMS AND DEMANDS OF OTHER INTERESTED PARTIES IN THE DESCRIBED SECTIONS WHO MAY INTERFERE WITH THE CITY'S OPERATION AND MAINTENANCE OF THE STREETS AND TO HEREINAFTER DEEDS THE EXECUTION OF THIS DEED.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 23 DAY OF APRIL, 1964.

SG-ED James Earl Ray James Earl Ray SG-ED[illegible]

1. **NAME** _____
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 217. **REMARKS** _____
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 219. **TIME** _____
 220. **LOCATION** _____

*SEC _____ *SEC* _____

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF KANE } ss.

ON THE 12 DAY OF October, A.D. 1968, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF Alameda, IN THE STATE OF CALIF., THE SIGNERS OF THE ABOVE-ENTITLED CERTIFICATE, ALL A NUMBER WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

NOTA: P.B.L.G.
FESTING: 0
NK COMPENSA EX-1115

NY COMBESD EX-443 16-2

TABLE 1. *Mean (SD) values of the variables measured in the 1000 subjects*

CITY COUNCIL APPROVAL

PRESENTED TO STATE CITY
CITY COUNCIL THIS 22ND DAY OF SEPTEMBER
A.D. 1985 John F. Williams, Mayor
ATTEST William L. Williams, Clerk

CITY ENGINEER

APPROVED AND ACCEPTED BY THE P&E
CITY ENGINEERING DEPARTMENT ON
 THIS 20th DAY OF NOVEMBER A.D. 1988
Chris A. Dwyer P.E.
 CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE BOARD
CITY PLANNING COMMISSION ON THE 10th DAY
OF September A.D. 1990.

APPROVAL AS TO FORM

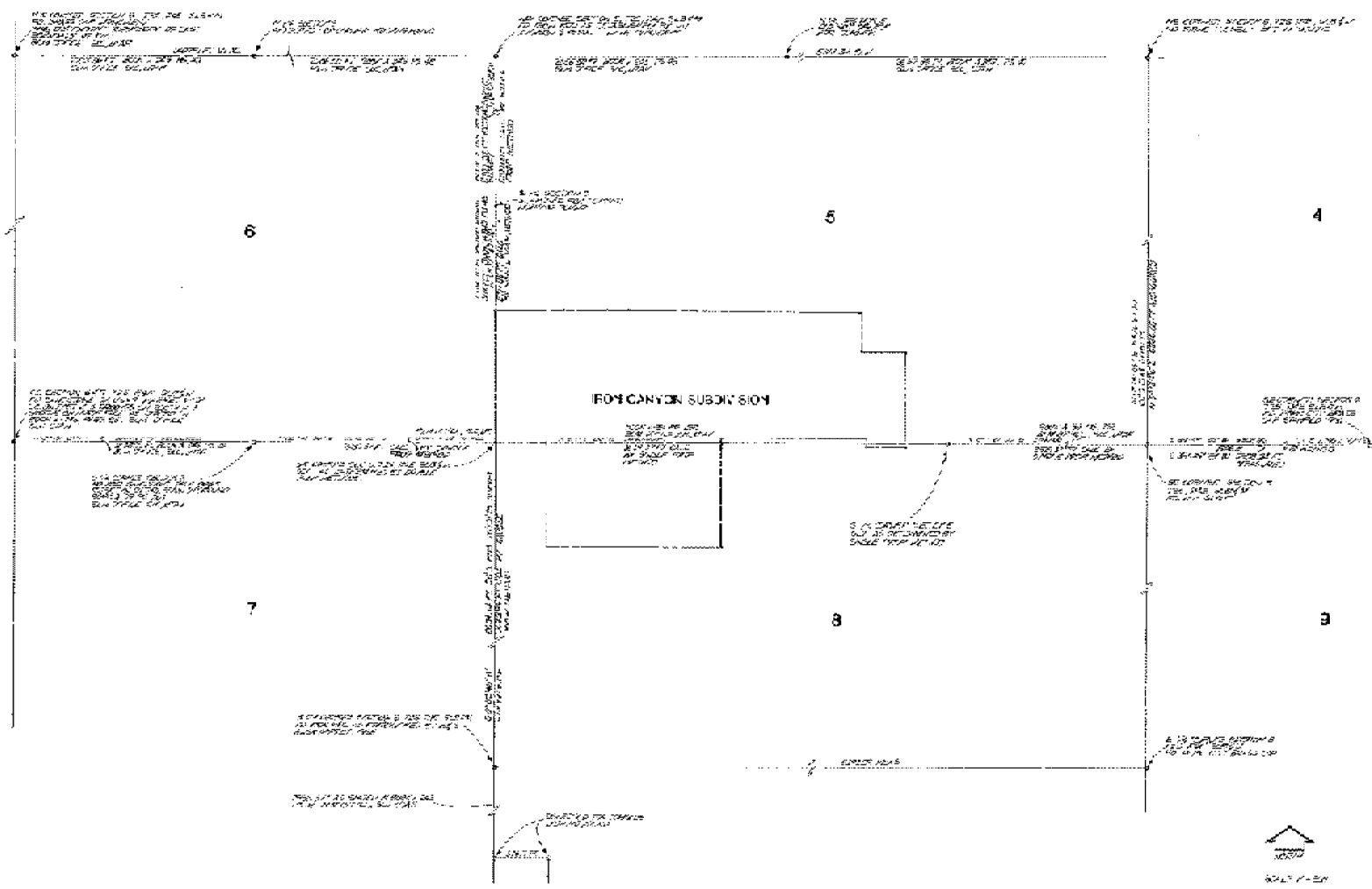
APPROVED AS TO FORM ON THIS 27
Day of October A.D. 1925.

James E. McLaughlin

RECORDED

234580
 STATE OF Utah
 COUNTY OF Salt Lake
 RECORDED AND FILED AT THE REQUEST OF
William F. Smith
 COUNTY RECORDER

**ECKHOFF, WATSON and
PREATOR ENGINEERING**
ENGINEERS
PLANNERS
CONSTRUCTORS



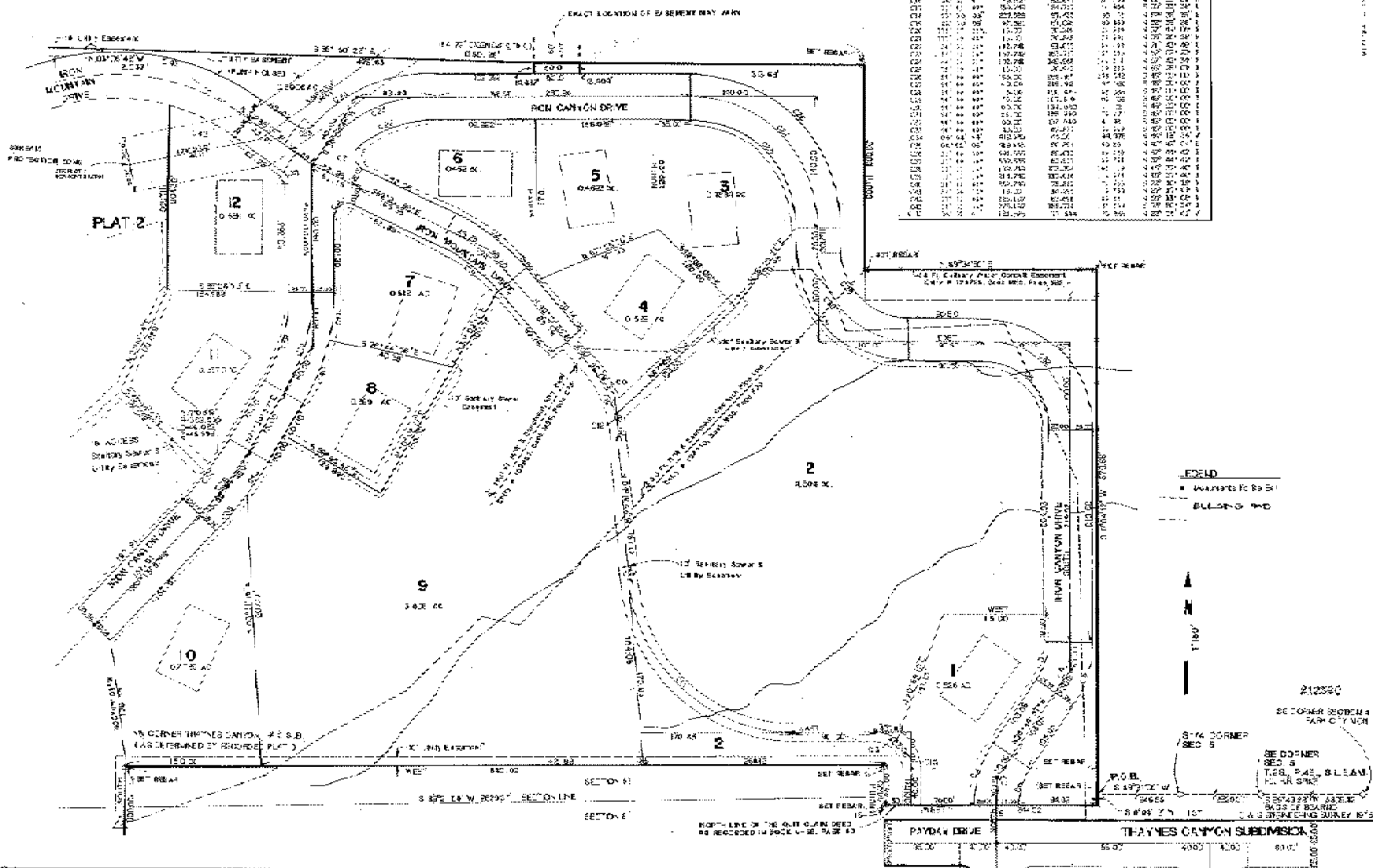
**ECKHOFF, WATSON and
PRETOR ENGINEERING**
PLANNERS • ENGINEERS • SURVEYORS



IRON CANYON
SECTION CONTROL

THIS BOYER COMPANY
SHELL 10 OF 6

DATE: 10/1/00
BY: [Signature]
CHECKED: [Signature]
APPROVED: [Signature]







Packet Pg. 225

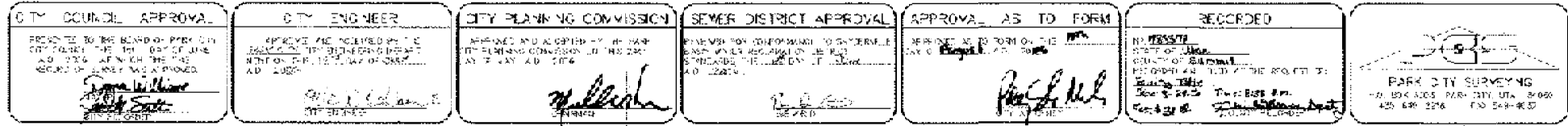
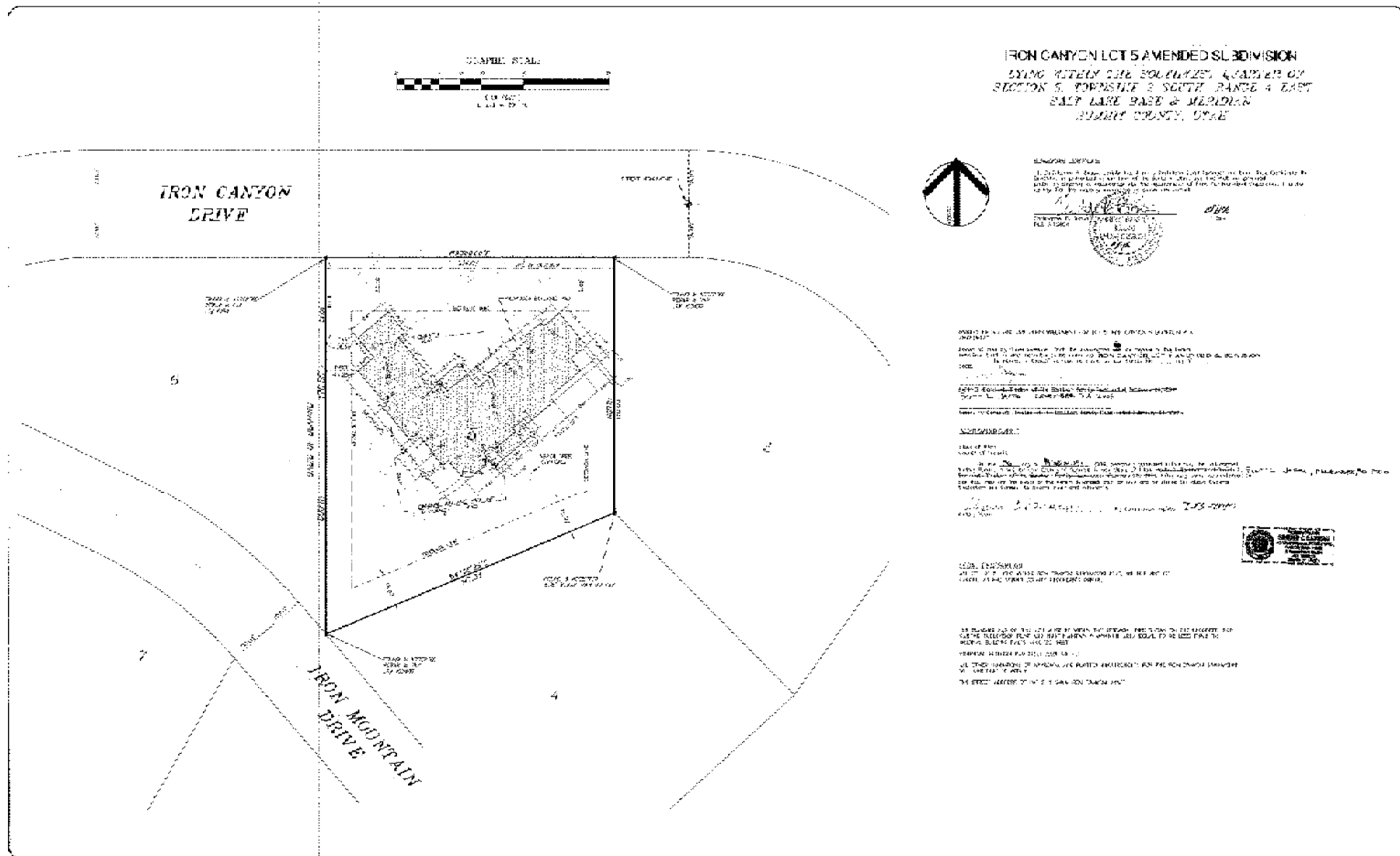
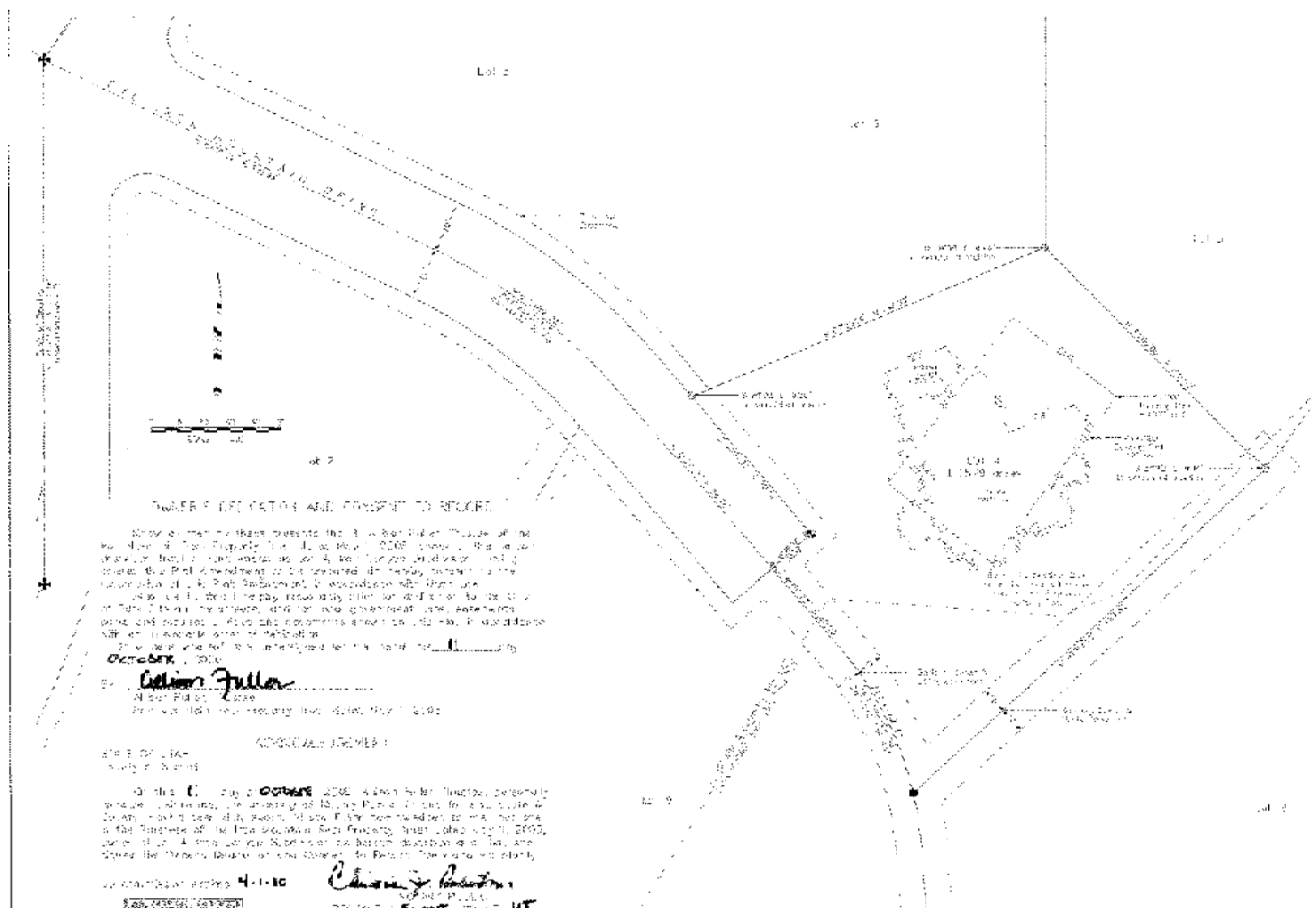


Exhibit I – Iron Canyon Lot 5 Amended Subdivision



CITY COUNCIL APPROVAL RESOLVED THE BOARD OF PARK CITY CITY COUNCIL, THIS 27TH DAY OF SEPTEMBER A.D. 2008, AT WHICH TIME THE REPORT TO COUNCIL WAS RECEIVED. 	CITY ENGINEER APPROVED AND ACCEPTED BY THE CITY ENGINEER, PARK CITY, UTAH, ON THE 27TH DAY OF SEPTEMBER A.D. 2008. 	CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THE 17TH DAY OF SEPTEMBER A.D. 2008. 	SEWER DISTRICT APPROVAL APPROVED FOR CONFORMANCE TO THE CITY OF PARK CITY, UTAH, AND THE CITY OF PARK CITY, UTAH, ON THE 17TH DAY OF SEPTEMBER A.D. 2008. 	APPROVAL AS TO FORM APPROVED AS TO FORM ON THE 27TH DAY OF SEPTEMBER A.D. 2008. 	RECORDED IN 111111, PAGE 18, BOOK TIME 11:11 AM COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF PARK CITY SURVEYING, INC. FOR 15.00 	 PARK CITY SURVEYING, INC. P.O. BOX 5005, PARK CITY, UTAH 84060 435-649-2278 FAX 435-649-1070
---	--	--	---	---	---	---

Iron Canyon Subdivision
Lot 4
Flat Amendment



1. The property is not being put to use.
2. The use of a property is being put to disuse.
3. Existing structures and/or physical improvements are being removed or altered.
4. The property is being sold or transferred to another owner.
5. The property is being sold or transferred to another owner and the use of the property is being put to disuse.
6. The property is being sold or transferred to another owner and the use of the property is being put to disuse.
7. The property is being sold or transferred to another owner and the use of the property is being put to disuse.
8. The property is being sold or transferred to another owner and the use of the property is being put to disuse.

Chadwick, a 41-year-old St. Albans, Vermont, resident, is the officer in charge, and in this case worked in the office of the Justice. Justice Department records for 1974 show that he was

... College, a half-acre and Surveyor is provided by the
and is the State of North Carolina License No. 191079, ex-
penses only that I have received a copy of the same
attached project and will be that it is not a copy from
the State of North Carolina.

[illegible][illegible]



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

The applicant is requesting to amend the existing Courchevel Condominiums at Deer Valley condominium plat for Unit B101 (Exhibit A). The amendment is a request to convert the existing common attic area into private area for Unit B101.

The Planning Commission reviewed the Condominium Plat amendment on April 12, 2017 and forwarded a **positive recommendation** to City Council with a unanimous vote 5-0 in favor of this item.

Respectfully:

Tippe Morlan, Planner

City Council Staff Report



PLANNING DEPARTMENT

Subject: Courchevel Condominiums at Deer Valley Sixth Amendment
Authors: Tippe Morlan, Planner II
Date: April 27, 2017
Type of Item: Legislative – Condominium Plat Amendment

Project Number:	PL-16-03208
Applicant:	Summit Engineering Group, Michael Johnston, representative of owner
Location:	2700 Deer Valley Drive East, Unit B101
Zoning:	Residential Development (RD-MPD) as part of the Deer Valley MPD
Adjacent Land Uses:	Condominium units, Deer Valley resort parking, open space
Reason for Review:	Condominium Amendments require Planning Commission review and City Council approval.

Executive Summary

The applicant is requesting to amend the existing Courchevel Condominiums at Deer Valley condominium plat for Unit B101 (Exhibit A). The amendment is a request to convert the existing common attic area into private area for Unit B101.

The Planning Commission reviewed the Condominium Plat amendment on April 12, 2017 and forwarded a **positive recommendation** to City Council with a unanimous vote 5-0 in favor of this item.

Summary Recommendations

Staff recommends that the City Council hold a public hearing and consider **approving** the Sixth Amendment to Courchevel Condominiums at Deer Valley plat amending Unit B101 based on the findings of fact, conclusions of law and conditions of approval as stated in the draft ordinance.

Background

December 27, 1984 – The Courchevel Condominiums at Deer Valley plat was initially approved by the City Council. It was recorded at Summit County on December 31, 1984 (see Exhibit B) with 40 residential condominium units of 759 square feet each with 60 parking spaces in a shared underground garage.

November 1989 – A **plat amendment** was approved and recorded increasing the number of residential condominium units to forty-one (41) (see Exhibit B).

February 2012 – A **second plat amendment** was recorded converting 608 square feet of common attic area above each of Units B301 and B303 – 1,216 square feet total – to private area. The only exterior changes during this second amendment were the addition of windows on the south side of Building B (see Exhibit B). Additionally, this amendment removed Building A, an unbuilt building, from the

original plat leaving 27 condominium units and 29 parking spaces in this development. Buildings B and C were completed in 1988.

December 2012 – A **third plat amendment** was recorded converting 470 square feet of common attic area above Unit B202 to private area for an additional bedroom and bathroom (see Exhibit B).

January 14, 2013 – A **fourth plat amendment** was recorded converting 608 square feet of common attic area above Unit B304 to private area for an additional bedroom and bathroom. The only exterior change during the fourth amendment was the addition of a matching window on the south side of Building B (see Exhibit B).

September 4, 2014 – A **fifth plat amendment** was recorded converting 139 square feet of common space to private area for Unit C301 to construct a private loft space with no exterior changes.

June 2016 - The City received an application for a **sixth amendment** to the Courchevel Condominiums at Deer Valley plat (Exhibit A). However, after the application was received, City staff noted that there was no HOA approval for the application.

February 2017 – The Courchevel Condominium Owner's Association voted to approve the conversion of Common Area to Private Area for Unit B101, with more than two thirds of members voting in favor of this amendment. At that point the application was complete and go move forward.

April 12, 2017 – The Planning Commission reviewed this item and issued a **positive recommendation** to the City Council. No public comment was given at the public hearing.

Residential District Zone Purpose

The purpose of the Residential Development RD District is to:

- A. allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,
- B. encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
- C. allow commercial and recreational activities that are in harmony with residential neighborhoods,
- D. minimize impacts of the automobile on architectural design,
- E. promote pedestrian connections within Developments and between adjacent Areas; and
- F. provide opportunities for variation in architectural design and housing types.

Analysis

The Courchevel Condominiums are located at 2700 Deer Valley Drive East within the Deer Valley community portion of the Deer Valley Resort Master Planned Development (MPD). This current application requests conversion of 314.4 square feet of common

attic space above Unit B101 to private area for an additional bedroom and bathroom. There are no exterior changes proposed, although a new window will be required in order to use this as living space.

The proposed amendment is consistent with the purpose statements of the district in that the use as residential condominiums is unchanged, the additional floor area is proposed within the existing structure minimizing site disturbance, preserving the existing natural open space, and minimizing impacts of development. The additional floor area exists as loft space and there are no exterior changes.

Deer Valley MPD Requirements

The property is subject to the following criteria:

	Permitted through MPD	Proposed
Height	Height allowed in the Deer Valley Master Plan for the Courchevel parcel is 35' from existing grade.	No additional building height is proposed. All proposed construction is within the existing building envelope and roof. Building complies with the 35' height allowance.
Front setback	Twenty feet (20')	No construction is proposed into the existing 20' front setbacks.
Rear setback	Fifteen feet (15')	No construction is proposed into the existing 15' rear setbacks.
Side setbacks	Twelve (12')	No construction is proposed into the existing 12' side setbacks.
Residential Unit Equivalents	Allowed: 13.5 UEs Existing: 11.39 UEs 22 units at 759 square feet, 3 units at 1,367 square feet, 1 unit at 1,229 square feet, and 1 unit at 898 square feet for an existing total of 22,926 square feet	Proposed increase of 314.4 square feet totaling 23,240.4 square feet. (11.62 UE). Unit B101 will be 1,073.4 square feet in area with approval of this plat amendment.
Commercial and Office uses Support uses	No commercial or office uses exist	No commercial or office uses are proposed.
Parking	Existing: 31 spaces underground for 27 units Required: 29 spaces 1 space per unit less than 1,000 SF (23 units), and 1.5 spaces per unit between 1,000 SF and 2,000 SF (4 units).	One half space of additional parking is required for the additional 314.4 square feet added to B101 since the unit increases to a size above 1,000 total square feet and under 2,000 total square feet.

The building does not exceed the allowable 35' building height and there are no non-conforming setback issues. All construction is proposed within the existing building envelope.

Unit Equivalents

The property is subject to requirements and restrictions of the Deer Valley Resort 12th Amended and Restated Large Scale Master Planned Development (MPD). Under this MPD, Unit Equivalents (UEs) are calculated at 2,000 square feet for each UE. The MPD originally allowed up to 20.5 UEs, or 41,000 square feet of residential floor area (within units), for the Courchevel parcel. The MPD was amended in 2001 to transfer seven (7) UEs as 14,000 square feet to the Silver Baron condominium project, adjacent to the north, leaving 13.5 UEs for the Courchevel property. At 2,000 square feet per UE, the total allowable residential square footage is 27,000 square feet. The existing residential square footage for the 27 condominium units is 22,926 square feet.

In reviewing the density and unit equivalent calculations, staff finds that there are currently 11.46 UEs, and there would be 11.62 UEs if the Sixth Amendment is approved. Unit B101 would increase by 314.4 square feet from 759 square feet to 1,073.4 square feet, and the total square feet would increase to 23,240.4 square feet (11.62 UEs) for the project. The proposed plat amendment would increase the total residential floor area by 314.4 square feet to 23,240.4 square feet; therefore, the request would not exceed the allowed 13.5 UEs (27,000 square feet) for the property. There are 3,759.6 square feet (1.88 UEs) remaining allocated to this project.

Parking

The current LMC requires one (1) parking space for any unit under 1,000 square feet and one and a half (1.5) spaces for any units greater than 1,000 square feet and less than 2,000 square feet. Since the proposed change increases the affected unit to 1,073.4 square feet, this adds a half parking space to the parking requirements for this project. The total number of required parking spaces would be 29.5 including the additional half space which would be required by this plat amendment.

This development has an underground parking structure beneath the condominium buildings with two (2) access driveways from to Deer Valley Drive East. Since there are thirty-one (31) existing parking spaces provided in this parking area, no new parking will be required.

There is undeveloped land on the property available for construction of additional off-street surface parking should it be necessary in the future; however lack of parking for this property has not been an issue in the past and sufficient parking for the proposed addition to Unit B101 can be provided within the existing parking structure. The property is located at the base area for Deer Valley Ski Resort and on the Park City bus route.

Good Cause

Planning Staff finds that there is good cause for this plat amendment to reflect the as-built conditions and allow the owner to utilize the existing common attic space in Unit B101 as private area without increasing the building footprint and without requiring additional parking, consistent with provisions of the Deer Valley MPD. Staff finds that the plat will not cause undue harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

Department Review

This project has gone through an interdepartmental review. There were no issues raised by any of the departments regarding this proposal that have not been addressed by the conditions of approval.

Notice

On March 30, 2017, the property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. On March 25, 2017, legal notice was also published in the Park Record and on the public notice website in accordance with the requirements of the LMC.

Public Input

Staff has not received public input on this application at the time of this report.

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. A Building Permit is publicly noticed by posting of the permit.

Alternatives

- The City Council may approve the Sixth Amendment to Courchevel Condominiums at Deer Valley plat amending Unit B101 as conditioned or amended; or
- The City Council may deny the Sixth Amendment to Courchevel Condominiums at Deer Valley plat amending Unit B101 and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the Sixth Amendment to Courchevel Condominiums at Deer Valley plat amending Unit B101 to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The unit and loft would remain as is and no construction could take place across the existing lot lines or into the common area.

Recommendation

Staff recommends the City Council hold a public hearing, consider input and consider **approval** of the Sixth Amendment to Courchevel Condominiums at Deer Valley plat amending Unit B101, based on the findings of fact, conclusions of law and conditions of approval as stated in the draft ordinance.

Exhibits

Ordinance

Exhibit A – Proposed 6th amended plat

Exhibit B – Existing plats

Exhibit C – Aerial photographs

Exhibit D – Applicant letter

Ordinance No. 2017-19

AN ORDINANCE APPROVING THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY SIXTH AMENDED, LOCATED AT 2700 DEER VALLEY DRIVE EAST, PARK CITY, UTAH

WHEREAS, the owner of the property known as the Courchevel Condominiums, located within the Deer Valley Community of the Deer Valley Resort Twelfth Amended and Restated Large Scale Master Planned Development (MPD) has petitioned the City Council for approval of a request for an amendment to the plat to convert the common attic space in Unit B101 to private area; and

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

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

WHEREAS, the Planning Commission held a public hearing on April 12, 2017, to receive input on the amended plat;

WHEREAS, the Planning Commission, on April 12, 2017, forwarded a recommendation to the City Council; and,

WHEREAS, on ____, 2017, the City Council held a public hearing on the amended plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Courchevel Condominiums at Deer Valley Sixth Amended plat to reflect as-built conditions and allow the owner to utilize the attic space in Unit B101 as private area without increasing the building footprint or parking requirements beyond existing conditions, consistent with provisions of the Deer Valley MPD, as amended (12th Amended MPD).

WHEREAS, Staff finds that the plat will not cause undue harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

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 Sixth Amended Courchevel Condominiums plat, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 2700 Deer Valley Drive East.
2. The Courchevel Condominium at Deer Valley plat was approved by the City Council on December 27, 1984 and recorded at Summit County on December 31, 1984.

3. The Courchevel Condominiums at Deer Valley plat recorded 40 residential condominium units of 759 square feet each with 60 parking spaces in a shared underground garage.
4. There are two (2) access driveways from the garage to Deer Valley Drive East.
5. In November of 1989, an amended plat was approved and recorded increasing the number of residential condominium units to forty-one (41).
6. In February of 2012, a second plat amendment was recorded. This second amendment converted 608 square feet of common attic area above each of Units B301 and B303, 1,216 square feet total, to private area.
7. Two of the three approved Courchevel buildings (Buildings B and C) were constructed beginning in 1984 and completed in 1988. Building A was never constructed.
8. The second amendment reflected that Building A was not built and removed it from the plat.
9. In December of 2012, a third plat amendment was recorded. This third amendment converted 470 square feet of common attic area above Unit B304 to private area.
10. In January of 2013, a fourth plat amendment was recorded. This fourth amendment converted 608 square feet of common attic area above Unit B202 to private area.
11. In January of 2013, a fifth plat amendment was recorded. This fifth amendment converted 139 square feet of common space to private area for Unit C301.
12. Currently there are 27 condominium units and 31 underground parking spaces.
13. Each existing condominium unit contains 759 square feet, except for Units B301, B303, and B304, which contain a total of 1,367 square feet, Unit B202 which contains 1,229 square feet, and Unit C301 which contains 898 square feet. Unit B101, if approved, will contain 1073.4 square feet.
14. The property is subject to requirements and restrictions of the Deer Valley Resort 12th Amended and Restated Large Scale MPD.
15. The MPD originally allowed up to 20.5 UEs for the Courchevel parcel.
16. The MPD was amended in 2001 to transfer seven (7) UEs as 14,000 square feet to the Silver Baron condominium project, adjacent to the north, leaving 13.5 UEs for the Courchevel property.
17. At 2,000 square feet per UE, the total allowable residential square footage is 27,000 square feet. The existing residential square footage for the 27 condominium units is 23,240.4 square feet, including the pending 314.4 square feet for Unit B101 subject to approval of the Sixth Amendment.
18. On June 9, 2016, the City received a completed application for a Sixth Amendment to the Courchevel Condominiums at Deer Valley plat requesting conversion of 314.4 square feet of common attic space above Unit B101 to private area.
19. Unit B101 is located on the second floor of Building B.
20. In February 2017, Courchevel Condominium owner's association voted unanimously (with more than 2/3rds of members voting) to approve the conversion of 314.4 square feet of common attic space to private area for Unit B101.
21. There are no exterior changes proposed.
22. The proposed amendment is consistent with the purpose statements of the district.
23. Unit B101 would increase by 314.4 square feet from 759 square feet to 1,073.4 square feet, and the total floor area would become 23,240.4 square feet.
24. The total proposed UEs for the project, including the pending Sixth Amendment, would be 11.62 UEs.

25. The current Deer Valley MPD allows 13.5 UE for Courchevel Condominiums. If this amendment is approved and recorded there will be 3,759 square feet (1.88 UEs) of floor area remaining for future conversion of common area to private area. An additional 0.5 parking space would be required for each unit that exceeds 1,000 square feet, unless a parking exception is approved by the Planning Commission per LMC Section 15-3-7.
26. The building does not exceed the allowable 35' building height and there are no non-conforming setback issues.
27. All construction is proposed within the existing building envelope.
28. The current LMC requires one and a half (1.5) spaces for each unit greater than 1,000 square feet and less than 2,000 square feet. The proposed Sixth Amendment complies with this requirement.
29. Twenty-nine and a half (29.5) parking spaces will be required and thirty-one (31) spaces will exist with approval of the Sixth Amendment.
30. The property is located at the base area for Deer Valley Ski Resort and on the Park City bus route.
31. The expanded unit would comply with the current parking code.

Conclusions of Law:

1. There is good cause for this amendment to the plat.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. The amended plat is consistent with the 12th Amended and Restated Deer Valley Master Planned Development.
4. Neither the public nor any person will be materially injured by the proposed plat amendment.
5. Approval of the plat amendment, subject to the conditions of approval, will 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 at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All conditions of approval of the Deer Valley Resort 12th Amended and Restated Large Scale MPD and the amended Courchevel Condominiums at Deer Valley plats shall continue to apply.
4. The applicant may submit an application for a building permit according to City procedures after this plat amendment has been recorded.

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

PASSED AND ADOPTED this 27th day of April, 2017.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

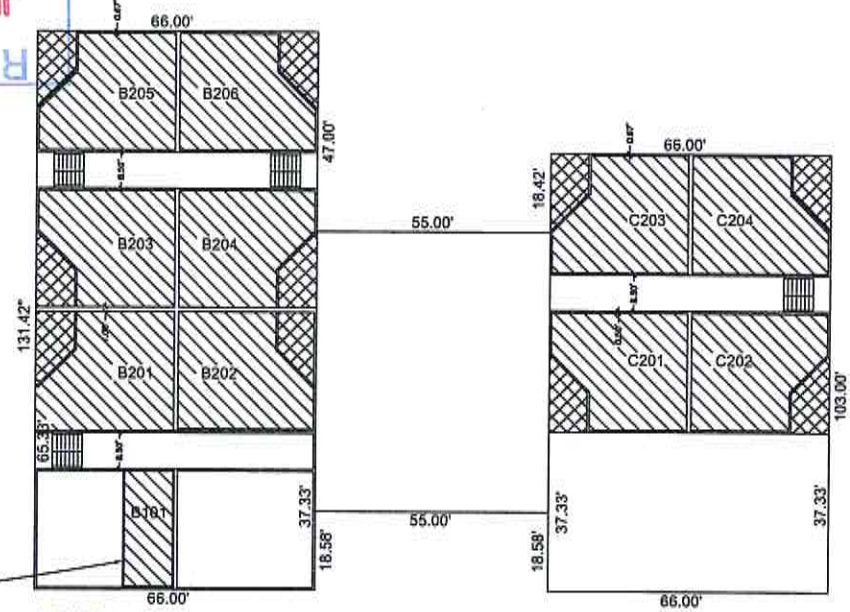
City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

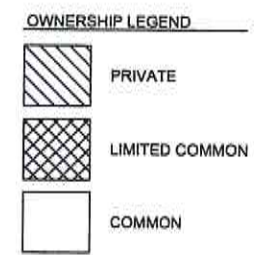
EXHIBIT A

RECEIVED
JUN 9 6 0 2016
PLANNING DEPT.



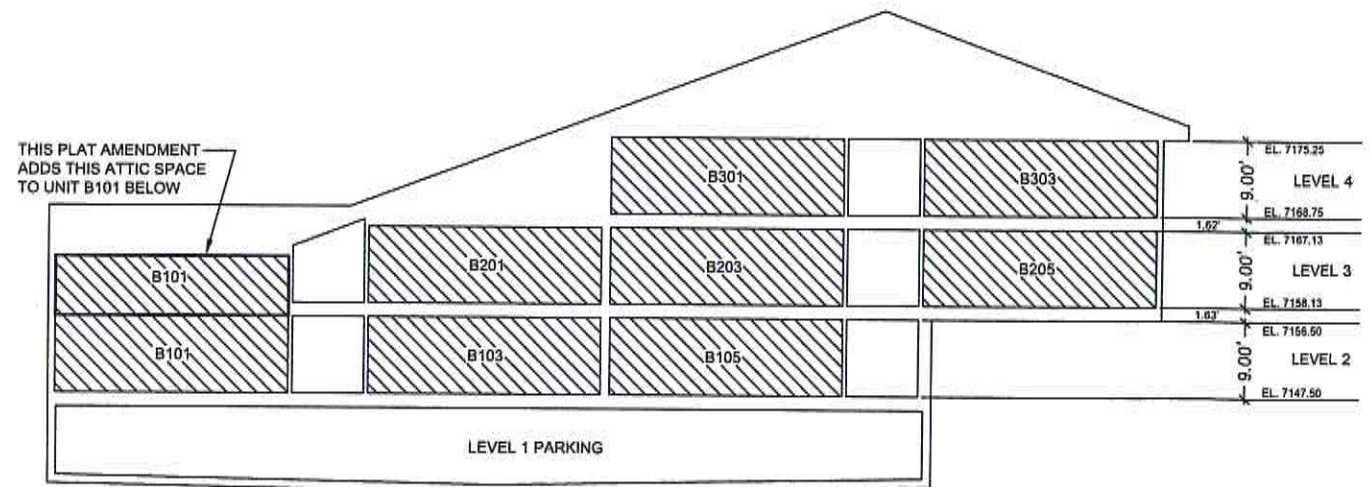
LEVEL 3 FLOOR PLAN
SCALE: 1" = 20'

THIS PLAT AMENDMENT
ADDS THIS ATTIC SPACE
TO UNIT B-101 BELOW



TABULATIONS

UNIT B-101
PRIVATE AREA = 813.8 SQ. FT. ON LEVEL 2
PRIVATE AREA = 314.4 SQ. FT. ON LEVEL 3
LIMITED COMMON AREA = 124 SQ. FT.



CROSS-SECTION 'B' - NORTH
SCALE: 1" = 10'

PLAT NOTES

1. THIS PLAT REPRESENTS AN AMENDMENT OF UNIT B-101 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER (RECORDATION NUMBER 229319). THIS AMENDMENT CONVERTS EXISTING COMMON AREA ATTIC SPACE INTO PRIVATE AREA FOR UNIT B-101. THE ATTIC SPACE IS LOCATED ON LEVEL 3 AS NOTED AND SHOWN HEREON.
2. ADDITIONAL UNITS ARE SHOWN HEREON FOR REFERENCE ONLY, AND ARE NOT CHANGED WITH THIS DOCUMENT. FOR INFORMATION ON ANY UNIT OTHER THAN B-101, REFER TO "COURCHEVEL CONDOMINIUMS AT DEER VALLEY" WITH RECORDATION NO. 220023, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AMENDED" WITH RECORDATION NO. 315605, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY SECOND AMENDED" WITH RECORDATION NO. 819912, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY THIRD AMENDED" WITH RECORDATION NO. 959442, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY FOURTH AMENDED" WITH RECORDATION NO. 961559, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY FIFTH AMENDED" WITH RECORDATION NO. 1002105 ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
3. COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS AMENDMENT ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
4. ALL CONDITIONS OF APPROVAL OF THE DEER VALLEY RESORT 10TH AMENDED AND RE-STATED LARGE SCALE MAP AND THE SECOND AMENDED COURCHEVEL CONDOMINIUMS AT DEER VALLEY SHALL CONTINUE TO APPLY.
5. THIS CONDOMINIUM PROJECT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 16-____.
6. THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION, AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER LINES.

CONDOMINIUM PLAT
**COURCHEVEL CONDOMINIUMS
AT DEER VALLEY
SIXTH AMENDMENT**
-A UTAH CONDOMINIUM PROJECT-

A PARCEL OF LAND LOCATED
IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

LEGAL DESCRIPTION OF COURCHEVEL CONDOMINIUMS AT DEER VALLEY

THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER AS ENTRY 229039, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH IS SOUTH 1747.2 FEET AND EAST 4305.17 FEET FROM THE EAST QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 25°00'00" WEST 214.03 FEET; THENCE NORTH 89°20'00" WEST 180.75 FEET TO A POINT ON A 838.15 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS LINE BEARS NORTH 82°30'56" WEST, OF WHICH THE CENTRAL ANGLE IS 06°49'04"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 111.83 FEET; THENCE NORTH 00°40'00" EAST 251.83 FEET; THENCE SOUTH 89°20'00" EAST 239.78 FEET; THENCE SOUTH 00°01'40" EAST 188.00 TO THE POINT OF BEGINNING.
CONTAINING 1.8228 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE 145795 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE PROPERTY SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE AMENDED SAID CONDO UNIT B-101 AS SHOWN HEREON. I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT AMENDMENT IS A CORRECT REPRESENTATION OF THE PROPERTY SURVEYED, AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 57-8-13 OF CHAPTER 8 OF THE CONDOMINIUM OWNERSHIP ACT, UTAH CODE TITLE 57.

BING CHRISTENSEN
PROFESSIONAL LAND SURVEYOR

DATE



OWNER'S CONSENT TO RECORD - H.O.A.

KNOW ALL MEN BY THESE PRESENT THAT COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION (THE ASSOCIATION), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE PROVISIONS OF SECTION 27 OF THE DECLARATION OF CONDOMINIUM OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFIES THAT IT HAS APPROVED THIS PLAT AMENDMENT TO BE PREPARED, AND ON BEHALF OF ALL OF THE UNIT OWNERS DOES HEREBY CONSENT TO THE RECORDATION OF THE PLAT.

COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION
A UTAH NON-PROFIT CORPORATION

BY: _____
SCOTT POWELL, PRESIDENT

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF SUMMIT

ON THIS ____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME SCOTT POWELL, WHO BEING DULY SWORN, DID SAY THAT HE IS PRESIDENT OF COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION, AND DULY ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF THE CORPORATION, AND FURTHER ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC

OWNER'S CONSENT TO RECORD - UNIT B-101

KNOW ALL MEN BY THESE PRESENT THAT I, THE UNDERSIGNED OWNER OF UNIT B-101 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFY THAT I CAUSED THIS PLAT AMENDMENT TO BE PREPARED, AND DO HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

BY: _____
MICHAEL DEAST

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF SUMMIT

ON THIS ____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME MICHAEL DEAST, WHO BEING DULY SWORN, DID SAY THAT HE IS THE OWNER OF UNIT B-101 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AND DULY ACKNOWLEDGED TO ME THAT HE SIGNED THE FOREGOING INSTRUMENT.

NOTARY PUBLIC

Summit Engineering Group Inc.
55 WEST CENTER • P.O. BOX 178
HEER CITY, UTAH 84032
P: 435-854-8229 • F: 435-854-9231

PROJECT NO.: 518-007
DRAWN BY: MPJ
REVIEWED BY: BC
APPROVED BY: BC
DATE: MAR 31, 2016

PARK CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2016.
CHAIR

PARK CITY ENGINEER
THIS PLAT IS IN CONFORMANCE WITH THE INFORMATION IN THE OFFICE OF THE PARK CITY ENGINEERING DEPT. ON THIS ____ DAY OF _____, 2016.
CITY ENGINEER

SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO THE SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2016.
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

PARK CITY ATTORNEY
APPROVED AS TO FORM ON THIS ____ DAY OF _____, 2016.
CITY ATTORNEY

CITY COUNCIL APPROVAL
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL ON THIS ____ DAY OF _____, 2016.
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THAT THIS PLAT AMENDMENT WAS APPROVED BY THE PARK CITY COUNCIL ON THIS ____ DAY OF _____, 2016.
CITY RECORDER

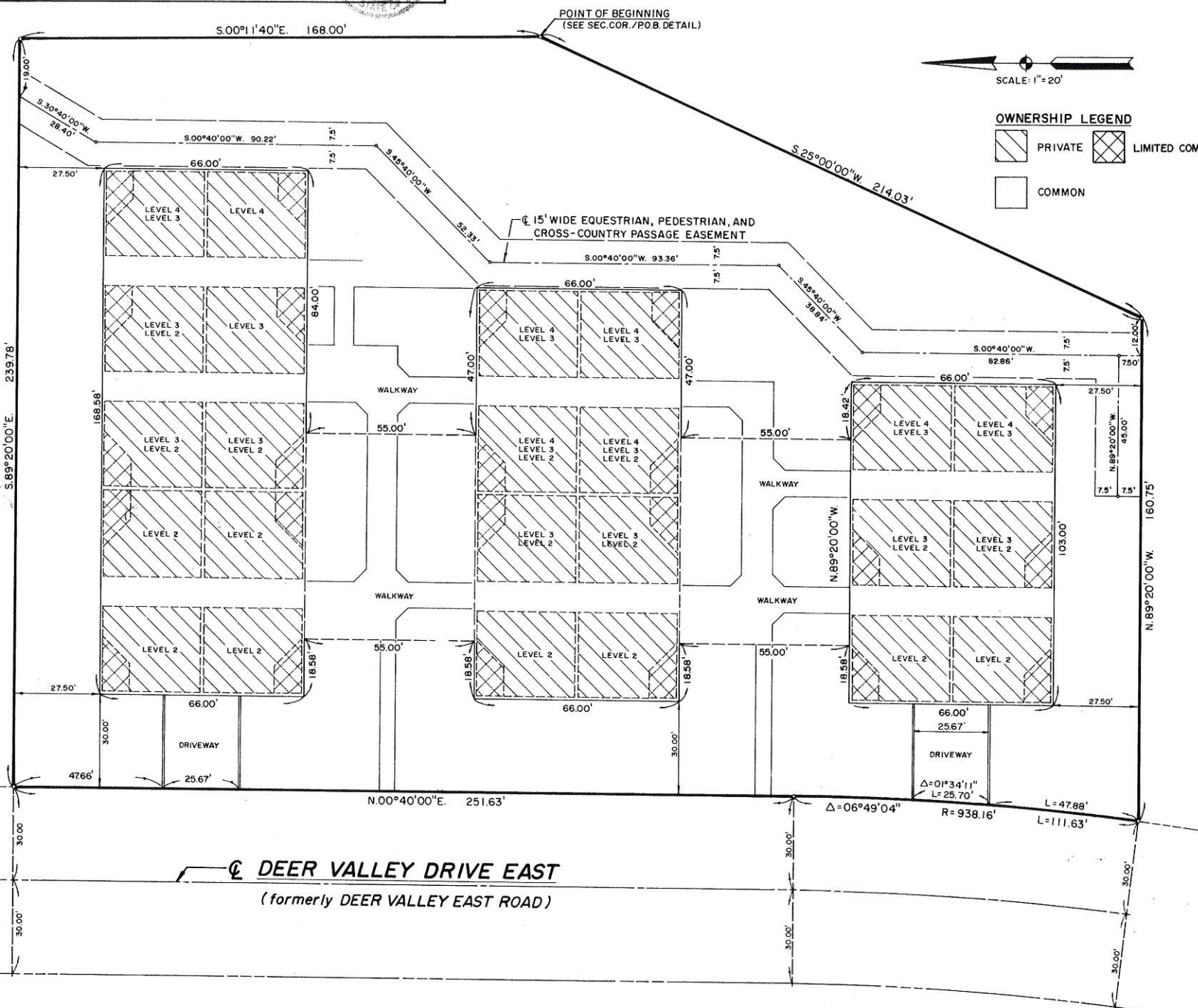
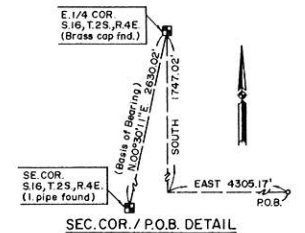
RECORDER
ENTRY NO. ____ BOOK ____ PAGE ____
STATE OF UTAH, COUNTY OF SUMMIT
DATE RECORDED AT THE REQUEST OF ____
SUMMIT COUNTY RECORDER

EXHIBIT B

SURVEYOR'S CERTIFICATE

I, James G. West, a Registered Land Surveyor holding License No. 3082 as prescribed under the laws of the State of Utah, do hereby certify that at the request of the owner identified hereon, I have prepared this Record of Survey Map, consisting of three pages. I further certify that the information shown hereon, to the best of my knowledge and belief, is accurate and complies with the provisions of Section 57-8-13 (1) of the Utah Code Annotated, as amended to date.

Dated this 11th day of July, 1984
 James G. West
 James G. West, R.L.S. No. 3082 - Utah



- NOTES:
1. The homeowners association is to maintain the sanitary sewer improvements.
 2. "a" indicates 5/8" rebar set at boundary corner.

COURCHEVEL CONDOMINIUMS

Beginning at a point which is South 1747.02 feet and East 4305.17 feet from the east quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 25° 00' 00" West 214.03 feet; thence North 89° 20' 00" West 160.75 feet to a point on a 938.16 foot radius curve to the left, the radius point bears North 82° 30' 56" West, of which the central angle is 06° 49' 04"; thence northerly along the arc of said curve 111.63 feet; thence North 00° 40' 00" East 251.63 feet; thence South 89° 20' 00" East 239.78 feet; thence South 00° 11' 40" East 168.00 feet to the point of beginning; containing 1.8226 acres, more or less.

OWNER'S CERTIFICATE AND CONSENT TO RECORD

KNOW ALL MEN THESE PRESENTS, that the undersigned declarant, Howe Development Utah, Inc., a Utah corporation, being the owner of the land described and shown hereon, having caused this Record of Survey Map to be prepared, does hereby consent to the recordation of the same hereafter to be known as Courchevel Condominiums at Deer Valley. Declarant hereby submits the property shown and described hereon, including the tract of land, buildings and other improvements constructed hereon or hereafter to be constructed, together with all appurtenances thereto, to the provisions of the Utah Condominium Ownership Act, as a condominium project and subject to the Declaration of Condominium recorded concurrently herewith. Owner hereby dedicates all easements as shown, and further certifies that buildings shown on this plat, but which are not yet under construction, will, when completed, be substantially as shown on this plat.

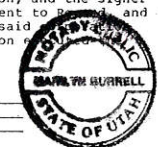
Executed this 12th day of July, 1984
 Howe Development Utah, Inc., a Utah corporation
 By: *Richard P. Howe*

ACKNOWLEDGEMENT

STATE OF UTAH)
) ss.
 COUNTY OF Summit)

On this 12th day of July, 1984, personally appeared before me *Richard P. Howe* who being by me duly sworn, did say that he is the *President* of Howe Development Utah, Inc., a Utah corporation, and the signer of the foregoing Owner's Declaration and Consent to Record, and that said instrument was signed in behalf of said corporation and he acknowledged to me that said corporation is the same.

Notary Public: *Marilyn Burrell*
 Residing at: *Park City, Utah*
 My Commission: *4-16-88*



COURCHEVEL CONDOMINIUMS
AT DEER VALLEY
 LOCATED IN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN IN PARK CITY, SUMMIT COUNTY, UTAH.
 SHEET 1 OF 3

original plat

CITY COUNCIL APPROVAL

PRESENTED TO THE PARK CITY COUNCIL THIS 27th DAY OF December, A.D. 1984, AT WHICH TIME THIS RECORD OF SURVEY MAP WAS APPROVED
William H. Homan
 MAYOR
James G. West
 ATTEST: CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS 18th DAY OF DECEMBER, A.D. 1984.
Brian W. Doherty, P.E.
 CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 16th DAY OF December, A.D. 1984.
James G. West
 CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 31st DAY OF December, A.D. 1984.
James G. West
 Asst. CITY ATTORNEY

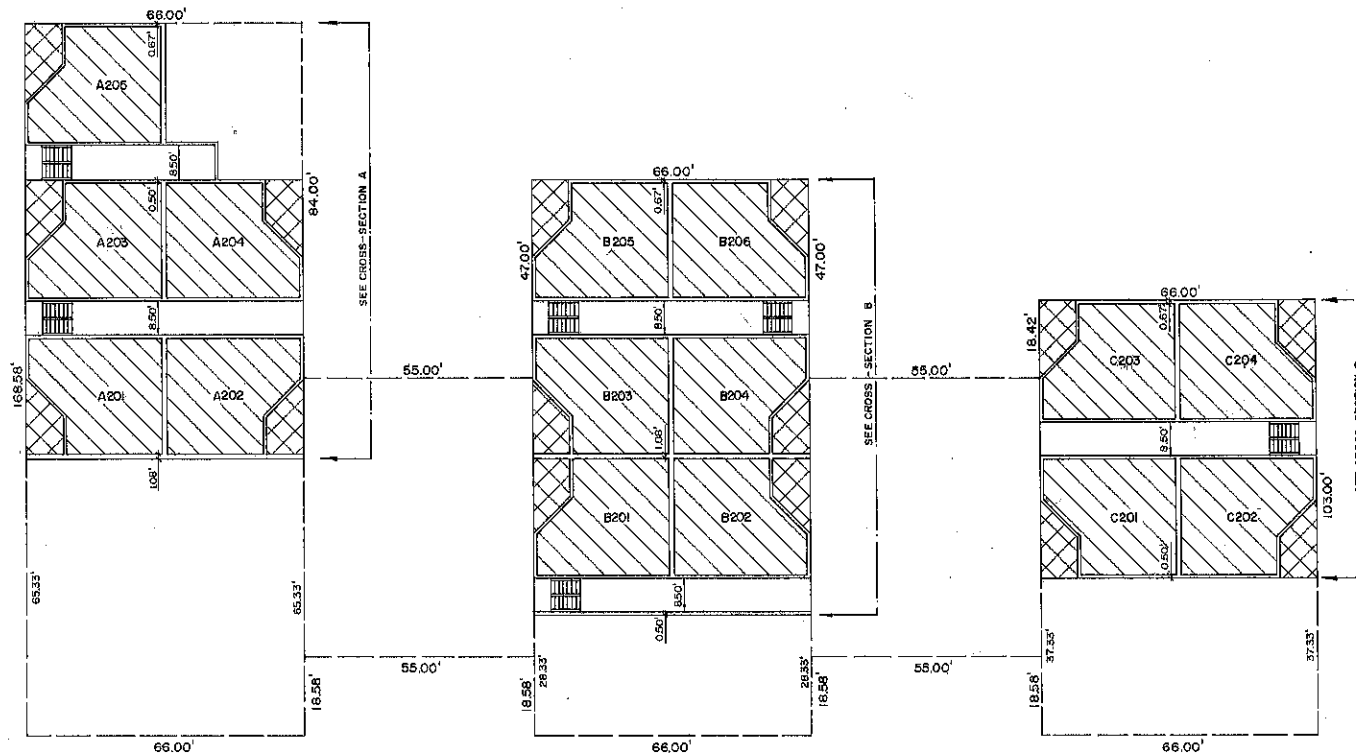
RECORDED

No. 229039
 STATE OF UTAH
 COUNTY OF SUMMIT
 RECORDED AND FILED AT THE REQUEST OF:
Summit County Title
 65.00
 FEES
Alan S. Jones
 COUNTY RECORDER

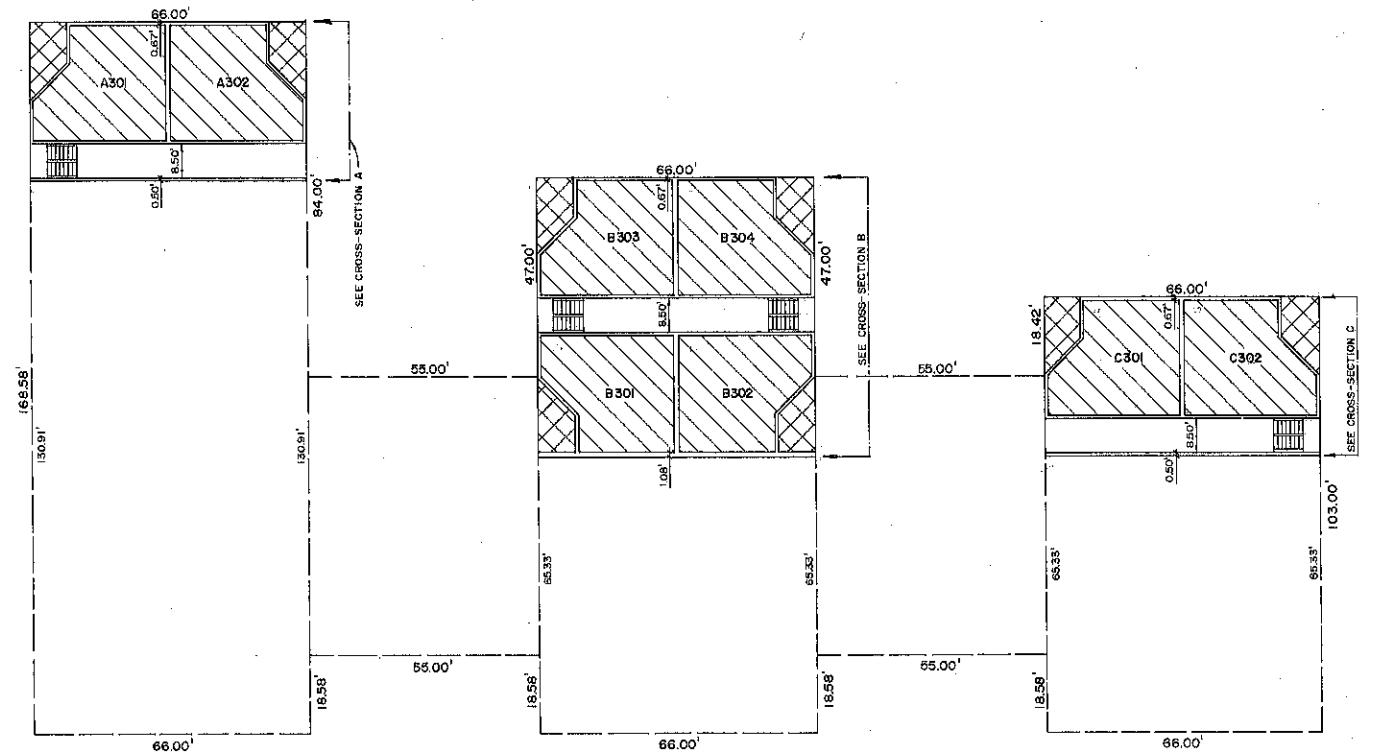
J.J. Johnson & Associates

Park Meadows Plaza,
 Highway 248
 Park City, Utah 84060
 (801) 649-9811
 JOB No. I-402-84

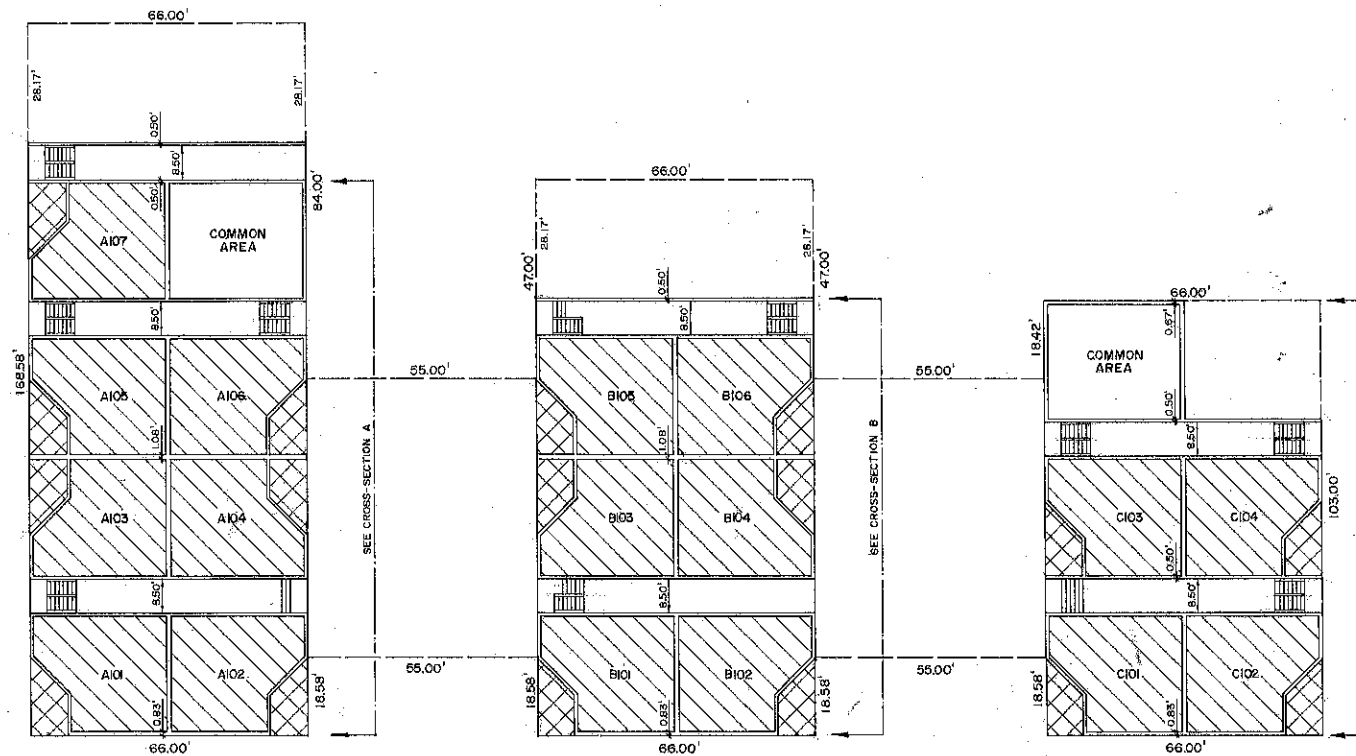




LEVEL 3 FLOOR PLAN SCALE: 1"=20'

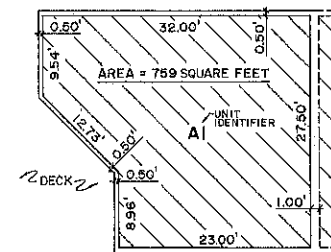


LEVEL 4 FLOOR PLAN SCALE: 1"=20'

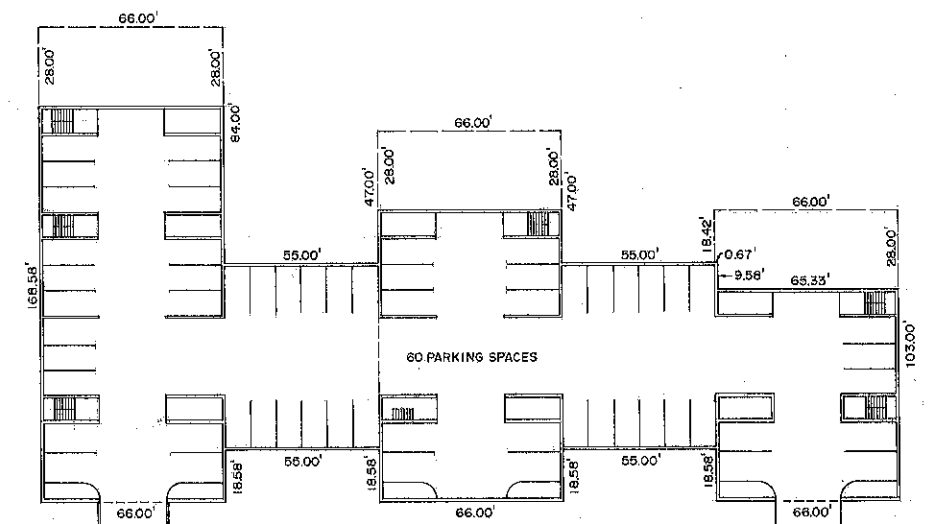


LEVEL 2 FLOOR PLAN SCALE: 1"=20'

- PRIVATE
 - COMMON
 - LIMITED COMMON
- OWNERSHIP LEGEND**



TYPICAL UNIT DETAIL



LEVEL 1 PARKING SCALE: 1"=30'

**COURCHEVEL
CONDOMINIUMS
SHEET 2 OF 3**

RECORDED

NO. 2291039

STATE OF UTAH

COUNTY OF SUMMIT

RECORDED AND FILED AT THE REQUEST OF:

Summit County Title

65.00

FEES

Alam...

COUNTY RECORDER

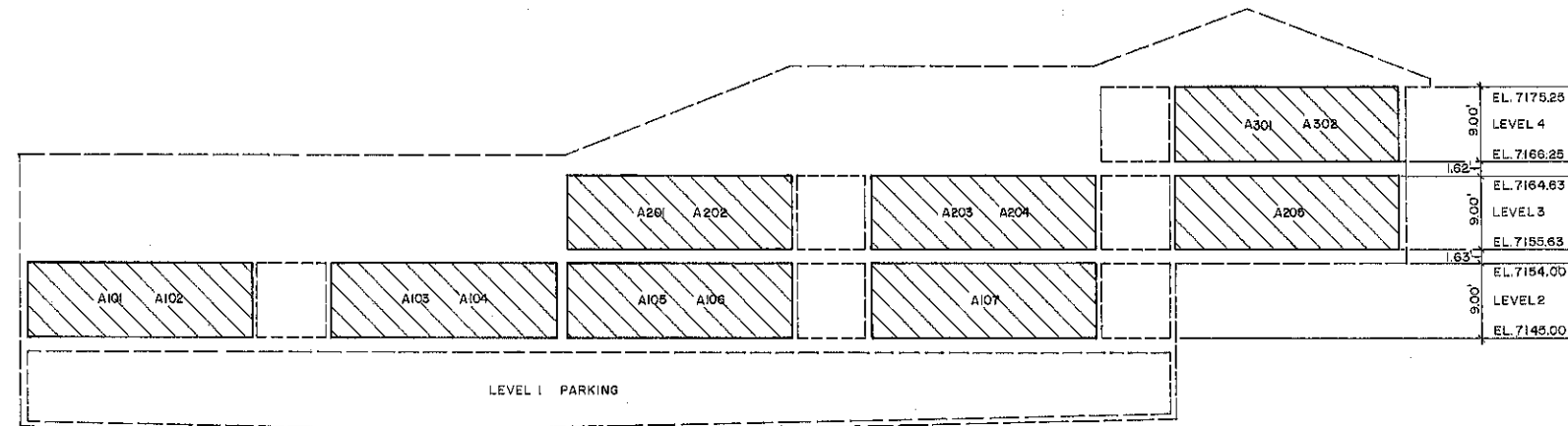
J.J. Johnson & Associates

Park Meadows Plaza,
Highway 248
Park City, Utah 84060

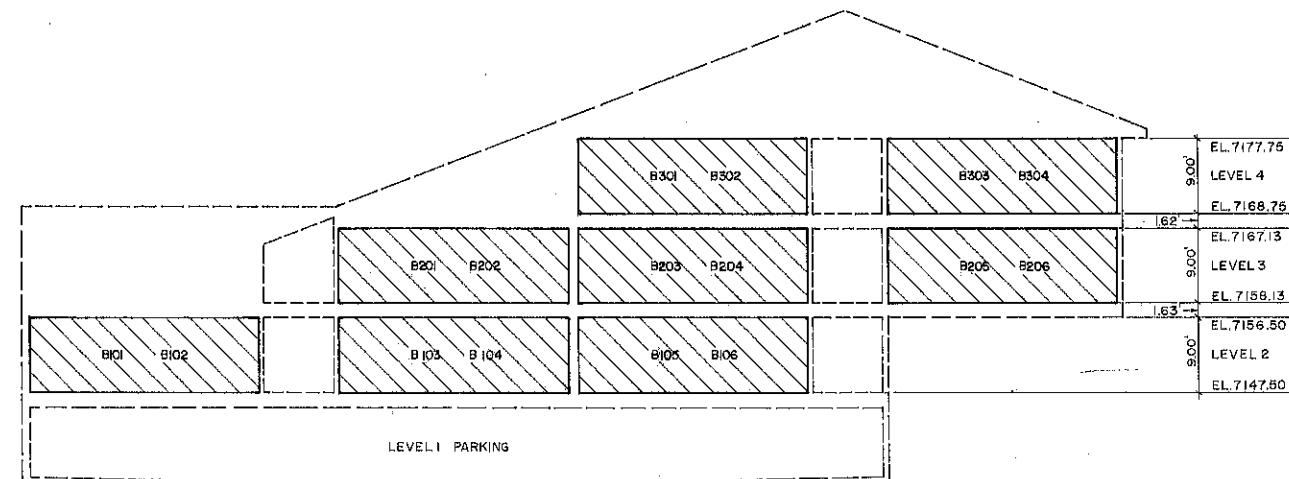
(801) 649-9811

JOB No. 1-402-84

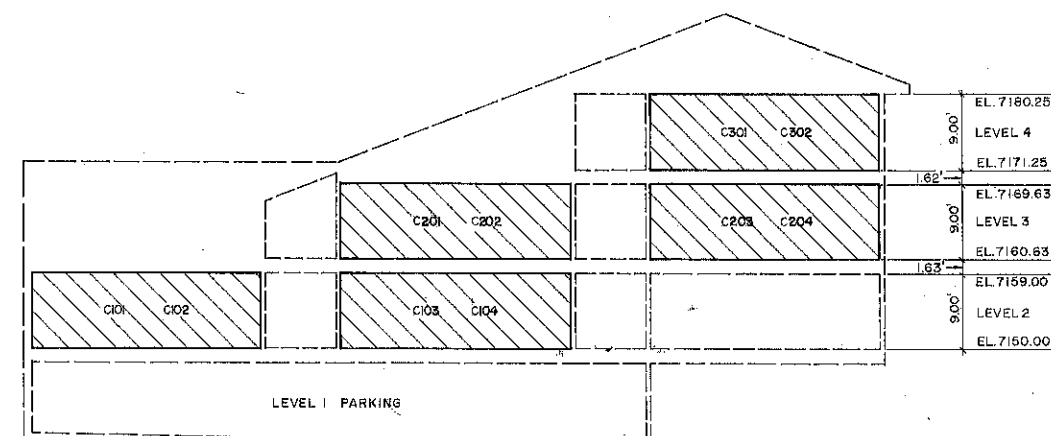




CROSS-SECTION A SCALE 1"=10'



CROSS-SECTION B SCALE 1"=10'



CROSS-SECTION C SCALE 1"=10'

OWNERSHIP LEGEND

-  PRIVATE
-  COMMON

BENCH MARK
TOP OF BRASS CAP IN MONUMENT BOX LOCATED AT THE INTERSECTION OF DEER VALLEY DRIVE EAST AND DOE PASS ROAD. ELEVATION: 7145.42.

ODD NUMBERED UNITS - NORTH
EVEN NUMBERED UNITS - SOUTH

**COURCHEVEL
CONDOMINIUMS
SHEET 3 OF 3**

RECORDED

NO. 229039 RECORDED 12-21-84
STATE OF UTAH at 4:35
COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF:
Summit County, Utah
65.00
FEES Alam COUNTY RECORDER

J.J. Johnson & Associates
Park Meadows Plaza,
Highway 24E
Park City, Utah 84080
(801) 649-9811
JOB No. 1-402-84



COURCHEVEL CONDOMINIUMS

Beginning at a point which is South 1747.02 feet and East 4305.17 feet from the east quarter corner of Section 16, Township 3 South, Range 4 East, Salt Lake Base and Meridian; thence South 25° 00' 00" West 214.03 feet; thence North 89° 20' 00" West 160.75 feet to a point on a 938.16 foot radius curve to the left, the radius point bears North 82° 30' 56" West, of which the central angle is 06° 49' 04"; thence northerly along the arc of said curve 111.63 feet; thence North 00° 40' 00" East 251.63 feet; thence South 89° 20' 00" East 239.78 feet; thence South 00° 11' 40" East 168.00 feet to the point of beginning; containing 1.8226 acres, more or less.

SURVEYOR'S CERTIFICATE

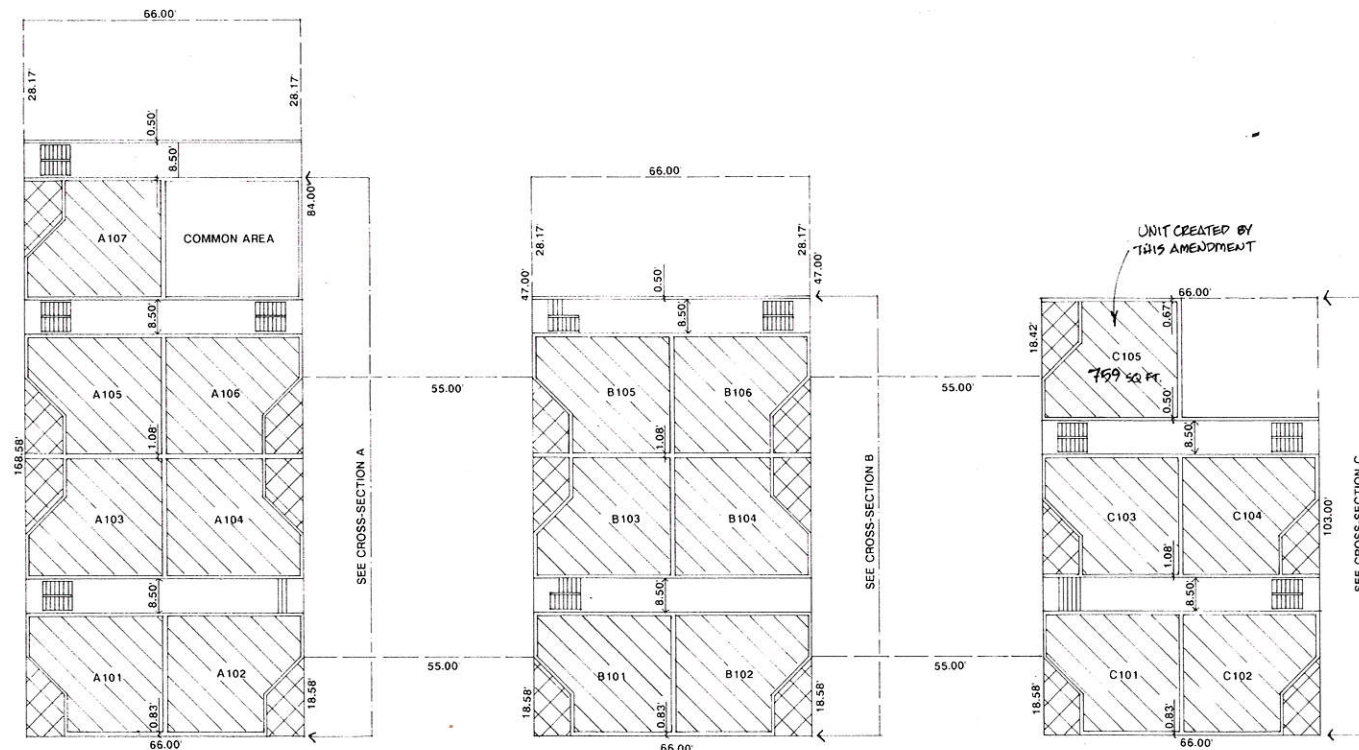
I, Rick S. Dunford, a Registered Land Surveyor holding License No. 5861 as prescribed under the laws of the State of Utah, do hereby certify that at the request of the owner's identified hereon, I have prepared the amended Record of Survey Map, Consisting of this one page amending the existing Courchevel Condominiums at Deer Valley Sheet No. 2 of 3 as recorded in the office of the Summit County Recorder on 12/31/84, instrument No. 229039. I further certify that the information shown hereon, to the best of my knowledge and belief, is accurate and complies with the provisions of section 57-8-13 (1) of the Utah Code Annotated, as amended to date.

Dated this 12TH day of OCTOBER, 1989

Rick S. Dunford
Rick S. Dunford, R.L.S. No. 5861 - Utah



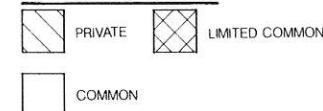
NOTE: THE CERTIFICATIONS FOR THIS PLAT ARE CONTAINED ON SEPARATE PAGES LOCATED IN FILE CABINET #1 CONDOMINIUMS



LEVEL 2 FLOOR PLAN SCALE: 1" = 20'



OWNERSHIP LEGEND



We the undersigned do hereby consent to the recordation of the first amendment to record of survey map, Courchevel Condominiums.

By Robert M. Wilson
Deer Valley Resort Company
By Robert M. Wilson
Robert M. Wilson
Vice President

COURCHEVEL CONDOMINIUMS

AT DEER VALLEY

AMENDED SHEET 2 OF 3

1ST
AMENDED

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF DEER VALLEY CITY COUNCIL THIS 5th DAY OF OCTOBER A.D. 1989, AT WHICH TIME THE RECORD OF SURVEY WAS APPROVED.

Donna L. Sheldon
MAYOR
CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE CITY ENGINEERING DEPARTMENT ON THIS 11th DAY OF OCTOBER A.D. 1989

Oris W. DeHaan, P.E.
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS 6th DAY OF OCTOBER A.D. 1989

Donald R. Whaley
CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 6th DAY OF OCTOBER A.D. 1989

James W. Cate
CITY ATTORNEY

RECORDED

No. 315605
STATE OF Utah
COUNTY OF Summit
RECORDED AND FILED AT THE REQUEST OF:
Western States Title
11-9-89
11:25 am
#46
Alan Springs
COUNTY RECORDER



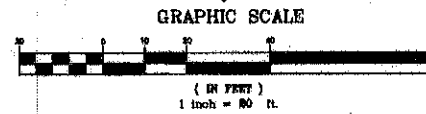
Land Planning Architecture Civil Engineering
1910 Prospector Ave., Suite 200 Park City, Utah 84060
801-645-9000 FAX 801-649-1620

CONDOMINIUM PLAT

COURCHEVEL CONDOMINIUMS AT DEER VALLEY

SECOND AMENDED

- A UTAH CONDOMINIUM PROJECT -
A PARCEL OF LAND LOCATED WITHIN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



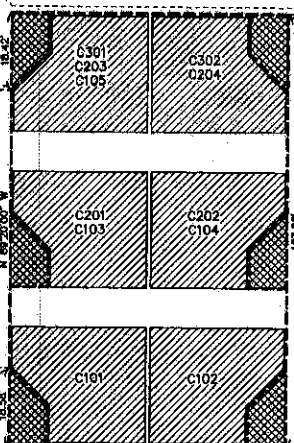
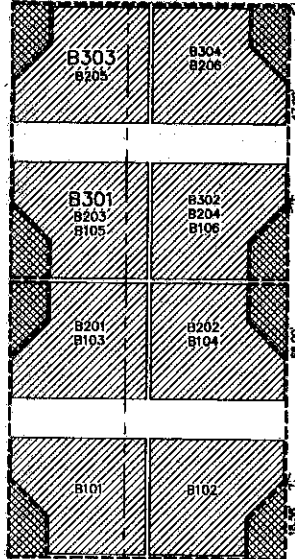
FOUND & ACCEPTED
REBAR & CAP
"R" POHL LS 173736"

S 00°11'40" E - 168.00'

FOUND & ACCEPTED
REBAR & CAP
"R" POHL LS 173736"

P.O.B.

BUILDING "A"
CONTAINS FOURTEEN (14) PLATTED
UN-BUILT UNITS.
ALL DENSITY PREVIOUSLY
CONTAINED WITHIN BUILDING "A", AS
UNITS A101, A102, A103, A104,
A105, A106, A107, A201, A202,
A203, A204, A205, A301, A302,
HAS BEEN TRANSFERRED TO THE
SILVER BARON LODGE.
A "DECLARATION OF RESTRICTIVE
COVENANT" IS ON FILE AND OF
RECORD IN THE OFFICE OF THE
SUMMIT COUNTY RECORDER, FILED
AS RECORDATION NO. 776531.
THIS DECLARATION PROHIBITS THE
OWNER OR ANY FUTURE OWNER OF
THE PROPERTY FROM BUILDING ON
THE PROPERTY, THEREBY
PRESERVING THE PROPERTY AS
OPEN SPACE AND INSURING THAT
THERE WOULD BE NO FURTHER USE
OF THE DENSITY WITH RESPECT TO
THE PROPERTY.



2700

DEER VALLEY DRIVE EAST

SOUTH - 1747.02'

BASIS OF BEARING S 00°30'11" W - 2530.02' (RECORD & MEASURED)

FOUND AND ACCEPTED
BRASS CAP MONUMENT
E. 1/4 COR. S.18,
T.2S, R.4E, S.L.B.&M.

FOUND AND ACCEPTED
REBAR & CAP
"R" POHL LS 173736"

SURVEYOR'S CERTIFICATE

I, GREGORY R. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL
LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187786, AS PRESCRIBED BY THE LAWS OF THE STATE OF
UTAH, AND THAT I HAVE PERFORMED A SURVEY OF THE HEREIN DESCRIBED PROPERTY.
I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF THE LAND
SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS
OF THE LAW AND AS SPECIFIED IN SECTIONS 87-8-13 OF CHAPTER 8, CONDOMINIUM OWNERSHIP ACT,
UTAH CODE TITLE 87, REAL ESTATE.



JULY 21, 2011

LEGAL DESCRIPTION

COURCHEVEL CONDOMINIUMS AT DEER VALLEY, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT
COUNTY RECORDER, NO. 228038, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH IS SOUTH 1747.2 FEET AND EAST 4305.17 FEET FROM THE EAST QUARTER
CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE
SOUTH 25°00'00" WEST 214.03 FEET; THENCE NORTH 89°20'00" WEST 180.78 FEET TO A POINT ON A
538.18 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS POINT BEARS NORTH 82°30'58" WEST, OF WHICH
THE CENTRAL ANGLE IS 04°49'04"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 111.63 FEET;
THENCE NORTH 00°40'00" EAST 251.63 FEET; THENCE SOUTH 89°20'00" EAST 239.78 FEET; THENCE
SOUTH 00°11'40" EAST 168.00 FEET TO THE POINT OF BEGINNING;
CONTAINING 1.8228 ACRES, MORE OR LESS.

NOTES

- THIS PLAT REPRESENTS AN AMENDMENT OF UNIT B301 AND UNIT B303, "COURCHEVEL
CONDOMINIUMS AT DEER VALLEY", ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY
RECORDER, RECORDATION NUMBER 228038. THIS AMENDMENT CONVERTS EXISTING COMMON AREA
ATTIC SPACE INTO PRIVATE AREA FOR UNIT B301 AND UNIT B303. THE ATTIC SPACE IS ON LEVEL
5, AS NOTED AND SHOWN HEREON.
- NOTE REMOVED.
- ADDITIONAL UNITS ARE SHOWN HEREON FOR REFERENCE ONLY. FOR INFORMATION ON ANY UNIT
OTHER THAN UNIT B301 AND UNIT B303, PLEASE SEE "COURCHEVEL CONDOMINIUMS AT DEER
VALLEY", RECORDATION NUMBER 228038 AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY",
AMENDED SHEET 2 OF 3, RECORDATION NUMBER 318605, ON FILE AND OF RECORD IN THE OFFICE
OF THE SUMMIT COUNTY RECORDER.
- COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ITEMS PREVIOUSLY
ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET
FORTH IN THIS AMENDMENT ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
- THE DEER VALLEY MASTER PLAN CONTINUES TO APPLY AS WELL AS ANY CONDITIONS ON THE
COURCHEVEL CONDOMINIUM PLAT.
- THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE.
THE "COURCHEVEL CONDOMINIUMS AT DEER VALLEY OWNERS ASSOCIATION" SHALL BE RESPONSIBLE
FOR OWNERSHIP, OPERATION AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER
LINES.

AREA TABULATIONS

UNIT B301:	
PRIVATE AREA:	1,367 SF
LIMITED COMMON AREA:	119 SF
UNIT B303:	
PRIVATE AREA:	1,367 SF
LIMITED COMMON AREA:	125 SF

HATCHING LEGEND

	COMMON AREA
	LIMITED COMMON AREA
	PRIVATE AREA

2700 STREET ADDRESS

OWNERS DEDICATION AND CONSENT TO RECORD - HOA

KNOW ALL MEN BY THESE PRESENT THAT COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION (THE
"ASSOCIATION"), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A
TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREAS AND FACILITIES OF THE PROJECT PURSUANT
TO THE PROVISIONS OF SECTION 87 OF THE DECLARATION OF CONDOMINIUM OF THE COURCHEVEL
CONDOMINIUMS AT DEER VALLEY, CERTIFIES THAT IT HAS CAUSED THIS SURVEY TO BE MADE AND THIS
RECORD OF SURVEY TO BE PREPARED, THE ASSOCIATION, ON BEHALF OF ALL OF THE UNIT OWNERS,
DOES HEREBY CONSENT TO THE RECORDATION OF THE PLAT.

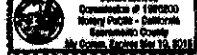
COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION
A UTAH NON-PROFIT CORPORATION
BY: SCOTT POWELL, PRESIDENT

ACKNOWLEDGMENT

STATE OF California) SCOTT POWELL, PRESIDENT
COUNTY OF San Bernardino) COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, A UTAH
NON-PROFIT CORPORATION

ON THE 16th DAY OF August, 2011, PERSONALLY APPEARED
BEFORE ME SCOTT POWELL, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS PRESIDENT OF
COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION, AND DULY
ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF
THE CORPORATION AND FURTHER ACKNOWLEDGED TO ME THAT THE REPRESENTATION CONTAINED THEREIN IS
THE SAME.

NOTARY PUBLIC Sonia M. Nunez
MY COMMISSION EXPIRES: March 19, 2012
RESIDING IN San Bernardino COUNTY, CA STATE



OWNERS DEDICATION AND CONSENT TO RECORD - UNIT B301

KNOW ALL MEN BY THESE PRESENT THAT WE, THE UNDERSIGNED OWNERS OF THE UNITS, COMMON AND
LIMITED COMMON AREAS CONTAINED WITHIN THE HEREIN DESCRIBED TRACT OF LAND, TO BE HEREAFTER
KNOWN AS "COURCHEVEL CONDOMINIUMS AT DEER VALLEY SECOND AMENDED", CERTIFY THAT WE HAVE
CAUSED THIS SURVEY TO BE MADE AND THIS CONDOMINIUM PLAT TO BE PREPARED. WE DO HEREBY
CONSENT TO THE RECORDATION OF THIS CONDOMINIUM AND CERTIFY THAT THE UNITS ARE AS SHOWN ON
THIS AMENDED CONDOMINIUM PLAT.

BY: RICHARD ALLAYE CHAN, JR., as co-trustee of the ALLAYE CHAN TRUST under that certain
Declaration of Trust dated July 23, 2009

BY: ANTONETTE ELIZABETH ALLAYE-CHAN, as co-trustee of the ALLAYE CHAN TRUST under that
certain Declaration of Trust dated July 23, 2009

ACKNOWLEDGMENT

STATE OF California) RICHARD ALLAYE CHAN, JR. and ANTONETTE ELIZABETH ALLAYE-CHAN,
COUNTY OF San Bernardino) as co-trustees or their successor(s) of the ALLAYE CHAN TRUST
under that certain Declaration of Trust dated July 23, 2009

ON THE 16th DAY OF August, 2011, PERSONALLY APPEARED
BEFORE ME RICHARD ALLAYE CHAN, JR. and ANTONETTE ELIZABETH ALLAYE-CHAN, as co-trustees or
their successor(s) of the ALLAYE CHAN TRUST under that certain Declaration of Trust dated July 23,
2009, WHO BEING BY ME DULY SWORN, DID SAY THAT THEY, AS CO-TRUSTEES, REPRESENT THE
"ALLAYE CHAN TRUST", AS OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY
ACKNOWLEDGED TO ME THAT THEY, AS CO-TRUSTEES, AUTHORIZED THE FOREGOING INSTRUMENT.

NOTARY PUBLIC Sonia M. Nunez
MY COMMISSION EXPIRES: March 19, 2012
RESIDING IN San Bernardino COUNTY, CA STATE



OWNERS DEDICATION AND CONSENT TO RECORD - UNIT B303

KNOW ALL MEN BY THESE PRESENT THAT WE, THE UNDERSIGNED OWNERS OF THE UNITS, COMMON AND
LIMITED COMMON AREAS CONTAINED WITHIN THE HEREIN DESCRIBED TRACT OF LAND, TO BE HEREAFTER
KNOWN AS "COURCHEVEL CONDOMINIUMS AT DEER VALLEY SECOND AMENDED", CERTIFY THAT WE HAVE
CAUSED THIS SURVEY TO BE MADE AND THIS CONDOMINIUM PLAT TO BE PREPARED. WE DO HEREBY
CONSENT TO THE RECORDATION OF THIS CONDOMINIUM AND CERTIFY THAT THE UNITS ARE AS SHOWN ON
THIS AMENDED CONDOMINIUM PLAT.

BY: SCOTT POWELL, A Married Person

ACKNOWLEDGMENT

STATE OF California) SCOTT POWELL, A Married Person
COUNTY OF San Bernardino)

ON THE 16th DAY OF August, 2011, PERSONALLY APPEARED
BEFORE ME SCOTT POWELL, A MARRIED PERSON, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS
THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY ACKNOWLEDGED TO ME THAT HE
AUTHORIZES THE FOREGOING INSTRUMENT.

NOTARY PUBLIC Sonia M. Nunez
MY COMMISSION EXPIRES: March 19, 2012
RESIDING IN San Bernardino COUNTY, CA STATE



SHEET 1 OF 2
PLAT DATE: JULY 21, 2011
DRAWING: CONDOMINIUM PLAT

**Evergreen
Engineering, Inc.**

Civil Engineering • Land Surveying • Land Planning
1670 Bonanza Drive • Suite 104
P.O. Box 2981 • Park City • Utah • 84060
Phone: 435-648-4657 • Fax: 435-648-9219
E-mail: office@evergreen-eng.com



CITY ENGINEER

THIS PLAT IS IN CONFORMANCE WITH INFORMATION
ON FILE IN THE OFFICE OF THE PARK CITY
ENGINEERING DEPARTMENT ON THIS 10th
DAY OF October, A.D. 2011.

CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE
BASIN WATER RECLAMATION DISTRICT STANDARDS
ON THIS 8th DAY OF August, A.D. 2011.

BY: SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY
PLANNING COMMISSION ON THIS 13th
DAY OF OCTOBER, A.D. 2010.

CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 1st
DAY OF February, A.D. 2011.

CITY ATTORNEY

COUNCIL APPROVAL & ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK
CITY COUNCIL THIS 4th DAY OF
NOVEMBER, A.D. 2010

MAYOR

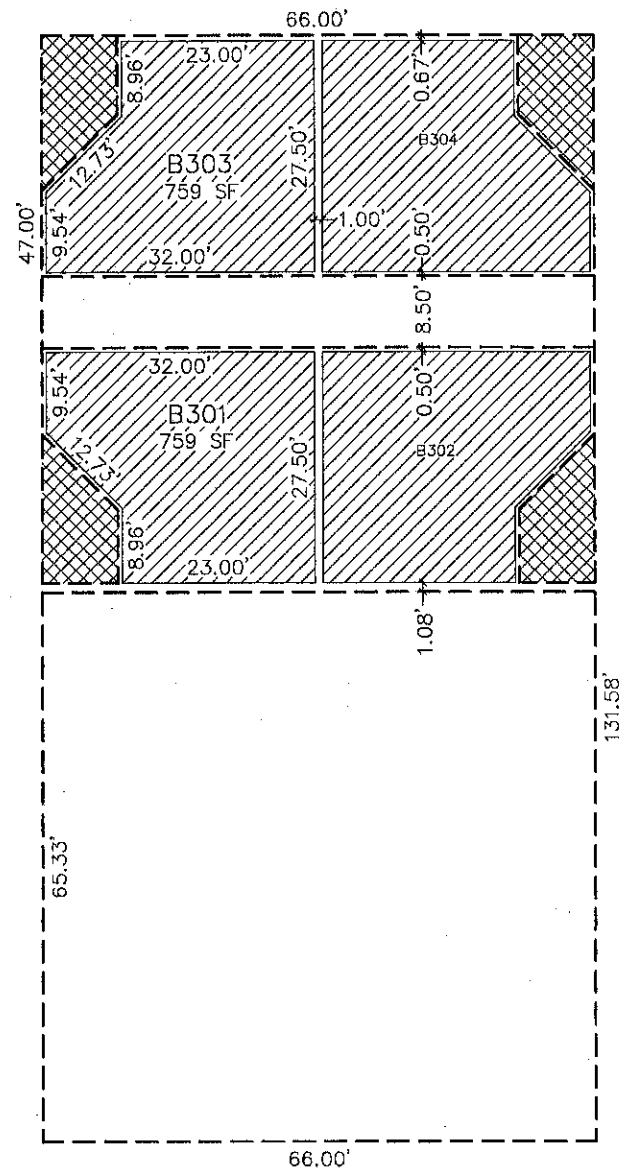
CERTIFICATE OF ATTEST

I CERTIFY THIS WAS APPROVED BY PARK
CITY COUNCIL THIS 4th DAY OF
NOVEMBER, A.D. 2010

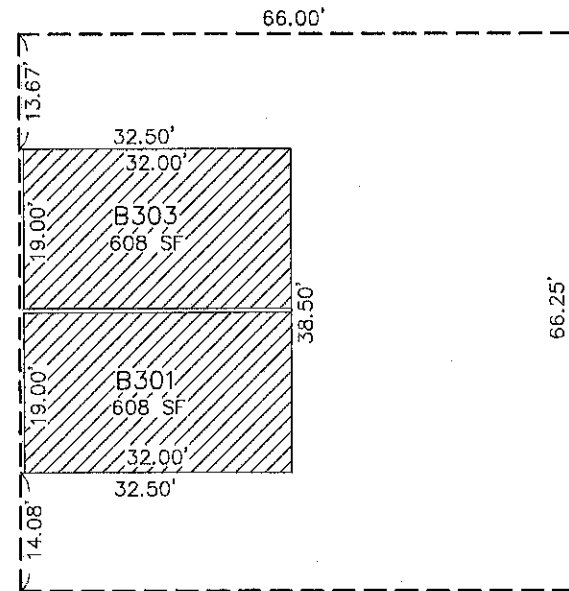
CITY RECORDER

RECORDED

No. 939912 Date 2/22/2012
STATE OF Utah Time 1:48 PM
COUNTY OF Summit
RECORDED AND FILED AT THE REQUEST OF:
Park City Title Company
\$ 62.00 C. Williams - duty
COUNTY RECORDER



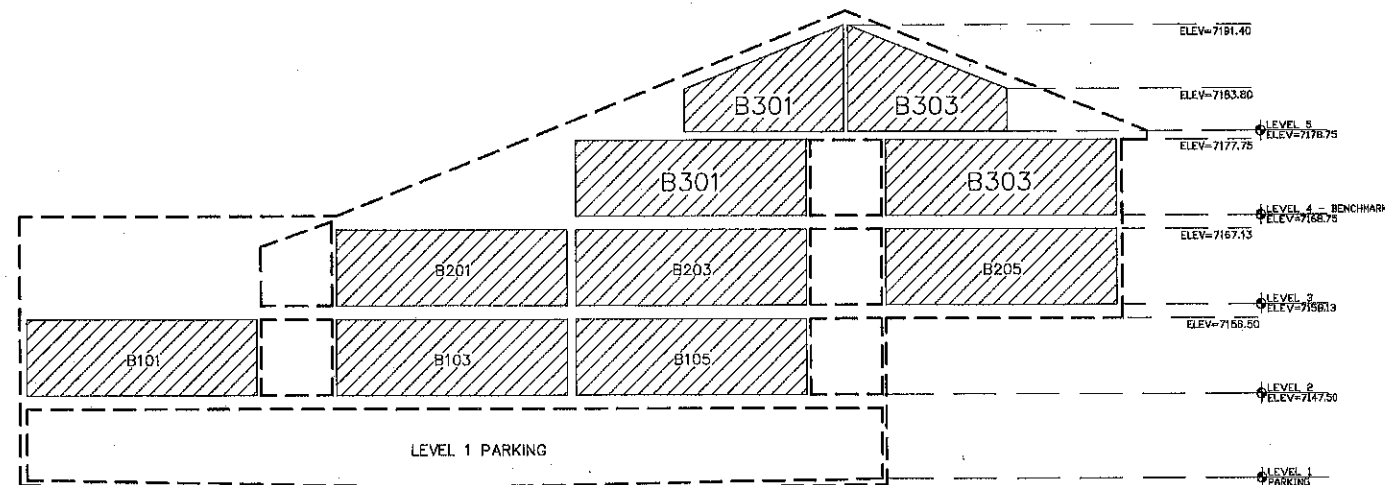
FLOOR PLAN - LEVEL 4
UNIT B301 / UNIT B303



FLOOR PLAN - LEVEL 5
UNIT B301 / UNIT B303

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA



SECTION -
BLDG. B

NO. 939912
DATE 2/22/2012
STATE OF Utah
CITY OF Park City
RECORDED AT THE REQUEST OF Park City Title Company
FEE \$102.00
RECORDED
Date 2/22/2012
Time 1:48 PM
C. Willingham - Deputy City Recorder



DATE	BY	REVISIONS	COMMENTS



SURVEYED BY:
GRW
DRAWN BY:
GRW
CHECKED BY:
ADM/GRW

COURCHEVEL CONDOMINIUMS
AT DEER VALLEY
SECOND AMENDED

FOR: RICHARD CHAN & SCOTT FOWELL
DATE: MAY 21, 2011
SHEET NO. 2 OF 2

CONDOMINIUM PLAT COURCHEVEL CONDOMINIUMS AT DEER VALLEY THIRD AMENDMENT -A UTAH CONDOMINIUM PROJECT-

A PARCEL OF LAND LOCATED
IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

LEGAL DESCRIPTION OF COURCHEVEL CONDOMINIUMS AT DEER VALLEY

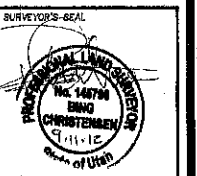
THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER AS ENTRY 229039, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS SOUTH 1747.2 FEET AND EAST 4305.17 FEET FROM THE EAST QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 25°00'00" WEST 214.03 FEET; THENCE NORTH 89°20'00" WEST 160.75 FEET TO A POINT ON A 838.16 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS LINE BEARS NORTH 82°30'56" WEST, OF WHICH THE CENTRAL ANGLE IS 08°45'04"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 111.63 FEET; THENCE NORTH 00°40'00" EAST 251.83 FEET; THENCE SOUTH 89°20'00" EAST 239.78 FEET; THENCE SOUTH 00°11'40" EAST 188.00 TO THE POINT OF BEGINNING, CONTAINING 1.8226 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE 145796 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE PROPERTY SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE AMENDED SAID CONDO UNIT B202 AS SHOWN HEREON. I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT AMENDMENT IS A CORRECT REPRESENTATION OF THE PROPERTY SURVEYED, AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 67-6-13 OF CHAPTER 6 OF THE CONDOMINIUM OWNERSHIP ACT, UTAH CODE TITLE 67.

BING CHRISTENSEN
PROFESSIONAL LAND SURVEYOR

9.11.12
DATE



OWNER'S CONSENT TO RECORD - H.O.A.

KNOW ALL MEN BY THESE PRESENT THAT COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION (THE ASSOCIATION), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE PROVISIONS OF SECTION 27 OF THE DECLARATION OF CONDOMINIUM OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFIES THAT IT HAS APPROVED THIS PLAT AMENDMENT TO BE PREPARED, AND ON BEHALF OF ALL OF THE UNIT OWNERS DOES HEREBY CONSENT TO THE RECORDATION OF THE PLAT.

COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION
A UTAH NON-PROFIT CORPORATION

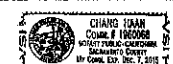
BY: *Scott Powell*
SCOTT POWELL, PRESIDENT

ACKNOWLEDGEMENT

STATE OF UTAH - California
COUNTY OF SUMMIT Sacramento

ON THIS 6th DAY OF November, 2012, PERSONALLY APPEARED BEFORE ME SCOTT POWELL, WHO BEING DULY SWORN, DID SAY THAT HE IS PRESIDENT OF COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION, AND DULY ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF THE CORPORATION, AND FURTHER ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED THE SAME.

Chang Dan
NOTARY PUBLIC



OWNER'S CONSENT TO RECORD - UNIT B202

KNOW ALL MEN BY THESE PRESENT THAT I, THE UNDERSIGNED OWNER OF UNIT B-202 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFY THAT I CAUSED THIS PLAT AMENDMENT TO BE PREPARED, AND DO HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

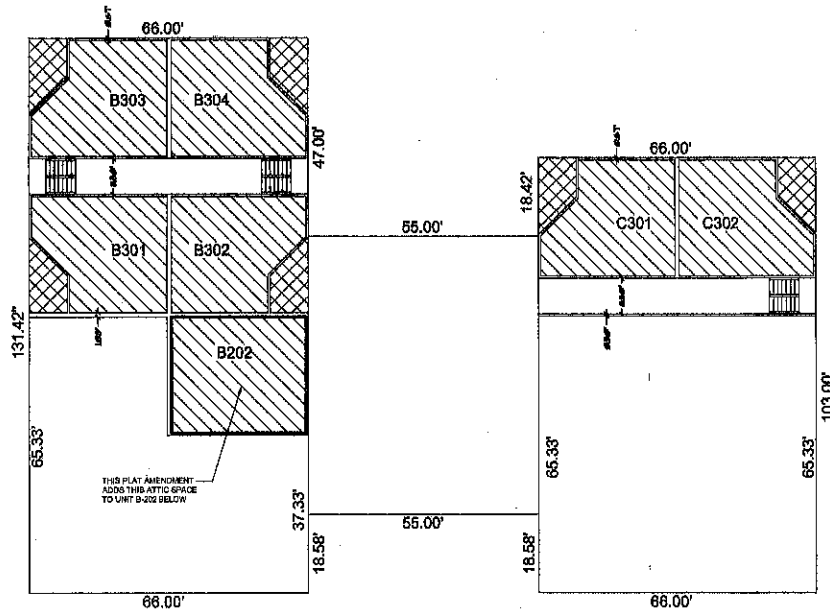
BY: *Robert Ann Slusar*
ROBERTA ANN SLUSAR

ACKNOWLEDGEMENT

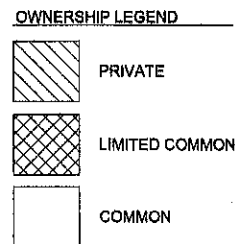
STATE OF UTAH
COUNTY OF SUMMIT Washington

ON THIS 21 DAY OF September, 2012, PERSONALLY APPEARED BEFORE ME ROBERTA ANN SLUSAR, WHO BEING DULY SWORN, DID SAY THAT SHE IS THE OWNER OF UNIT B-202 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AND DULY ACKNOWLEDGED TO ME THAT SHE SIGNED THE FOREGOING INSTRUMENT.

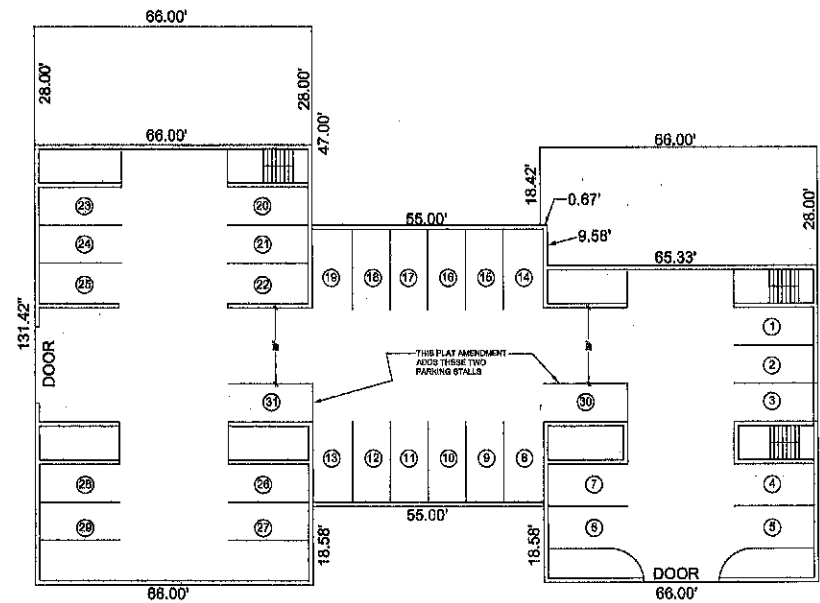
Linnette Coulson
NOTARY PUBLIC LINNETTE COULSON, NOTARY PUBLIC COMMISSIONED IN UTAH.
COMMISSION # 601059 EXPI 09-29-2014



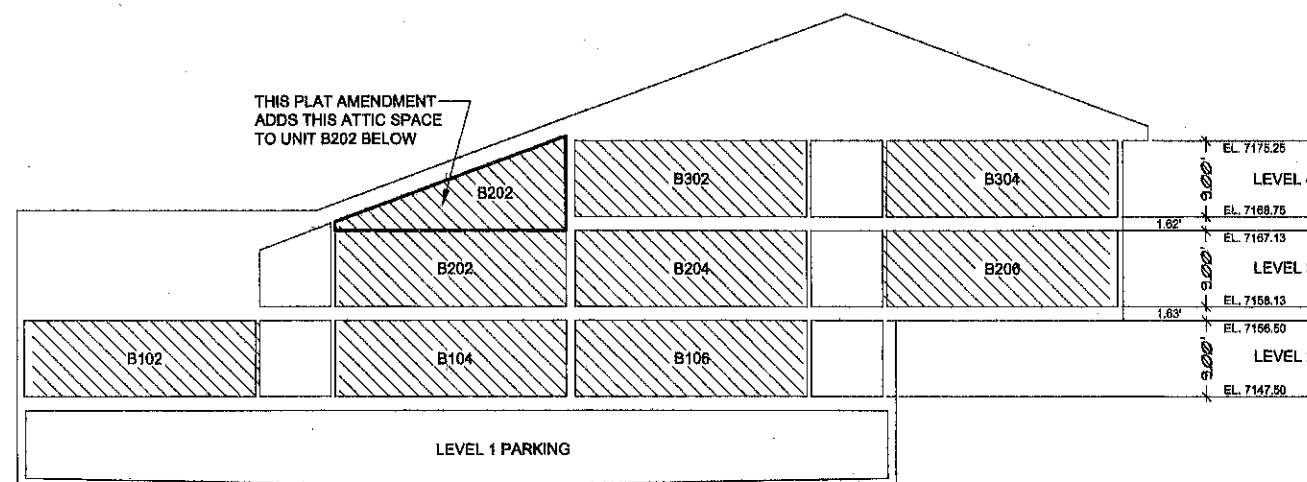
LEVEL 4 FLOOR PLAN
SCALE: 1" = 20'



TABULATIONS
UNIT B-202
PRIVATE AREA = 789 SQ.FT. ON LEVEL 3
PRIVATE AREA = 663 SQ.FT. ON LEVEL 4
LIMITED COMMON AREA = 134 SQ.FT.



LEVEL 1 PARKING
SCALE: 1" = 20'



CROSS-SECTION 'B' - SOUTH
SCALE: 1" = 10'

PLAT NOTES

- THIS PLAT REPRESENTS AN AMENDMENT OF UNIT B-202 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER (RECORDATION NUMBER 229039.) THIS AMENDMENT CONVERTS EXISTING COMMON AREA ATTIC SPACE INTO PRIVATE AREA FOR UNIT B-202. THE ATTIC SPACE IS LOCATED ON LEVEL 4 AS NOTED AND SHOWN HEREON.
- ADDITIONAL UNITS ARE SHOWN HEREON FOR REFERENCE ONLY, AND ARE NOT CHANGED WITH THIS DOCUMENT. FOR INFORMATION ON ANY UNIT OTHER THAN B-202, REFER TO "COURCHEVEL CONDOMINIUMS AT DEER VALLEY" WITH RECORDATION NO. 229039, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AMENDED" WITH RECORDATION NO. 315605, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY SECOND AMENDED" WITH RECORDATION NO. 935912, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
- COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS AMENDMENT ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
- ALL CONDITIONS OF APPROVAL OF THE DEER VALLEY RESORT 10TH AMENDED AND RESTATED LARGE SCALE MFD AND THE SECOND AMENDED COURCHEVEL CONDOMINIUMS AT DEER VALLEY SHALL CONTINUE TO APPLY.
- THIS CONDOMINIUM PROJECT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 12-19.
- THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION, AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER LINES.



PROJECT NO.: L12-021
DRAWN BY: MPJ
REVIEWED BY: BC
APPROVED BY: BC
DATE: SEPT 10, 2012

PARK CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION THIS 19th DAY OF JUNE, 2012.
Ken Dorel
CHAIR

PARK CITY ENGINEER
THIS PLAT IS IN CONFORMANCE WITH THE INFORMATION IN FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPT. ON THIS 15th DAY OF June, 2012.
Bill
CITY ENGINEER

SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO THE SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 15th DAY OF June, 2012.
Bill
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

PARK CITY ATTORNEY
APPROVED AS TO FORM ON THIS 18th DAY OF December, 2012.
Robert
CITY ATTORNEY

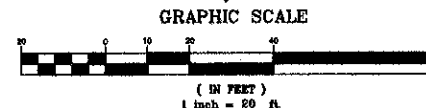
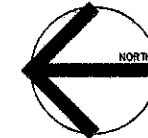
CITY COUNCIL APPROVAL
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL ON THIS 26th DAY OF JUNE, 2012.
Dana Williams
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THAT THIS PLAT AMENDMENT WAS APPROVED BY THE PARK CITY COUNCIL ON THE 26th DAY OF JUNE, 2012.
Scott
CITY RECORDER

RECORDED
ENTRY NO. 199892, BOOK 1, PAGE 1
STATE OF UTAH, COUNTY OF SUMMIT 8:42 pm
DATE: 12/18/12
RECORDED AT THE REQUEST OF Park City Title
C. Williams, deputy
SUMMIT COUNTY RECORDER

CONDOMINIUM PLAT COURCHEVEL CONDOMINIUMS AT DEER VALLEY FOURTH AMENDED

- A UTAH CONDOMINIUM PROJECT -
A PARCEL OF LAND LOCATED WITHIN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



OWNERS DEDICATION AND CONSENT TO RECORD - HOA

KNOW ALL MEN BY THESE PRESENTS THAT COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION (THE "ASSOCIATION"), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE PROVISIONS OF SECTION 57 OF THE DECLARATION OF CONDOMINIUM OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFY THAT IT HAS CAUSED THIS SURVEY TO BE MADE AND THIS RECORD OF SURVEY TO BE PREPARED. THE ASSOCIATION, ON BEHALF OF ALL OF THE UNIT OWNERS, DOES HEREBY CONSENT TO THE RECORDATION OF THE PLAT.

COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION
A UTAH NON-PROFIT CORPORATION

BY: Scott Powell
(Name of document signatory) (Title or Office)
Scott Powell, President

ACKNOWLEDGMENT

STATE OF California COUNTY OF San Diego
Scott Powell, PRESIDENT
COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, A UTAH
NON-PROFIT CORPORATION

ON THE 17th DAY OF December, 2012, PERSONALLY APPEARED BEFORE ME, Scott Powell, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (or proven on the basis of satisfactory evidence) AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY THAT HE IS THE President OF COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS, OR (RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID Condo Plat (Name of document signed) POWELL, ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES 12/01/2015
RESIDING IN San Diego COUNTY, STATE



* Signing in a Representative Capacity: An authorized officer, agent, partner, trustee, member or other representative may sign on behalf of their representative business, be it a corporation, partnership, trust, limited liability company or other entity providing they have been given authority to sign in their representative capacity. The notary must require the signer to present satisfactory documentary evidence and administer an oath or affirmation.

OWNERS DEDICATION AND CONSENT TO RECORD - UNIT B304

KNOW ALL MEN BY THESE PRESENTS THAT ME, THE UNDERSIGNED OWNERS OF THE UNITS, COMMON AND LIMITED COMMON AREAS CONTAINED WITHIN THE HEREON DESCRIBED TRACT OF LAND, TO BE HEREINAFTER KNOWN AS "COURCHEVEL CONDOMINIUMS AT DEER VALLEY FOURTH AMENDED", CERTIFY THAT WE HAVE CAUSED THIS SURVEY TO BE MADE AND THIS CONDOMINIUM PLAT TO BE PREPARED. WE DO HEREBY CONSENT TO THE RECORDATION OF THIS CONDOMINIUM AND CERTIFY THAT THE UNITS ARE AS SHOWN ON THIS AMENDED CONDOMINIUM PLAT.

BY: Tanya Elizabeth Felton
(Name of document signatory) (Title or Office)
Tanya Elizabeth Felton, Director
ARGO SUPERFUND

ACKNOWLEDGMENT

STATE OF Utah COUNTY OF San Juan
Tanya Elizabeth Felton, DIRECTOR
ARGO SUPERFUND, (Title or Office)

ON THE 14th DAY OF November, 2012, PERSONALLY APPEARED BEFORE ME, Tanya Elizabeth Felton, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (or proven on the basis of satisfactory evidence) AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY THAT HE/SHE IS THE Director OF ARGO SUPERFUND, AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID ARGO SUPERFUND, BY AUTHORITY OF ITS BYLAWS, OR (RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID Tanya Elizabeth Felton (Name of document signed) FELTON, ACKNOWLEDGED TO ME THAT SAID ARGO SUPERFUND EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES 08/01/2015
RESIDING IN San Juan COUNTY, STATE



* Signing in a Representative Capacity: An authorized officer, agent, partner, trustee, member or other representative may sign on behalf of their representative business, be it a corporation, partnership, trust, limited liability company or other entity providing they have been given authority to sign in their representative capacity. The notary must require the signer to present satisfactory documentary evidence and administer an oath or affirmation.

SURVEYOR'S CERTIFICATE

I, GREGORY R. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187788, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE PERFORMED A SURVEY OF THE HEREON DESCRIBED PROPERTY. I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 57-B-13 OF CHAPTER 5, CONDOMINIUM OWNERSHIP ACT, UTAH CODE TITLE 57, REAL ESTATE.

GREGORY R. WOLBACH
(Signature)
DATE: NOVEMBER 20, 2012

LEGAL DESCRIPTION

COURCHEVEL CONDOMINIUMS AT DEER VALLEY, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, NO. 228039, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS SOUTH 1747.2 FEET AND EAST 4305.17 FEET FROM THE EAST QUARTER CORNER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 25°00'00" WEST 214.03 FEET; THENCE NORTH 89°20'00" WEST 180.75 FEET TO A POINT ON A 938.18 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS POINT BEARS NORTH 82°30'08" WEST, OF WHICH THE CENTRAL ANGLE IS 08°48'04"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 111.63 FEET; THENCE NORTH 00°40'00" EAST 251.63 FEET; THENCE SOUTH 89°20'00" EAST 239.78 FEET; THENCE SOUTH 00°11'40" EAST 168.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.8226 ACRES, MORE OR LESS.

NOTES

- THIS PLAT REPRESENTS AN AMENDMENT OF UNIT B304, "COURCHEVEL CONDOMINIUMS AT DEER VALLEY", ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, RECORDATION NUMBER 228039. THIS AMENDMENT CONVERTS EXISTING COMMON AREA ATTIC SPACE INTO PRIVATE AREA FOR UNIT B304. THE ATTIC SPACE IS ON LEVEL 5, AS NOTED AND SHOWN HEREON.
- ADDITIONAL UNITS ARE SHOWN HEREON FOR REFERENCE ONLY. FOR INFORMATION ON ANY UNIT OTHER THAN UNIT B304, PLEASE SEE "COURCHEVEL CONDOMINIUMS AT DEER VALLEY", RECORDATION NUMBER 228039 AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AMENDED SHEET 2 OF 3", RECORDATION NUMBER 315605, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
- COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS AMENDMENT ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
- THE DEER VALLEY MASTER PLAN CONTINUES TO APPLY AS WELL AS ANY CONDITIONS ON THE COURCHEVEL CONDOMINIUM PLAT.
- THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE "COURCHEVEL CONDOMINIUMS AT DEER VALLEY OWNERS ASSOCIATION" SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER LINES.
- RESIDENTIAL FIRE SPRINKLERS ARE REQUIRED FOR ANY EXPANSION.
- THIS PLAT AMENDMENT IS SUBJECT TO ORDINANCE 12-20.

AREA TABULATIONS

UNIT B304:
PRIVATE AREA: 1,387 SF
LIMITED COMMON AREA: 125 SF

HATCHING LEGEND

COMMON AREA
LIMITED COMMON AREA
PRIVATE AREA

2700 STREET ADDRESS

FOUND & ACCEPTED
REBAR & CAP
"R" POHL LS 173736"

FOUND & ACCEPTED
REBAR & CAP
"R" POHL LS 173736"

FOUND & ACCEPTED
REBAR & CAP
"R" POHL LS 173736"

FOUND & ACCEPTED
REBAR & CAP
"R" POHL LS 173736"

FOUND & ACCEPTED
REBAR & CAP
"ALLIANCE ENG"
"LS 183631"

FOUND AND ACCEPTED
BRASS CAP MONUMENT
E. 1/4 COR., S.16,
T.2S., R.4E., S.L.B. 644

FOUND AND ACCEPTED
2" PIPE MONUMENT
S.E. COR., S.16, T.2S.,
R.4E., S.L.B. 644

DEER VALLEY DRIVE EAST

SOUTH - 1747.02'
EAST - 4305.17'
BASIS OF BEARING S 00°30'11" W - 2630.02' (RECORD & MEASURED)

Evergreen Engineering, Inc.

Civil Engineering • Land Surveying • Land Planning
1670 Borwick Drive • Suite 104
P.O. Box 2891 • Park City • Utah • 84060
Phone: 435.840.4057 • Fax: 435.849.9218
E-mail: Office@evergreen-eng.com

CITY ENGINEER

THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS 14th DAY OF January, A.D. 2012.
CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 14th DAY OF January, A.D. 2012.
BY: [Signature]
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 21st DAY OF January, A.D. 2012.
CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 9th DAY OF January, A.D. 2013.
CITY ATTORNEY

COUNCIL APPROVAL & ACCEPTANCE

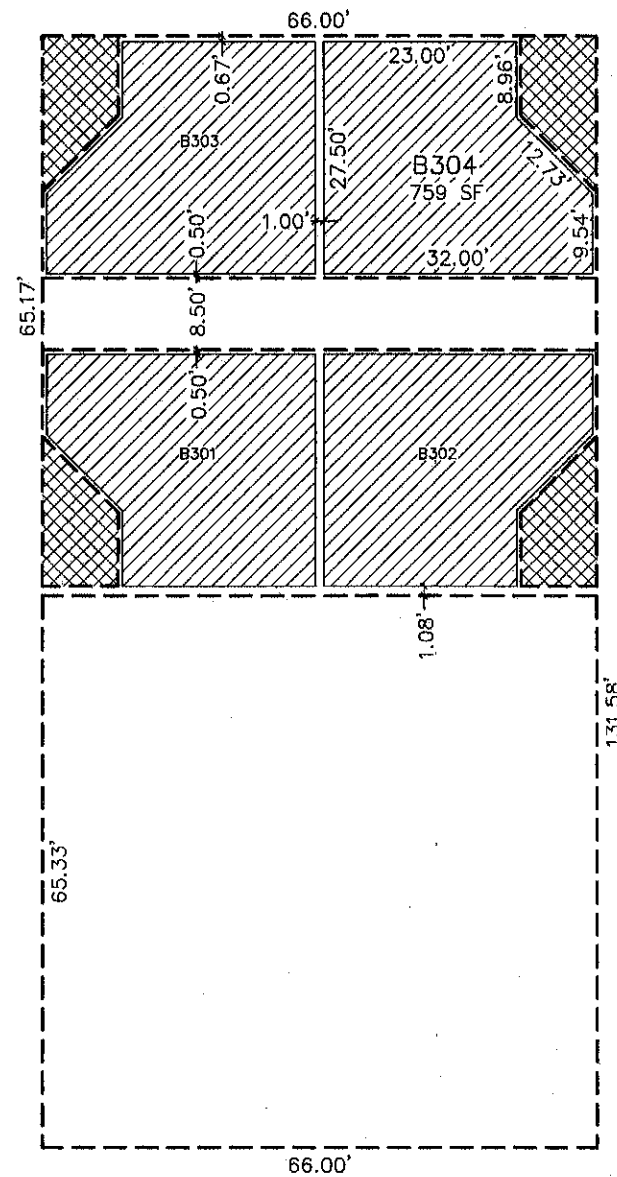
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 12th DAY OF July, A.D. 2012.
MAYOR

CERTIFICATE OF ATTEST

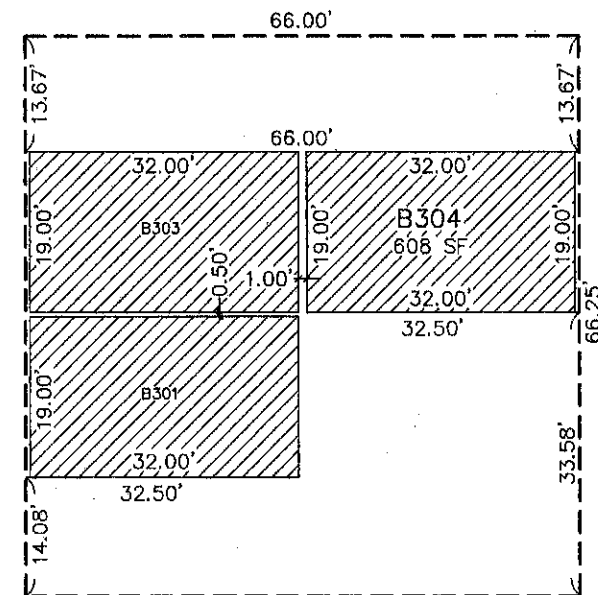
I CERTIFY THIS WAS APPROVED BY PARK CITY COUNCIL THIS 12th DAY OF July, A.D. 2012.
CITY RECORDER

RECORDED

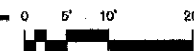
No. 941550 04/14/13
STATE OF Utah 11:27 a.m.
COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF:
Park City Title Company
\$61.00 [Signature] COUNTY RECORDER



FLOOR PLAN - LEVEL 4
UNIT B304

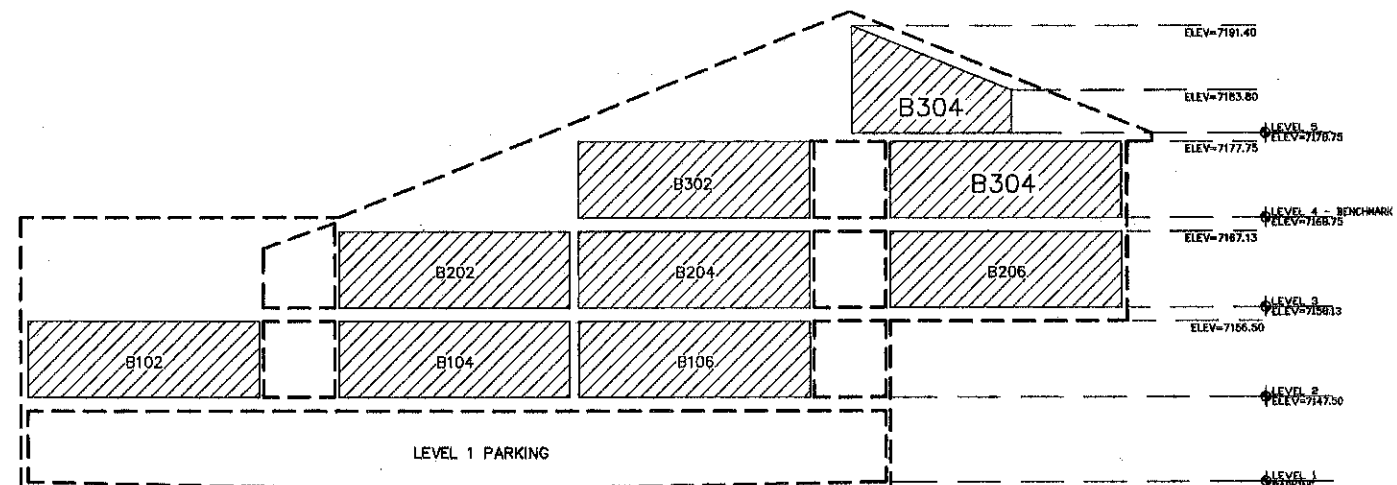


FLOOR PLAN - LEVEL 5
UNIT B304

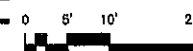


HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA



SECTION -
B
BLDG. B

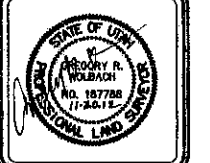


NO. 961550 RECORDED
DATE 01/14/13 11:21am
STATE OF Utah
CITY OF Park City
RECORDED AT THE REQUEST OF Park City Title Company
FEE \$ 61.00 Becky Howard deputy CITY RECORDER

COURCHEVEL CONDOMINIUMS
AT DEER VALLEY
FOURTH AMENDED

FOR GRAVITY CONSTRUCTION
DWS CCAMEND-B304
JOB NO. 1127

DATE	BY	REVISIONS	COMMENTS



SURVEYED BY: GRW
DRAWN BY: GRW
CHECKED BY: ADM/GRW

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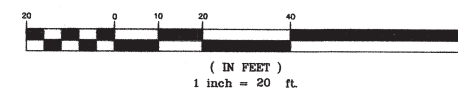
Evergreen Engineering, Inc.
Civil Engineering & Land Surveying • Land Planning
P.O. Box 2381 • Park City • Utah • 84060
Phone: 435.640.4887 • Fax: 435.640.5215
E-mail: office@evergreen-eng.com

CONDOMINIUM PLAT
**COURCHEVEL CONDOMINIUMS
AT DEER VALLEY
FIFTH AMENDED**

- A UTAH CONDOMINIUM PROJECT -
A PARCEL OF LAND LOCATED WITHIN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



GRAPHIC SCALE



SURVEYOR'S CERTIFICATE

I, GREGORY R. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187788, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE PERFORMED A SURVEY OF THE HEREON DESCRIBED PROPERTY.
I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 57-8-13 OF CHAPTER 8, CONDOMINIUM OWNERSHIP ACT, UTAH CODE TITLE 57, REAL ESTATE.

GREGORY R. WOLBACH
STATE OF UTAH
NO. 187788
5-29-14
DATE: May 29, 2014

LEGAL DESCRIPTION

COURCHEVEL CONDOMINIUMS AT DEER VALLEY, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, NO. 229039, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH IS SOUTH 1747.02 FEET AND EAST 4305.17 FEET FROM THE EAST QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 25°00'00" WEST 214.03 FEET; THENCE NORTH 89°20'00" WEST 160.75 FEET TO A POINT ON A 938.16 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS POINT BEARS NORTH 82°30'56" WEST, OF WHICH THE CENTRAL ANGLE IS 06°49'04"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 111.63 FEET; THENCE NORTH 00°40'00" EAST 251.63 FEET; THENCE SOUTH 89°20'00" EAST 239.78 FEET; THENCE SOUTH 00°11'40" EAST 168.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.8226 ACRES, MORE OR LESS.

NOTES

- THIS PLAT REPRESENTS AN AMENDMENT OF UNIT C301, "COURCHEVEL CONDOMINIUMS AT DEER VALLEY", ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, RECORDATION NUMBER 229039. THIS AMENDMENT CONVERTS EXISTING LOFT SPACE, ORIGINALLY SHOWN AND PLATTED AS COMMON AREA, INTO PRIVATE AREA FOR UNIT C301. THE EXISTING LOFT SPACE IS ON LEVEL 5, AS NOTED AND SHOWN HEREON. ALSO, EXISTING VAULTED CEILINGS WITHIN UNIT C301, NOT PREVIOUSLY SHOWN ON ORIGINAL PLAT, ARE HEREBY CONVERTED TO PRIVATE AREA/SPACE FOR SAID UNIT C301.
- ADDITIONAL UNITS ARE SHOWN HEREON FOR REFERENCE ONLY. FOR INFORMATION ON ANY UNIT OTHER THAN UNIT C301, PLEASE SEE "COURCHEVEL CONDOMINIUMS AT DEER VALLEY", RECORDATION NUMBER 229039 AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AMENDED SHEET 2 OF 3", RECORDATION NUMBER 3150505 AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY, SECOND AMENDED", RECORDATION NUMBER 939912 AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY THIRD AMENDED", RECORDATION NUMBER 959842 AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY FOURTH AMENDED", RECORDATION NUMBER 961550, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
- COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS AMENDMENT ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
- ALL CONDITIONS OF APPROVAL OF THE DEER VALLEY RESORT 11th AMENDED AND RESTATED LARGE SCALE MPD AND THE AMENDED COURCHEVEL CONDOMINIUMS AT DEER VALLEY RECORD OF SURVEY PLATS SHALL CONTINUE TO APPLY.
- THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE "COURCHEVEL CONDOMINIUMS AT DEER VALLEY OWNERS ASSOCIATION" SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER LINES.
- RESIDENTIAL FIRE SPRINKLERS ARE REQUIRED FOR ANY EXPANSION.
- THIS PLAT AMENDMENT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE NO. 13-50.

AREA TABULATIONS

UNIT C301:
PRIVATE AREA: 896 SF
LIMITED COMMON AREA: 125 SF

HATCHING LEGEND

	COMMON AREA
	LIMITED COMMON AREA
	PRIVATE AREA

2700 STREET ADDRESS

OWNERS DEDICATION AND CONSENT TO RECORD - HOA

KNOW ALL MEN BY THESE PRESENT THAT COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION (THE "ASSOCIATION"), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE PROVISIONS OF SECTION 27 OF THE DECLARATION OF CONDOMINIUM OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFIES THAT IT HAS CAUSED THIS SURVEY TO BE MADE AND THIS RECORD OF SURVEY TO BE PREPARED, THE ASSOCIATION, ON BEHALF OF ALL OF THE UNIT OWNERS, DOES HEREBY CONSENT TO THE RECORDATION OF THE PLAT.

COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION
A UTAH NON-PROFIT CORPORATION

BY: Richard Brown
(Name of document signer), (Title or Office)

ACKNOWLEDGMENT

STATE OF Utah COUNTY OF Summit
I, Richard Brown, PRESIDENT,
COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, A UTAH
NON-PROFIT CORPORATION

ON THE 6th DAY OF August, 2014, PERSONALLY APPEARED
BEFORE ME Richard Brown, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME
(or proven on the basis of satisfactory evidence) AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY
THAT HE/SHE IS THE President OF COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION,
AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID *CORPORATION BY AUTHORITY
OF ITS BYLAWS, OR (RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID
ACKNOWLEDGED TO ME THAT SAID *CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC Katherine Khaleel
MY COMMISSION EXPIRES: 12/23/15
RESIDING IN Utah COUNTY, Utah STATE

KATHERINE KHALEEL
Notary Public
State of Utah
My Commission Expires December 23, 2015
Commission Number 551241

* Signing in a Representative Capacity: An authorized officer, agent, partner, trustee, member or other representative may sign on behalf of their representative business, be it a corporation, partnership, trust, limited liability company or other entity providing they have been given authority to sign in their representative capacity.
The notary must require the signer to present satisfactory documentary evidence and administer an oath or affirmation.

OWNERS DEDICATION AND CONSENT TO RECORD - UNIT C301

KNOW ALL MEN BY THESE PRESENT THAT I, THE UNDERSIGNED OWNER OF THE UNIT, COMMON AND LIMITED COMMON AREAS CONTAINED WITHIN THE HEREON DESCRIBED TRACT OF LAND, TO BE HEREAFTER KNOWN AS "COURCHEVEL CONDOMINIUMS AT DEER VALLEY FIFTH AMENDED", CERTIFY THAT I HAVE CAUSED THIS SURVEY TO BE MADE AND THIS CONDOMINIUM PLAT TO BE PREPARED. I DO HEREBY CONSENT TO THE RECORDATION OF THIS CONDOMINIUM AND CERTIFY THAT THE UNITS ARE AS SHOWN ON THIS AMENDED CONDOMINIUM PLAT.

BY: David P. Hannay
DAVID P. HANNAY

ACKNOWLEDGMENT

STATE OF New Jersey COUNTY OF Essex
I, David P. Hannay

ON THE 9th DAY OF JUNE, 2014, PERSONALLY APPEARED
BEFORE ME DAVID P. HANNAY, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY ACKNOWLEDGED TO ME THAT HE AUTHORIZES THE FOREGOING INSTRUMENT.

NOTARY PUBLIC Daniel S. O'Connell
MY COMMISSION EXPIRES: APRIL 27, 2015
RESIDING IN Essex COUNTY, NEW JERSEY STATE

DANIEL S. O'CONNELL
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires April 27, 2015

SHEET 1 OF 2
PLOT DATE: MAY 29, 2014
DRAWING: CCM-AMEND-C301.DWG

**Evergreen
Engineering, Inc.**

Civil Engineering • Land Surveying • Land Planning
1670 Bonanza Drive • Suite 104
P.O. Box 2861 • Park City • Utah • 84060
Phone: 435.649.4667 • Fax: 435.649.9219
E-mail: office@evergreen-eng.com



**CITY
ENGINEER**

THIS PLAT IS IN CONFORMANCE WITH INFORMATION
ON FILE IN THE OFFICE OF THE PARK CITY
ENGINEERING DEPARTMENT ON THIS 19th
DAY OF August A.D. 2014.

[Signature]
CITY ENGINEER

**SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT**

REVIEWED FOR CONFORMANCE TO SNYDERVILLE
BASIN WATER RECLAMATION DISTRICT STANDARDS
ON THIS 6th DAY OF
August A.D. 2014.

BY: [Signature]
SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT

**CITY PLANNING
COMMISSION**

APPROVED AND ACCEPTED BY THE PARK CITY
PLANNING COMMISSION ON THIS 20th
DAY OF November A.D. 2013.

[Signature]
CHAIRMAN

**APPROVAL AS
TO FORM**

APPROVED AS TO FORM ON THIS 29th
DAY OF August A.D. 2014.

[Signature]
CITY ATTORNEY

**COUNCIL APPROVAL
& ACCEPTANCE**

APPROVAL AND ACCEPTANCE BY THE PARK
CITY COUNCIL THIS 12th DAY OF
DECEMBER A.D. 2013

[Signature]
MAYOR

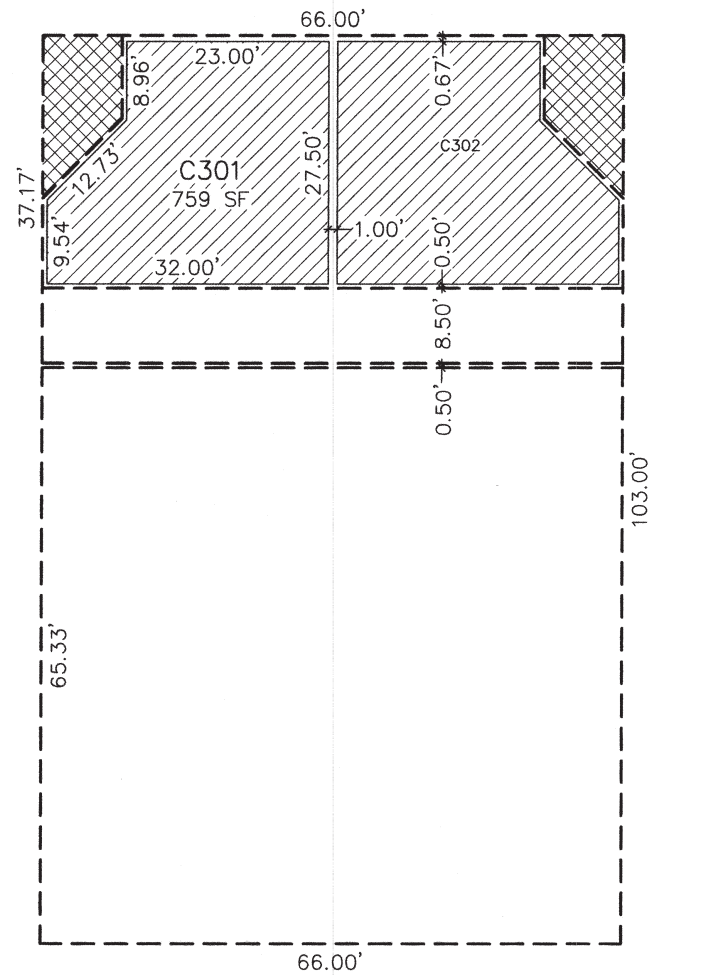
**CERTIFICATE OF
ATTEST**

I CERTIFY THIS WAS APPROVED BY PARK
CITY COUNCIL THIS 2nd DAY OF
September A.D. 2014

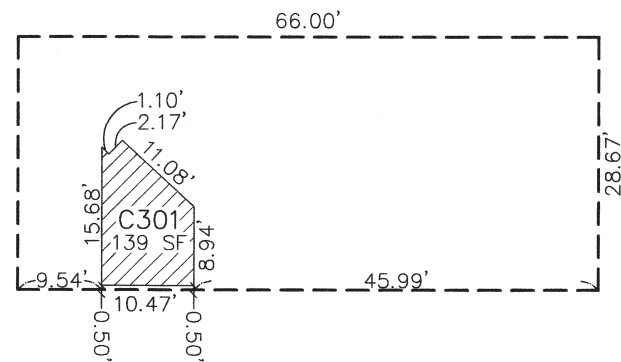
[Signature]
CITY RECORDER

RECORDED

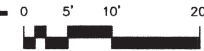
No. 1002100 Date: 9/4/14
STATE OF Utah Time: 10:16 a.m.
COUNTY OF Summit
RECORDED AND FILED AT THE REQUEST OF:
Dark City Title
\$61.00
[Signature]
COUNTY REC.



**FLOOR PLAN - LEVEL 4
UNIT C301**

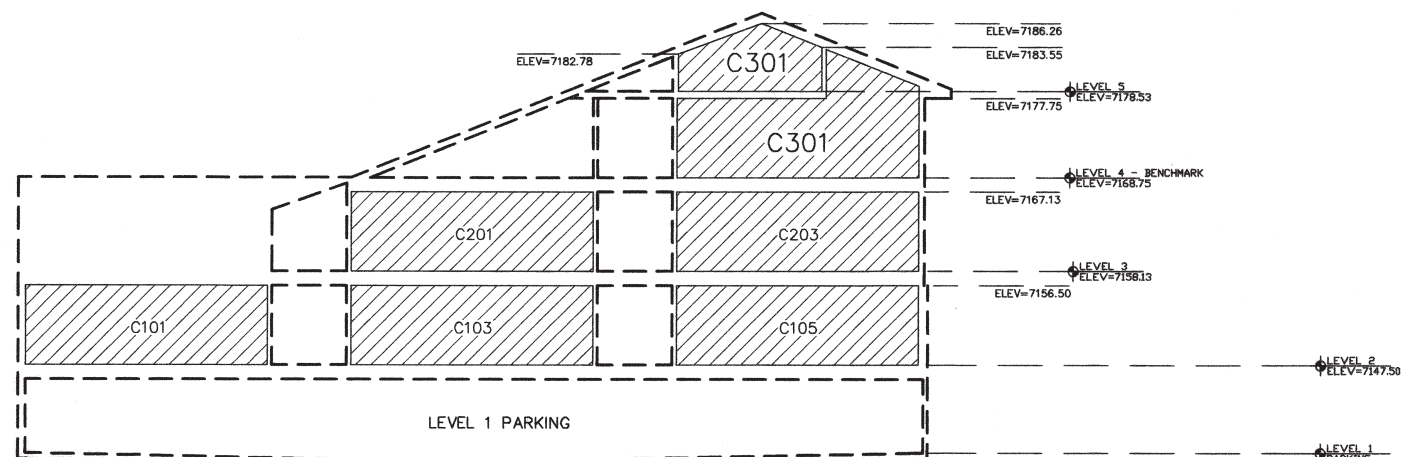


**FLOOR PLAN - LEVEL 5
UNIT C301**

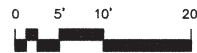


HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA

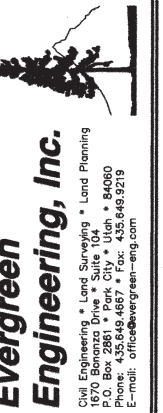


**B SECTION -
BLDG. C**

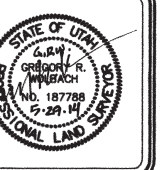


NO. 1002100
DATE 9/19/14
STATE OF Utah
CITY OF Park City
RECORDED AT THE REQUEST OF Park City Title
\$61.00
FFES

RECORDED Time: 10:16am
City Recorder



DATE	BY	REVISIONS	COMMENTS



SURVEYED BY: GRW
DRAWN BY: GRW
CHECKED BY: ADM/GRW

**COURCHEVEL CONDOMINIUMS
AT DEER VALLEY
FIFTH AMENDED**

FOR: MR. DAVID HANNAY

DWGS: CCAMEND-C301

JOB NO: 1226

EXHIBIT C

Courchevel Condominiums Vicinity Map

located in Lower Deer Valley



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© SPOT IMAGE
© 2013 Google

Google earth

feet
meters

200

80

Packet Pg. 253

EXHIBIT D

CONDOMINIUM PLAT
COURCHEVEL CONDOMINIUMS AT DEER VALLEY
SIXTH AMENDMENT
-A UTAH CONDOMINIUM PROJECT-

THE PROJECT INTENT AND SCOPE OF WORK:

THIS PLAT REPRESENTS AN AMENDMENT OF COMMON SPACE TO PRIVATE SPACE FOR UNIT B-101 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER (RECORDATION NUMBER 229039.) THIS AMENDMENT ADDS THE ATTIC SPACE ABOVE UNIT B-101 TO PRIVATE OWNERSHIP OF SAID CONDO UNIT.



Overall Project Intent and Scope of Work

This plat amendment converts common area attic space above Unit B-101 into Private Area for Unit B-101. This attic space is located on level 3 of the existing condominium area. This change will add 314.4 square feet of private area to Unit B-101.

Required Parking Analysis

	Sq. Ft.	Req'd Spaces		Sq. Ft.	Req'd Spaces
B303	1367	1.5	B304	1367	1.5
B205	759	1	B206	759	1
B301	1367	1.5	B302	759	1
B203	759	1	B204	759	1
B105	759	1	B106	759	1
B201	759	1	B202	1262	1.5
B103	759	1	B104	759	1
B101	759	1	B102	759	1
	Sq. Ft.	Req'd Spaces		Sq. Ft.	Req'd Spaces
C301	898	1	C302	759	1
C203	759	1	C204	759	1
C105	759	1			
C201	759	1	C202	759	1
C103	759	1	C104	759	1
C101	759	1	C102	759	1

total required
parking= 29
total spaces
available= 31



PARK CITY MUNICIPAL CODE - TITLE 15 LMC, Chapter 3 - Off-Street Parking

15-3-11

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

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

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

(G) An encroachment permit for the driveway is required.

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

15-3 -6. PARKING RATIO REQUIREMENTS FOR SPECIFIC LAND USE CATEGORIES.

(A) **RESIDENTIAL USES.** Off-Street parking shall be provided for each land Use as listed in this section, in the Parking Ratio Requirements tables. When applying the tables, the parking requirements stated for each Use, or combination of Uses, applies to each Dwelling Unit within the Structure. Specific Uses, and the related parking ratio requirements are also shown below: Also refer to 15-15 Definitions for clarification of Uses.

RESIDENTIAL PARKING RATIO REQUIREMENTS		
USE	PARKING RATIO (NUMBER SPACES)	
Accessory Apartment	1 per bedroom	
Lockout Unit in Single Family and Duplex Dwellings	1 per bedroom	
Single Family Dwelling	2 per Dwelling Unit	
Duplex Dwelling	2 per Dwelling Unit (4 total)	
Triplex Dwelling	2 per Dwelling Unit (6 total)	
Multi-Unit Dwelling	Apartment/Condominium not greater than 1,000 sf floor Area	1 per Dwelling Unit
	Apartment/Condominium greater than 1,000 sf and less than 2,000 sf floor Area	1.5 per Dwelling Unit
	Apartment/Condominium 2,000 sf floor Area or greater	2 per Dwelling Unit
Dormitory	1 per 200 sf floor Area devoted to accommodations	
Boarding House, Hostel,	1 per 2 beds; and 1 per manager's unit	

271 UNITS = 759 SFT

B 300 / 9308 / 830t

B 212

(2) 1367 SFT
(1) 1262

C201 = 898 602

JUN 09 2016

PARK CITY PLANNING DEPT.

RECEIVED
JUN 09 2016
PARK CITY
PLANNING DEPT.





DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Bistro 412, 501 on Main, Main Street Pizza & Noodle, Bandits Grill & Bar, The Eating Establishment, Shabu, Flanagan's on Main, and Tupelo placed temporary street dining decks on Main Street in the summer of 2016. These restaurants, with the exception of Tupelo, would like to continue leasing the City ROW and propose to utilize the same temporary street dining decks that the City has approved in the past. Staff requests that the City Council reviews the Main Street improvements construction impacts, rental rate, and sample leases and conditions for 2017, and authorizes the Mayor to sign the updated leases, which are in a form approved by the City Attorney.

Respectfully:

Ashley Scarff,



City Council Staff Report

Subject: 2017 Street Dining on Main
Author: Ashley Scarff, Planning Technician
Louis Rodriguez, Planning Analyst II
Department: Planning
Date: 27 April 2017
Type of Item: Administrative

Executive Summary

Staff recommends that the City Council considers extending the Street Dining on Main program for another term. The extension includes the renewal of leases of City property/ROW for seven (7) restaurants located on Main Street, so that they can have on-street dining on City property from May 1st - October 30th, 2017.

Acronyms

ROW	Right-of-Way
LMC	Land Management Code
KAC	Kimball Art Center
FY	Fiscal Year
HPCA	Historic Park City Alliance

Topic/Description

Bistro 412, 501 on Main, Main Street Pizza & Noodle, Bandits Grill & Bar, The Eating Establishment, Shabu, Flanagan's on Main, and Tupelo placed temporary street dining decks on Main Street in the summer of 2016. These restaurants, with the exception of Tupelo, would like to continue leasing the City ROW and propose to utilize the same temporary street dining decks that the City has approved in the past. Staff requests that the City Council reviews the Main Street improvements construction impacts, rental rate, and sample leases and conditions for 2017, and authorizes the Mayor to sign the updated leases, which are in a form approved by the City Attorney.

Background

Land Management Code (LMC) §15-2.6-12(B) allows Outdoor Dining on "leased public property" as an administrative Conditional Use Permit (CUP). Street Dining was first explored and used the summer of 2010 when three (3) restaurants on Main Street participated. In 2011, six (6) more restaurants were added, for a total of nine (9) restaurants. These restaurants participated through 2014. In 2015, seven (7) restaurants participated as Bangkok Thai on Main did not place a street dining deck on Main Street, as they were aware of the enforcement of the required lunch service to be provided. Also, Cisero's Ristorante did not place a deck in 2015. In 2016, the same 7 restaurants that participated in 2015 placed a deck, with the addition of Tupelo, for a total of eight (8) participating restaurants.

The seven (7) restaurants requesting to participate in 2017 all have approved administrative CUPs, and have participated in the past. Due to changes requested by City Council during the annual review of the leases, each restaurant has entered into a new lease each year. A term of the lease notes that *“an annual review by the City Council, with input from the Planning Department will be conducted each year. City Council may terminate or change the terms of this lease at that time.”*

During the 2010 pilot program, it was determined that a maximum of twelve (12) street dining decks can be accommodated on Main Street. Any new applications are evaluated on a first-come first-served basis both for the maximum number accommodated and where they are placed on the street. The leases are for the use of Main Street in front of the property from potentially May 1st to October 30th.

Analysis

The Street Dining on Main season may commence on May 1st. As part of the program, the City has given each deck owner the ability to choose when to place their deck after the start date. Some decks have been placed as early as the first week of May while others have waited until mid-June.

The City is currently in the planning stages for multiple projects along Main Street, including improvements to the Miners' Plaza, the Brew Pub parking lot, and portions of the Main Street sidewalks. After discussion with the Sustainability Department project managers, it has been determined that the proposed Eating Establishment dining deck is the only one that will be impacted by the sidewalk improvements, which are to begin in front of the restaurant in mid-May. The owners are aware of this, and have agreed to delay the placement of their deck until the improvements are completed. As a result, they will be charged a pro-rated rental fee.

Staff recommends that the City Council execute the lease agreements for the Street Dining on Main program for the proposed participants based on various work session discussions and direction provided from City Council to Staff. Staff did not receive any complaints during the 2016 Street Dining season and the program has been well received by the public, including residents and visitors. Staff does not have any recommended changes to be made to the Street Dining Operational Restrictions (Exhibit B).

Rental Rate

During the initial 2010 pilot program, the City did not charge any rent for the three (3) requested decks. In 2011, the City charged \$300 per parking space of twenty feet (20') for the nine (9) requested decks. In 2012, staff presented to City Council an analysis of the Street Dining program fee based on a two (2) year average parking meter collection (actual revenue), and the City increased the fee to \$550 per parking space (of 20') to the nine (9) requested decks—this remained the same in 2013 and 2014.

In 2015 the City charged \$915 per parking space (of 20'). The 2015 parking fee was a discounted rate at 60% from what the Parking Department estimated, based on actual

calculations from Fiscal Year (FY) 2014, as they considered the lost revenue to be \$1,525 per space. In April 2015, City Council directed Staff to increase the parking rental rates by 10% each season, i.e., in 2016, the City charged \$1,067.50, or 70% of the estimated value of each parking space. Based on this direction, the City is to charge 80% of the estimated value of each space, or \$1,220 per space (20 linear feet).

The table below shows the dimensions and corresponding fees for each deck:

Restaurant / Linear parking space	2010 \$0	2011 \$300	2012 2013 2014 \$550	2015 \$915 (60% of \$1,525)	2016 \$1,067.50 (70% of \$1,525)	2017 \$1,220 (80% of \$1,525)
Cisero's Ristorante 1.55	\$0	\$465	\$852.50	-	-	-
Bistro 412 1.0	\$0	\$300	\$550	\$915	\$1,067.50	\$1,220
501 on Main 1.0	\$0	\$300	\$550	\$915	\$1,067.50	\$1,220
Main St. Pizza & Noodle 1.56	-	\$468	\$858	\$1,427.40	\$1,665.30	\$1,093.20
Bandits Grill & bar 1.15	-	\$345	\$632.50	\$1,052.25	\$1,227.63	\$1,403
Bangkok Thai on Main 1.90	-	\$570	\$1,045	-	-	-
The Eating Establishment 1.09	-	\$327	\$599.50	\$997.35	\$1,163.58	\$1,329.80
Shabu 1.15	-	\$345	\$632.50	\$1,052.25	\$1,227.63	\$1,403
Flanagan's on Main 1.13	-	\$339	\$621.50	\$1,033.95	\$1,206.28	\$1,378.60
Tupelo 1.3	-	-	-	-	\$1,387.75	-
Totals	\$0	\$3,459	\$6,341.50	\$7,393.20	\$10,013.17	\$9,047.60

From the direction received on April 23, 2015, the City is to continue on this parking fee schedule until 2019 at the following rate below based on the analysis conducted by the Parking Department in 2015:

Year	Parking Fee	Percent of \$1,525.00
2015	\$915.00	60%
2016	\$1,067.50	70%
2017	\$1,220.00	80%
2018	\$1,372.50	90%
2019	\$1,525.00	100%

Administrative Conditional Use Permit

Administrative CUPs do not have an expiration date and run with the land until City Council provides direction to not allow use of City streets for outdoor dining. Currently, the seven (7) restaurants requesting to participate have been granted Administrative CUPs. Therefore, in order to continue with the program, they only need to enter into a lease agreement with the City for the use of the ROW. Staff does not find any issues that cannot be properly mitigated via the submitted Administrative CUP for outdoor dining, other than having the business owner secure the lease agreement with the City.

Kimball Art Center – Arts Fest

In recent discussions with the Kimball Art Center (KAC), staff has learned that they have indicated that all seven (7) proposed decks can be accommodated in the 2017 Arts Festival footprint. In 2011 and 2012, Flanagan's on Main was not allowed to leave their deck during the Festival due to owners' late request to participate in the program. In 2016, the KAC indicated they would not be able to accommodate the Tupelo restaurant deck at 508 Main Street in their programmed area as the space is critical for emergency access. The City has a commitment with the KAC during the annual Arts Festival and writes the leases in a manner that all the decks have to be removed each year unless Kimball Art Center indicates that they may stay during the festival.

Lunch Service

In 2014, staff received a letter from the Historic Park City Alliance (HPCA) regarding their concern with lunch service. The intent of the provision, which indicates that the deck shall be used seven (7) days a week for lunch and dinner, was always meant to have the deck occupied whenever possible, weather permitting. Staff agrees with the HPCA and finds that lunch service is a requirement, as well as that starting a late lunch, e.g., at 3 p.m., does not comply with the original intent of the regulation.

Staff recognizes the need to have each deck occupied when possible and finds that a solution for each restaurant business owner would be to have them decide a later date in the season to place their deck as Park City summers are better served by visitors in July and August. Staff finds that lunch should start no later than twelve o'clock, noon, (12 p.m.) and not in the mid-afternoon.

Department Review

The Building, Planning, Engineering, Legal, and Executive Departments have reviewed this staff report.

Alternatives

A. Approve:

The City Council may approve the 2017 Street Dining on Main program and the proposed lease agreements as presented; or

B. Deny:

The City Council may deny the 2017 Street Dining on Main program by choosing not to renew the leases. Provide direction to end the Street Dining on Main program; or

C. Modify:

The City Council may provide direction to City staff regarding the 2017 Street Dining on Main program; and review the proposed lease agreements AND modify the proposed language; or

D. Continue the item:

The City Council may continue the item to another date to allow City Staff to return with additional information and discussion.

E. Do Nothing:

The City Council may do nothing which would be the same as alternative B. Denial.

Significant Impacts

This program is very unique in that it utilizes the shoulder season(s) to bring more visitors to Main Street. After researching other Historic Districts around the nation, we have found that Park City is the only one that utilizes the street for the construction of these dining decks. We have received several inquiries from other cities as to how we manage this program ever since its inception in 2010 as a pilot program. The program has grown/fluctuated in scale from three (3) decks in 2010, nine (9) decks from 2011-2014, seven (7) decks in 2015, eight (8) in 2016, and a proposed seven (7) participants in 2017. Staff finds that all potential negative impacts have been properly mitigated through the Administrative CUP process.

Funding Source

Not applicable.

Consequences of not taking the recommended action

The City Council may provide direction to end the Street Dining on Main program which would not allow any business owners to place street dining decks on the Main Street ROW. The City Council may continue this item to another date for more information and/or discussion.

Recommendation

Staff recommends that the City Council considers extending the Street Dining on Main program for another term and authorizes the Mayor to sign updated leases of City

property/ROW with seven (7) Main Street restaurants, in a form approved by the City Attorney.

Exhibits

Exhibit A – Updated Lease Agreements

Exhibit B – Street Dining Operational Restrictions

Exhibit C – Proposed 2017 Street Dining on Main Map

Exhibit D – January 2014 HPCA Letter

**STREET DINING ON MAIN
OUTDOOR DINING LEASE 2017**

This LEASE AGREEMENT is made and executed this ____ day of _____, 2017, by and between Park City Municipal Corporation, a municipal corporation and political subdivision of the state of Utah ("Park City") and _____, located at _____, Park City, Utah ("Tenant").

RECITALS

WHEREAS, the City wishes to enable opportunities for restaurants on Main Street to be able to provide additional outdoor dining opportunities; and

WHEREAS, the City's goals include the establishment of new and creative opportunities to facilitate the Main Street experience for residents and visitors alike during the shoulder and summer seasons; and

WHEREAS, the City's goals include the preservation and enhancement of Park City's character regarding Old Town and the desire to strengthen the pedestrian experience along Main Street; and

WHEREAS, the City recognizes the desire of many visitors and residents to dine outdoors along historic Main Street; and

WHEREAS, the City's General Plan recommends utilizing street design techniques to encourage slower traffic speeds and a more intimate pedestrian-oriented scale; and

WHEREAS, the City's goals include maintaining and furthering the resort community's economic opportunities, as well as enhancing the economic viability of Park City's Main Street Business District;

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

TERMS & CONDITIONS OF LEASE

Based upon good and valuable mutual consideration, the Parties agree as follows:

1. **PROPERTY.** The property affected by this lease is generally described as the street area directly fronting Tenant's building located at _____ Main Street which has a length of _____ feet, and more specifically described in site plan Exhibit A, attached hereto and incorporated herein by this reference (hereinafter referred to as the "Premises"). The length of the outdoor dining deck per restaurant may not exceed forty (40) feet.
2. **RENT.** Annual rent is for the use of the street for the deck is _____ dollars (\$1,220.00) per parking space of a linear length of twenty feet (20'). This rent may be prorated based upon initial installation and final removal dates; however the rent reduction shall not exceed one (1) month. If deck must be removed for construction related to Main Street Improvements, the period of time the deck is removed shall also be prorated. Payment is due prior to installation and any prorated amount due upon

removal shall be refunded by the City. If a deck covers a fraction of a parking space (20') the rent will be calculated by the percentage of the deck on the parking space. Tenant shall be solely responsible for payment of any and all costs associated with Tenant's performance under this lease, including but not limited to City rent, additional business licensing fees, insurance, sales taxes and other expenses.

3. TERM. The term of this Agreement shall commence on May 1, 2017 and shall terminate on October 30, 2017 unless terminated earlier as provided herein. The Premises may only be utilized for a six (6) month period commencing on May 1st and terminating on October 30, 2017 except the Premises may not be used for the period of the Arts Fest (in 2017 the second Friday, Saturday and Sunday of August) unless Kimball Art Center consents in writing to allow Tenant to use the Premises. Additional term restrictions are attached hereto and incorporated herein by this reference in Exhibit B (Street Dining Operation Restrictions). This Agreement may be terminated by Park City upon a finding of non-compliance of this lease or the attached operational restrictions.

The use of the Premises shall not conflict with any previously existing Master Festival License (MFL) recipients on Main Street, specifically the Arts Fest (Kimball Art Center). The Kimball Art Center has been leased exclusive use of Main Street in August. The Premises must be vacated (i.e. removal of decks) no later than 10 a.m. MT on Thursday August 3, 2017 for the duration of Arts Fest (including set-up and breakdown) unless the Kimball Art Center consents in writing to allow Tenant's use of the Premises. If the outdoor dining structure is not removed as required, the Landlord will remove the structure at Tenant's cost.

4. MAIN STREET IMPROVEMENTS. If at any time the street dining deck needs to be removed due to construction related to Main Street improvements the City will give each affected street dining business owner a minimum of 72 hours to have their decks removed. The City will not be responsible for any associated costs involving deck removal/placement or potential lost revenue.
5. USE OF PREMISES. Tenant may use the Premises only for outdoor dining services in a manner consistent with Section 15-2.6-12(B)(1) of the Park City Land Management Code and the terms of this Agreement. From installation until removed, the street dining decks shall be utilized for street dining that will serve lunch and dinner seven (7) days a week. Additional operational restrictions which must be complied with as part of the conditions of this lease are attached hereto and incorporated herein in Exhibit B. Park City makes no representations regarding the premises and Tenant accepts the premises "as is."
6. IMPROVEMENTS TO THE PREMISES. Tenant shall not make any improvements to the Premises without first obtaining Park City's written consent. Any improvements approved by Park City shall be completed at Tenant's sole expense and removed at Tenant's sole expense upon expiration of this Agreement. No permanent alterations to the City's property are permitted.
7. SIGNS. No signs shall be permitted on the Premises except as specifically approved by the Park City Municipal Corporation Planning Department pursuant to the Park City Sign Code and/or Tenant's Master Sign Plan.

8. **INSURANCE.** Tenant shall, at Tenant's sole expense, carry a policy of general liability insurance in an amount of at least Two Million Dollars (\$2,000,000) per combined single limit per occurrence and Three Million Dollars (\$3,000,000) per aggregate for personal injury, bodily injury and property damage. Park City shall be named as an additional insured by endorsement on each policy. Tenant's insurance is to be primary to Park City's and Park City's insurance shall be noncontributory. A certificate of insurance with a thirty (30) day cancellation notice provision shall be provided to Park City on or before the lease commencement date, and maintained continuously during the term of the lease. Tenant may carry whatever other insurance Tenant deems appropriate. The parties agree that Tenant's sole remedy in the event of business interruptions, fire, windstorm, or other loss from hazard shall be its own insurance and Tenant will have no action against Park City. Park City is protected by the Utah Governmental Immunity Act, and nothing herein is intended to waive or limit the protection of the Act in behalf of either entity, but to the extent it is consistent with this intent, it is the purpose of this provision to protect Park City for liability or allegations arising out of the Tenant's use of the Premises.
9. **HOLD HARMLESS.** Tenant covenants and agrees to defend, indemnify, hold Park City harmless from all claims, loss damage, injury or liability (hereafter "Liability") resulting from Tenant's use and occupancy of the Premises to the full extent permitted by law and/or the Utah Governmental Immunity Act, including reasonable attorney's fees, but excluding any Liability resulting from acts or omissions of Park City, its officers, employees or agents. Nothing herein shall be construed as a waiver of any of the rights or defenses under the Utah Governmental Immunity Act (Utah Code Ann. Sections 63-30-1, et seq.), as amended. The obligations hereunder shall be determined under principles of tort law including, but not limited to, the Governmental Immunity Act. In case of an emergency including but not limited to a flood, storm drain, utility, the structure may be removed or damaged by response teams at the cost of the owner.

Tenant shall indemnify, protect and hold the Landlord harmless from and defend (by counsel reasonably acceptable to Landlord) the Landlord against any and all claims, causes of action, liability, damage, loss or expense (including reasonable attorneys' fees and costs and court costs), statutory or otherwise arising out of or incurred in connection with (i) the use, operation, occupancy or existence of the Premises or the presence of visitors, or any other person, at the Premises during the Term or the Renewal Term, (ii) any activity, work or thing done or permitted or suffered by Tenant in or about the Premises, (iii) any acts, omissions or negligence of Tenant, any person claiming through Tenant, or the contractors, agents, employees, members of the public, invitees, or visitors of Tenant or any other such person ("Tenant Party" or "Tenant Parties"), (iv) any breach, violation or nonperformance by any Tenant Party of any provision of this Lease or of any law of any kind, or (v) except to the extent resulting from any negligence or intentional torts of Landlord.

10. **ASSIGNABILITY.** Tenant shall not assign or transfer any interest in this Agreement without the prior written consent of Park City. Any assignment or transfer without written approval is void.
11. **PROFESSIONAL PERFORMANCE.** Tenant agrees to perform services under this contract at the highest professional standards, and to the satisfaction of Park City.
12. **APPLICABLE LAW.** This Agreement shall be governed by the laws of the state of Utah.

13. ENTIRE AGREEMENT. This Agreement constitutes the entire and only agreement between parties and it cannot be altered or amended except by written instrument, signed by both parties.

Executed the day and year first above written.

Tenant:

By:

Its:

ACKNOWLEDGMENT

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On this _____ day of _____, 20____, personally appeared before me _____, who being duly sworn, did say that he is the Owner of _____, and acknowledged to me that the preceding Agreement was signed on behalf of _____, and he acknowledged that the company did execute the same for its stated purpose.

Notary Public

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, Mayor

Attest:

Approved as to form:

Michelle Kellogg, City Recorder

City Attorney's Office

Exhibit B

Street Dining Operational Restrictions

Street dining may be allowed by the Planning Department upon issuance of an Outdoor Dining Administrative Conditional Use Permit. Street dining is permitted from May 1st, and shall terminate on October 30th of each year. A total of twelve (12) street dining decks will be accommodated on Main Street based on the layout of the proposed decks. The Applicant must submit an application, pay an application fee, and provide all required materials and plans. Ongoing monitoring will be provided to ensure compliance with these parameters. The Administrative Conditional Use Permit or the Lease may be revoked for failure to comply with these restrictions.

Required Submittals:

- Dining Site Plan – This plan shall be to scale and indicate: the Applicant's building as it relates to the exact proximity of the street dining deck. The plan shall include accurate locations of proposed chairs, tables, umbrellas, planters, and any other existing public improvements (light fixtures, fire department connections, parking meters, etc.).
- Details/specifications sheets – Shall be submitted for each piece of equipment proposed with the street dining is application. This will include all tables, chairs, umbrellas, etc.

Design Standards:

1. Size. Street dining area shall be limited to the linear frontage a building has on Main Street and shall not exceed nine feet (9') in width. The encroachment of the proposed decks into street will not exceed seven feet, nine inches (7'-9") in width from the curb, as the encroachment of the proposed decks into the sidewalk will not exceed one foot three inches (1'-3"), unless approved by City Council. With the written permission of the adjacent property owner submitted to the City, they may extend into the neighbor's street frontage. Forty-four inches (44") of clear sidewalk width shall be available at all times where the street dining deck is being constructed. Each outdoor dining deck shall not exceed forty (40') feet in length.
2. Location/Proximity/Spacing. The City reserves the right to reject an application for an outdoor dining deck:
 - If the proposed deck is too close to a previously existing deck and would eliminate needed parallel parking along Main Street thus creating a concentrated parking issue.
 - If the proposed deck is for a restaurant that does not have direct access at street level.
 - If the proposed deck is for a business with existing outdoor dining space and the expansion of such is deemed excessive.
 - If the proposed deck creates too much private use of the public right-of-way that may be deemed detrimental to the health, safety, welfare of the area.
 - The Building, Planning, and Engineering Departments will review the location, proximity, and spacing of each street dining deck as well as impacts of traffic and

public safety concerns. A recommendation will be given to the City Council for final review and approval.

3. Hours of Operation. The street dining decks shall be utilized for street dining and shall serve lunch and dinner seven (7) days a week for the duration that the decks are in the Right of Way. Lunch service shall start no later than 12 p.m. (noon).
4. Material. Street dining decks may be built of wood platforms and shall have a solid base. The design of the base shall complement the style of the building. The railing shall be painted solid to also complement the building. While outdoor dining deck is not subject to a complete Historic District Design Review (HDDR), the guidelines are applicable to the project.
5. Height. The maximum height of the deck shall not exceed thirty-six inches (36") measured from existing grade to the base/floor of the deck at any given point. The layout of the deck may include a step to meet the maximum height allowed.
6. Advertising. Additional signing or advertising beyond what is allowed by the Park City Sign Code is prohibited.
7. Furniture. All tables and chairs shall be metal, wood, or other comparable material. Plastic furniture shall not be allowed. All furniture must be approved by the Planning Department per the historic district design review.
8. Umbrellas. Umbrellas must be free standing and are prohibited from extending beyond the dining area. Any umbrellas shall be affixed permanently to the deck as required by the International Building Code requirements (including fire standards) and shall not create any public hazard.
9. Lighting. No additional electric lighting is permitted, including exterior building lighting.
10. Planters. Any proposed landscaping or atmosphere pieces shall be reviewed at the time of initial application, and shall not create any public hazard or unnecessary clutter. All plant material must be maintained in a manner that ensures their viability throughout the summer outdoor dining season.
11. Use. The terms and scheduling of the use of the outdoor dining decks must not conflict with any previously existing Master Festival License (MFL) recipients on Main Street, specifically the Arts Fest (Kimball Arts Center), held in 2017 the second Friday, Saturday and Sunday of August. Existing MFL recipients must be consulted with if the outdoor dining decks are to remain during their event. If no agreement is reached, the outdoor dining structure must be removed in full for the duration (including set-up and breakdown) of the MFL event. If the outdoor dining structure is not removed as required, PCMC will remove the structure at cost to compensate for the employees and equipment needed to complete the task.
12. Licensing. The additional square footage of the dining area must be added to the existing licensed area for the restaurant. The Applicant shall also adhere to other applicable City and State licensing ordinances, including the Department of Alcoholic Beverage Control. It is the responsibility of the Applicant to ensure that all licenses are properly obtained and adhered to.

13. Duration. Street dining is permitted from May 1st, and shall terminate on October 30th, each year.
14. Health & Safety. The Use shall not violate the Summit County Health Code, the Fire Code, or International Building Code.
15. Music. The use of outdoor speakers and music is prohibited.
16. Maintenance. The dining area shall be clean and maintained in a neat and orderly fashion.
17. Storage. All equipment and other associated materials must be removed and stored on private property during prohibited times (off season). No material associated with the outdoor dining decks may be stored outdoors on-site during the off-season.
18. Removal. Decks must be completely removed from the Right-of-Way prior to the end of business day October 30. If the outdoor dining structure is not removed as required, the City will remove the structure at cost to compensate for the employees and equipment needed to complete the task.
19. Drainage. Design of the deck and its skirting shall not interfere with the existing street drainage. Deck plans shall be reviewed by the City for drainage and may be modified so as to not interfere with the existing drainage patterns of the street.
20. Utilities. Access to utilities shall not be hindered by the structures. No outdoor dining decks will be approved if located in an area that blocks access to fire hydrants, etc. No new utility lines shall be installed as a result of the proposed outdoor dining.
21. Insurance Requirement. The tenant shall carry a policy of liability insurance in an amount of at least \$2 million per combined single limit per occurrence and \$3 million per aggregate for personal injury, bodily injury and property damage. Park City Municipal Corporation shall be named as additional insured by endorsement of each policy.
22. Main Street Improvements. Due to the possible conflicts with scheduled Main Street improvements the City may postpone approving leases until the construction schedule is finalized to be able to determine appropriate dates.

If at any time the street dining deck needs to be removed the City will give each affected street dining business owner a minimum of 72 hours to have their decks removed. The City will not be responsible for any associated costs involving deck removal/placement or potential lost revenue.
23. Aesthetics. Due to the Park City environment and storage of the decks over the years, the decks shall be maintained in a safe and high quality manner. Prior to final installation and occupancy of each deck, the applicant shall make sure that the structural members can adequately meet their original design and each deck shall look aesthetically pleasing.
24. Violations. The decks shall be in compliance with Municipal Code § 11-19-3(H) regarding Prohibition Against Issuance of Municipal Permits. From the time that any

Notice of Violation is given, the City may withhold permits for any alteration, repair or construction, which pertains to any existing or new structures or signs on the property or any permits pertaining to the use and development of the real property or the structure where a violation is located. The City may withhold permits until a Notice of Compliance has been issued by the enforcement official. The City may not withhold permits that are necessary to obtain a Notice of Compliance or that are necessary to correct serious health and safety violations.

Exhibit B

Proposed 2017 Street Dining on Main Decks





January 7, 2014

Francisco Astorga
Planning Department
Park City Municipal Corporation
PO Box 1480
Park City, UT 84060

Dear Francisco:

This letter is being sent as an update on the Historic Park City Alliance's (HPCA) recommendations regarding the street dining deck program implemented in 2010. The HPCA uses vision statements as a way to set goals and policies for activities and uses that assist us in making decisions about the future of the district. The HPCA reviewed the dining deck uses at our November and December Board Meetings.

The HPCA discussed the street dining deck program at both our November and December Board Meetings. The HPCA continues to support the dining deck program and feels it adds vibrancy to the street during the summer months. As part of this review the Board discussed the difficulties some restaurants voiced about lunch service. The Board entertained thoughts of reducing the number of days lunch service is required as well as changes to the definition of lunch service. The Board ultimately kept with the original requirement of lunch service seven days a week. During the Board discussion, the definition of lunch service was addressed and the Board felt lunch service should begin by 11:30am.

The HPCA continues to believe the outdoor dining decks, located in public parking spaces, bring a vibrancy and positive atmosphere to the District. In order for the decks to be placed on the street, parking must be removed. The HPCA feels that participation in the dining deck program is voluntary and if a restaurant does not feel they would benefit from serving lunch, they should reconsider their use of public parking. The HPCA is more than willing to see the decks placed later in the spring/summer so that the restaurants can utilize them in the high season. When the service of lunch and dinner no longer benefit them in the fall season, the decks should be removed.

The HPCA desires to see the dining deck program continue and wants to see success for our restaurants who take advantage of this opportunity.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Alison Butz", written over a light blue circular stamp.

Alison Butz
Executive Director

Attachment: HPCA Outdoor Dining Deck Vision Statement

Historic Park City Alliance
PO Box 1348 Park City, UT 84060
www.historicparkcityutah.com

Outdoor Dining Decks located in Public Parking

It is the objective of the HPCA to promote Historic Park City as a fun, friendly and vibrant destination. We wish to foster an atmosphere that encourages longer stays and gives pedestrians time to circulate throughout the District. We believe that prolonged exposure to our businesses will increase sales and diversify revenues.

The HPCA agrees upon the following:

- The outdoor dining decks in the public way is a continuing program that started in 2010.
- The outdoor dining decks, located in public parking spaces, bring a vibrancy and positive atmosphere to the District.
- The outdoor dining decks, located in public parking spaces, may not have measurably increased traffic to the District, but continuing the program will help to maintain HPC's vibrancy, competitiveness, and overall economic health.
- The outdoor dining program should be managed in a proactive manner to insure that it is consistent with all of our efforts to improve the district and serve our membership. The HPCA believes that the decks are a positive addition and supports their continuation.

Recommendations:

- There shall be no more than 9 outdoor dining decks, to be reviewed biennially by the HPCA.
- Participating restaurants must be located at street level, or receive annual permission from the street level business owners if the business is located on an upper or lower floor of the building.
- Maximum length of any deck is 40', but in no case can the deck be longer than the width of the building.
- Decks should have consistency in construction, but be decorated to match the building.
- Restaurants must have full lunch and dinner service 7 days a week. Lunch service must begin by 11:30am.
- Decks cannot be enclosed in any sort of way, including a tent.
- Height of the deck above the ground, should be limited to maintain visual corridors.
- Restaurants should be assessed a user fee for use of public parking spaces. The user fee should be similar to the business license and take into account the 6 months use of this space. The fees collected should go back to the ongoing promotion and marketing of the District.

In no case should the decks be removed for more than 3 events per season.

Actions: The HPCA will continue to present their position to Park City Municipal Corporation as part of City Council discussions. If a retailer is interested in using a deck, the HPCA Events Committee will review their request, and if deemed suitable, make a formal recommendation to the City.



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Staff is recommending that the City provide \$15,000 in funding to the Park City Summit County Arts Council for the creation of a community wide Arts and Culture Master Plan.

Respectfully:

Nate Rockwood, Capital Budget, Debt & Grants Manager



City Council Staff Report

Subject: Arts Council Master Plan Special Service Contract Request
Author: Nate Rockwood - Budget, Debt & Grants
Jenny Diersen - Special Events Coordinator
Department: Budget, Debt, & Grants
Date: April 27, 2017
Type of Item: Administrative

Summary Recommendation

City Council should approve an amendment to the current special service contract with Park City Summit County Arts Council for \$15,000 for services related to the creation of an Arts and Culture Master Plan in a form approved by the City Attorney's Office.

Executive Summary

Staff is recommending that the City provide \$15,000 in funding to the Park City Summit County Arts Council for the creation of a community wide Arts and Culture Master Plan.

- Staff discussed the Development of an Arts and Culture Master Plan with City Council on December 8, 2016.
- Council was unanimously in support of exploring options of scope (including funding, timeline, staffing and resources) for a collaborative Arts and Culture Master Plan.
- The Arts Council presented a scope to the Steering Committee on January 5, 2017. The Steering Committee unanimously supported the scope and recommended that the Arts Council take lead on such a project.
- In January Council agreed with staff that the Arts Council should proceed with an extraordinary request for funding through the Special Service Contract process (see attached SSC extraordinary request (attachment A) and staff recommended performance measures and deliverables (attachment B).

Acronyms

Arts Council	Park City Summit County Arts Council
ACMP	Park City & Summit County Arts & Culture Master Plan
Steering Committee	Arts and Culture Initiative Steering Committee
SSC	Special Service Contract
FY	Fiscal Year (July 1 – June 30)

The Problem and the Opportunity

How this item supports the Goals of the Strategic Plan and General Plan: Arts & Culture creates a sense of community and place in our community, and specifically relates to the City's Goals in the General Plan ([goals 11 & 13](#)). It is also one of Council's Top Priority goals: Arts and Culture. Arts and Culture connects people and place, as well as, serves as an economic driver that adds vibrancy to the place we live and the

destination market. Arts and Culture creates amenities for our local community as well as visitors, and builds community connections.

Due to the collaborative nature of the Arts and Culture Master Plan, there are diverse funding sources for this project including both private and public sources, staff recommends that the most viable option to fund the City's portion of the project and ensure fiscal responsibility is through the Special Service Contract extraordinary request process. Staff believes this will ensure:

- The project and allocated funds go through a public process,
- Allows a payment schedule contingent on performance measures, deliverables and qualifications; and
- Fits within a onetime budget request to fund such a service.

Background

Date	Item
January 7, 2016	<u>Work Session Arts & Culture Initiative Update</u> (pg. 16 - 27)
January 7, 2016	<u>Work Session Arts & Culture Minutes</u> (pg. 3 – 4)
December 8, 2016	<u>Discuss the Proposed Development of an Arts & Culture Master Plan</u> (page 37 – 102)
December 8, 2016	<u>Discuss the Proposed Development of an Arts & Culture Master Plan Minutes</u> (pages 6 – 8)

In January of 2016, Staff facilitated a Study Session regarding an Arts and Culture Initiative. An Arts and Culture Steering Committee was formed and focused on gathering data and analysis of Arts and Culture organizations throughout Park City and Summit County. Changes and clarifications in the purpose of the Arts and Culture Steering Committee, Arts Council and Public Art Advisory Board, led to clarity in the purpose of these groups.

In the fall of 2016, the Arts and Culture Steering Committee suggested there is a need for an Arts and Culture Master Plan and supported that the Arts Council create a proposed scope for such a project.

In December of 2016, staff presented the work and recommendation of the Steering Committee to City Council and explained that such a plan would serve two purposes:

- Preserve and protect our past histories and unique culture and identity; and
- Provide structure, focus and direction for a clear path forward for arts and culture

Such a plan would bring all elements of arts and culture together. The proposed scope (Exhibit A) would have four key components including:

- Data Analysis;
- Community Engagement;
- Identify collective priorities; and
- Look to the future to strengthen the community

In January of 2017, the Arts Council presented the proposed scope to the Arts and Culture Steering Committee who unanimously supported that the Arts Council be charged with leading the Arts and Culture Master Planning Process. It was also clarified that Council Member, Nann Worel, will sit on the Steering Committee, and Staff Member, Jenny Diersen, will provide staff support from a City perspective for the project to the Steering Committee.

Staff worked to identify possible areas of funding for such a project including:

- Fiscal Year Budget Process 2018
- Capital Improvement Project Public Art Budget Allocation
- Special Service Contract

In January 2017 Council agreed with staff that the Arts Council should proceed with an extraordinary request for funding through the Special Service Contract process (see attached SSC extraordinary request (attachment A) and staff recommended performance measures and deliverables (attachment B).

As part of the two-year budget cycle, Council approved the recommendation from the Special Service Contract Subcommittee regarding which organizations would receive funding through a Special Service Contract (SSC). As outlined in the Budget Document's Policies & Objectives section, Council may consider SSC extraordinary requests every six months if there are unallocated funds:

Deadlines: All proposals for Special Service Contracts must be received no later than March 31. A competitive bidding process conducted according to the bidding guidelines of the City may set forth additional application requirements. If there are unallocated funds, extraordinary requests may be considered every six months during the two-year budget cycle, unless otherwise directed by Council.

Extraordinary requests received after this deadline must meet all of the following criteria to be considered:

1. The request must meet all of the normal Public Service Fund Distribution Criteria and qualify under one of the existing Special Service Contract categories;
2. The applicant must show that the requested funds represent an unexpected fiscal need that could not have been anticipated before the deadline; and
3. The applicant must demonstrate that other possible funding sources have been exhausted.

There is currently \$15,000 available for both FY 2017 and FY 2018 in the special service contracts budget. During the last six-month period, staff received one SSC extraordinary request from Park City Summit County Arts Council to provide a portion of the funding for community-wide arts and culture master planning project.

Analysis:

The Special Service Contract Subcommittee (Jack Thomas, Cindy Matsumoto, Nate Rockwood and Anne Laurent) reviewed the original SSC application from Park City Summit County Arts Council and found that the organization and program substantially meets the SSC criteria. Staff has reviewed the SSC extraordinary request and finds that the proposed project meets the criteria outlined in the Special Service Contract policy.

The master plan will be broken up into three phases: Creative Community Inquiry, Creative Community Visioning, and Creative Community Action; all phases leading to develop of short and long-term recommendations to further arts and culture in our community (see application - attachment A). In addition, staff has provided a detailed performance measures and deliverables outline to be included as part of the contract amendment (attachment B). Staff is recommending a payment schedule, which provided 80% of the funding with the amendment of the contract and 20% funding at the completion of the project and delivery of the Final Report. This payment allocation is similar to payment schedules included with all special service contracts.

Department Review

This report has been reviewed by the Economic Development, Budget, City Attorney's Office and Executive Departments.

Funding Source

Staff recommends funding this request as part of the SSC extraordinary request process. There is currently \$15,000 available in the SSC budget in FY 2017 and FY 2018.

Attachments:

- A – Park City Summit County Arts Council SSC extraordinary request application
- B – Performance Measures and Deliverables Arts & Culture Master Plan

Special Service Contract Application Form

Park City Municipal Corporation

Please provide 2 (2) hard copies and an electronic copy of this application and all other requested information to the Budget, Debt, and Grants Office by **5:00 pm on March 31, 2016.**

(1) Organization Contact Information

Name Hadley Dynak, Park City Summit County Arts Council
Address PO Box 4455
Park City, UT 84060
Phone (435) 647-9747 Fax _____
E-mail director@pcscarts.org

(2) Indicate the applicable Special Service Contract category for this proposal:

- | | |
|---|---|
| ☐ Youth Programming | ☐ Victim Advocacy Services/Legal Services |
| ☒ Arts | ☐ Affordable Housing |
| ☐ Recycling/Environmental | ☐ History/Heritage |
| ☐ Information and Tourist Services | ☐ Health |
| ☐ Senior Services | ☐ Other Community Service (please specify) |
- _____

(3) Proposed Total (~~two-year~~) Contract Amount: \$ 15,000

(4) In addition to the above requested information, applications must address the following components:

1. Specific detail of how the requested funds will be used (attach summary - *one page maximum*);
2. Financial information for your organization including annual budget and other sources of potential funding. Please also include 2 years of financial statements such as Balance Sheet, Income Statement, Statement of Financial Position, Activity Statement, etc. or include Independent Auditors' Reports (attach relevant documents);
3. Quantitative and/or qualitative goals (with specific targets) that can be used to measure the degree to which the funds were used for their intended purpose (attach summary - *half page maximum*); and

4. Specifically address how your proposal meets the criteria described in the City's Public Service Contract Policy (specific criteria components are outlined below, please attach no more than one page for each criterion):

Criterion 1: Accountability and Sustainability of Organization - The organization must have the following:

- a. Quantifiable goals and objectives.
- b. Non-discrimination in providing programs or services.
- c. Cooperation with existing related programs and community service.
- d. Compliance with the City contract.
- e. Federally recognized not-for-profit status.

Criterion 2: Program Need and Specific City Benefit - The organization must have the following:

- a. A clear demonstration of public benefit and provision of direct services to City residents.
- b. A demonstrated need for the program or activity. Special Service Funds may not be used for one-time events, scholarship-type activities or the purchase of equipment.

Criterion 3: Fiscal Stability and Other Financial Support - The organization must have the following:

- a. A clear description of how public funds will be used and accounted for
- b. Other funding sources that can be used to leverage resources.
- c. A sound financial plan that demonstrates managerial and fiscal competence.
- d. A history of performing in a financially competent manner.

Criterion 4: Fair Market Value of the Services - The fair market value of services included in the public service contract should equal or exceed the total amount of compensation from the City unless outweighed by demonstrated intangible benefits.

Signed: _____



Date: _____

2/13/17

**Special Service Contract
Extraordinary Request
Park City Summit County Arts Council
Arts and Culture Master Planning Project**

1. PROPOSED PROJECT REQUEST (one page)

Overview/Background

The Park City Summit County Arts Council is requesting a \$15,000 Special Services Contract from PCMC to support a portion of costs to lead a collaborative, community-wide arts and culture master planning project.

Purpose

The Arts and Culture Master Plan will outline the future of arts and culture in Summit County. It will include a set of short and long-term recommendations that address local needs, grow investment in our creative sector, connect arts and culture to City and County priorities, and support the long-term vitality of our arts and culture community.

Scope of Work

The Summit County Arts and Culture Master planning process will be organized into three (overlapping) phases each with specific goals, objectives, and deliverables. Work will begin as resources are committed to the project.

Phase 1: Creative Community Inquiry (data collection and analysis)

Phase 2: Creative Community Visioning (convenings and engagement)

Phase 3: Creative Community Action (documentation and recommendations)

The Arts Council will manage the project with the oversight and guidance of a Steering Committee comprised of established project stakeholders. Workgroups will be established to ensure broad participation and input into the planning process. (See Appendix A for more detail on the leadership structure, roles and responsibilities, and confirmed participants)

We will seek a broad base of public participation through digital and in person activities. The Arts Council will launch and maintain a project website to publicize the process and progress, provide a point of access for public survey tools, and share opportunities for engagement. We will also use the Arts Council and partner organizations' platforms to promote the project.

In addition, we will hold at least one community forum/town hall and organize several events at partner sites to collect data and get feedback from the public. We will plan a day-long working meeting (a Master Plan Summit) for participating organizations midway through the process to review data, identify collective priorities, and generate recommendations. Project workgroups will meet at least three times during the course of the planning process to provide insight and direction. The Steering Committee will meet monthly.

2. FINANCIAL STATEMENTS

(attached)

3. GOALS AND OBJECTIVES (half page)

Phase 1 Goal: Creative Community Inquiry (data collection and analysis)

- Benchmark other community's arts and culture plans
- Document the state of arts and culture through a cultural program inventory
- Assess current funding allocations for arts and culture
- Define the economic impact of our arts and culture assets
- Assess our creative sector needs through interviews, surveys, and focus groups
- Draft a summary report

Phase 2 Goal: Creative Community Visioning (convenings and engagement)

- Document the roles and responsibilities of various arts and culture stakeholders
- Define the collective priorities of arts and culture organizations and the larger creative sector through convenings, open houses, public forums, a community-wide Summit, and workgroup sessions.
- Share progress and updates via the project website and social feeds
- Validate community inquiry data and assumptions
- Draft a summary report

Phase 3 Goal: Creative Community Action (documentation and recommendations)

- Develop a series of short and long-term recommendations
- Identify funding needs and financing mechanisms
- Draft an implementation timeline
- Draft a final report of findings and secure public adoption

3. SPECIAL SERVICE CRITERIA COMPONENTS

Criteria 1: Accountability and Stability of the Organization

a. Quantitative goals and objectives

The Arts Council maintains an annual operating plan with clear goals and objectives for our core marketing, programming, and policy/advocacy priorities. For the proposed master planning project, please see the goals and objectives outlined above.

b. Non-discrimination in providing programs or services

Arts Council services, resources, and opportunities are available to all, regardless of race, color, religion, sex or national origin.

c. Cooperation with existing related programs and community service

As an umbrella community nonprofit with a mission to promote, support, and strengthen arts and culture in our community, the Arts Council partners in a variety of ways with all local arts and

culture nonprofits. We lead networking activities, market partner organization's events, conduct partnership programming, and help advance policies to benefit the creative sector. We maintain strong relationships with the following local and statewide arts groups and organizations.

- Arts-Kids
- Alf Engen Museum
- Ballet West
- Egyptian Theatre
- Kimball Art Center
- Park City Institute
- Park City Chamber and Visitors Bureau
- Park City Community Foundation
- Park City Education Foundation
- Park City Film Series
- Park City Gallery Association
- Park City Municipal Corporation
- Park City Museum
- Park City and Summit County School Districts
- Park City Professional Artists Association
- Mountain Town Music
- Sundance Institute
- Summit County Government
- Summit County Museum
- Swaner EcoCenter and Preserve
- Utah Arts Council (Utah Department of Arts and Museums)
- Utah Cultural Alliance
- Utah Nonprofit Association
- Utah Symphony/Deer Valley Music Festival

d. Compliance with the City contract

The Arts Council has submitted, and will continue to submit, compliance reports to PCMC, as required, throughout the service contract period.

e. Federally recognized not-for-profit status

The Arts Council is recognized by the Federal Government as a 501(c)3 tax-exempt, not-for-profit organization.

Criteria 2: Program Need and City Benefit

The intent of the master planning project is to chart a course for the future of arts and culture in Summit County. No current master plan exists for the creative sector and no formal assessment and planning effort for arts and culture has been done since 1999. A diverse group of stakeholders have come together to request the development of a new plan, and the Arts Council will lead this effort which will benefit the public in the following ways:

- The process will provide a framework to aggregate and analyze data on the current state of arts and culture in our community, its economic impact, and the larger needs of the creative sector.
- It will serve as a means for community engagement with convenings, open houses, and surveys that help us understand the opportunities for arts and culture to advance our city and county goals.
- It will outline and define the collective priorities of those working in our creative sector--the arts and culture nonprofits, local artists, creative industry entrepreneurs, and those making their living working to support our creative enterprises.
- It will outline and define a set of short and long-term recommendations that address local needs, grow investment in our creative sector, connect to City and County priorities, and support the long-term vitality of our arts and culture sector.
- Finally, there are currently a number of development projects underway to grow arts capacity in Park City and Summit County -- from the Brew Pub Lot and Miners Plaza on Main Street to the County Fairgrounds and the capital expansion of the Kimball Art Center. The master planning process can help inform the direction, scope, and decision-making of these and other concurrent countywide arts and culture planning and development initiatives.

Criteria 3: Fiscal Stability and Other Financial Support

The total budget for the proposed scope of work is estimated at \$83,500. Funding will come from a diverse set of stakeholder groups that represent the interests of the larger community. (See Appendix B for the budget breakdown and list of targeted donors.) The requested PCMC Special Service Contract funds will represent approximately 18% of the total budget.

The Arts Council has a comprehensive accounting system in place. Finances are managed by a third party consulting firm and monthly financial statements are prepared by a CPA to ensure financial oversight and inform decision-making. Independent CPAs have performed financial review and audit engagements for the Arts Council in the past, and we will continue this practice annually moving forward.

We will track revenue and expenses for the master planning project and share reports with the Steering Committee to ensure fiscal accountability.

Criteria 4: Fair Market Value of Services

A proposed budget for costs associated with the project is outlined below (Appendix B) along with potential funding sources from a range of institutions that represent the varied interests participating in the planning process. PCMC's portion is an integral component, but is just a

portion of the total which reflects a fair market value, including in-kind services and volunteer time which will total well over \$200K.

4. EXTRAORDINARY REQUEST CRITERIA

Criteria 1: Special Service Contract Categories

As an arts effort, the master planning project fits within the normal Public Service Fund Distribution categories.

Criteria 2: Unexpected Fiscal Need

In September 2015, local Summit County arts and culture groups began to meet to advocate for planning and dialogue in order to secure and expand cultural stability and growth within our nonprofit arts and culture organizations and larger creative sector. This objective was presented to both the City and County Councils, and in February 2016, both Councils appointed a representative to act as a liaison to the Summit County Arts and Culture Initiative.

A Steering Committee was formed that included community/business leaders, PCMC and Summit County Council and staff, and arts and culture representatives. At the November 2016 meeting, the Committee stated their support for a formal Arts and Culture Master Planning process, and members asked that the Arts Council prepare a proposal to manage the work. That proposal was approved by the Steering Committee in December 2016 which launched the fundraising phase of the project. There was not an anticipated or determined need for the requested funds during the open Special Service Contract review period.

Criteria 3: Other Funding Sources

PCMC Council and staff have been involved in Arts and Culture Steering Committee since its inception and have served as key stakeholders in the discussions about the need for and scope of an arts and culture master plan. Park City Council unanimously supported the idea of a collaborative, community-wide master planning process led by the Arts Council at the December 8th meeting. As previously stated (and outlined in Appendix B), funding sources for the project include a wide range of partner organizations and groups who are interested and involved in the process. PCMC support is a critical part of the total funds requested.

APPENDIX A

ARTS AND CULTURE MASTER PLANNING // LEADERSHIP STRUCTURE

The Proposed Leadership Structure of the Arts and Culture Master Planning process includes a range of opportunities for input, engagement, and guidance to the process. The roles and responsibilities of the leadership groups are outlined below.

Steering Committee: Oversight and Guidance

Meets monthly for one hour. Ensures the planning process is on track and moving forward. Holds the project management team accountable. Advocates on behalf of the project.

Workgroups: Content and Direction

Provide content expertise and substantive direction to the project in core areas of emphasis. Advocate on behalf of the project. Workgroups meet as needed for a minimum of three longer work sessions. Members work asynchronously to move efforts forward. At least one representative from each Workgroup will be appointed to serve on the Steering Committee.

Arts and Culture Workgroup: This Workgroup is for Arts and Culture Nonprofit staff and Nonprofit staff with arts programming/interest in the arts.

TASKS: Help draft survey questions, identify data sources, collect data, review data, organize onsite convenings and open houses, organize interviews/focus groups, represent the project to their constituents, define and clarify priority recommendations, etc.

Creative Sector Workgroup: This Workgroup is for artists, writers, product makers, and other creative industry professionals.

TASKS: Help draft survey questions, collect data, review data, organize interviews/focus groups, represent the project to their peers, define and clarify priority recommendations, etc.

Business Sector Workgroup: This Workgroup is for business owners and their representatives (bars, restaurants, galleries, resorts, trade associations, etc.).

TASKS: Help draft survey questions, identify data sources, represent the project to their constituents, define and clarify priority recommendations, etc.

Finance and Philanthropy Sector Workgroup: This Workgroup is for government officials/ staff, grantmakers, land developers, and others with an interest in assessing the current financing mechanisms of arts and culture and opportunities for growth.

TASKS: compile and review existing investment data, consider RAP tax reauthorization requirements and options, identify alternative financing mechanisms and appropriations for arts and culture priorities, etc.

ARTS AND CULTURE STEERING COMMITTEE MEMBERSHIP

Roger Armstrong (Summit County Council Representative)
Randy Barton (Egyptian Theater, PC Arts and Culture Representative)
Jenny Diersen (Park City Municipal Staff)
Travis English (Summit County Staff)
Bill Malone (Park City Chamber)
Bob Richer (Former Council Member)
Bill Rock (Vail)
Katie Stellpflug (Kamas Gallery Owner)
Bob Wheaton (Deer Valley)
Nann Worel (Park City Council Representative)
Katie Wright (Park City Community Foundation)

TBD (Historic Main Street Business Alliance)
TBD (Eastside Municipal Representative)

Teri Orr (Chair, Arts and Culture Workgroup)
Rob Slettom (Chair, Business Workgroup)
Mary Beth Maziarz (Creative Sector Workgroup Representative)
TBD (Funding and Philanthropy Workgroup Representative)

APPENDIX B

PROPOSED MASTER PLAN BUDGET: (Jan-Dec 2018)

ITEM	TIMELINE (11 months/ 48 wks)
Staffing	
Project Manager	40,000
Arts Council ED	20,000
Consultants: data collection, tech, facilitation	15,000
Subtotal	75,000
Misc Expenses: outreach, meetings, technology, contingencies	8,500
TOTAL	83,500

Projected/Targeted Funding Sources

Sources	Target
Individual Donors	\$20,000
Chamber of Commerce	\$10,000
City	\$15,000
County	\$15,000
Businesses	\$15,000
Arts and Culture Groups	\$10,000
Grants (UDAM, PCF)	\$5,000
Total	\$90,000

Park City Summit County Arts Council Arts & Culture Master Plan Performance Measures & Deliverables

Phase 1 Goal: Creative Community Inquiry (data collection and analysis)

- Benchmark other community's arts and culture plans
- Document the state of arts and culture through a cultural program inventory
- Assess current funding allocations for arts and culture
- Define the economic impact of our arts and culture assets
- Assess our creative sector needs through interviews, surveys, and focus groups
- Draft a summary report

Phase 2 Goal: Creative Community Visioning (convenings and engagement)

- Document the roles and responsibilities of various arts and culture stakeholders
- Define the collective priorities of arts and culture organizations and the larger creative sector through convenings, open houses, public forums, a community-wide Summit, and workgroup sessions.
- Share progress and updates via the project website and social feeds
- Validate community inquiry data and assumptions
- Draft a summary report

Phase 3 Goal: Creative Community Action (documentation and recommendations)

- Develop a series of short and long-term recommendations
- Identify funding needs and financing mechanisms
- Draft an implementation timeline
- Draft a final report of findings and secure public adoption

Community Outreach Deliverables

- The Arts Council will maintain a website to serve as the public platform for Project engagement, to chronicle opportunities for participation, and to share findings and accomplishments as they unfold during the process.
- The Arts Council will maintain a document that details the scope of participation in the process from each of the stakeholder groups (businesses, nonprofits, creatives, philanthropy and the general public).

Budget Deliverables

- The Arts Council will maintain a project budget and report to the Steering Committee monthly on revenue and expenses.

Through the Arts and Culture Master Planning project and the documentation that results, the Arts Council will answer the following questions:

- Why is Art and Culture important to our whole community? What are the collective priorities of the Arts and Culture community as identified through the project survey, workgroup meetings, community convenings, etc.?
- What is the current level of service and funding for art & culture in Park City? Summit County?
- What are the implementation and financing recommendations (funding, services, etc.) of the Master Planning project as they pertain to partnership, facilities, community involvement, etc.
- How do the results compare to other communities that were chosen as a measure?

Other Requirements:

The City shall appoint a Council Liaison, and Staff Liaison(s) for this project.

The City Staff Liaison(s) shall be appointed by the City Manager with advice from the Economic Development Manager. The City Staff Liaisons shall serve provide staff support to the City Council Liaison, as well as, shall attend Steering Committee Meetings. When the City Council Liaison cannot attend Steering Committee Meetings, the Staff Liaisons shall report back to the City Council Liaison on items discussed.

Additionally the Staff Liaisons shall attend and provide support for the Arts and Culture Master Plan including Public Outreach Meetings/ Convenings, shall write staff reports and participate in and support public presentations including report outs to City Council.

The City Council Liaison shall be appointed by the Mayor and City Council of Park City. The City Council Liaison shall attend Steering Committee meetings and provide updates through the process back to City Council outside of the required Arts and Culture Master Plan check in points as listed above.

The Steering Committee will meet monthly and receive an update report on project process and findings. Steering Committee members including the City Liaison and staff will have time to review and provide input before final documentation, recommendations, priorities, and financing alternatives are compiled.

In coordination with City Staff and Council Liaison, the Park City Summit County Arts Council (Arts Council) is required to report out to City Council twice throughout this process including once no later than July 27th, 2017, and once no later than December 14th, 2017. The City Council may request a verbal update on the project at any time, and in coordination with City Staff Liaison(s), the Arts Council shall update City Council's request no later than 3 weeks after

such a request. At the end of the project, in coordination with the City Staff Liaison, the Arts Council is responsible for providing findings and reporting to City Council. A final report will be completed no later than June 1, 2018.

Funding is contingent on funding from Summit County and diverse community partners. Funding payment recommendation is 80% at contract signing, 20% at delivery of final report. Final payment must occur before the end of the Park City fiscal year (June 30, 2018).



DATE: April 27, 2017

TO HONORABLE MAYOR AND COUNCIL

Over the past two years, extensive community engagement and education efforts have focused on gathering input on the community priorities in this area. There is a recently completed Recreation Master Plan including uses for the community center in City Park. There has also been a significant amount of focus on senior and multi-generational needs in the community. The City Council also has significant renewable energy goals and will require the project to be On-site Carbon Net-Zero.

The construction of the Community Center is essential to the overall timeline to move the Seniors and begin construction of the Woodside Park Phase 2 affordable housing development, located where the existing senior center is on Woodside Avenue. The development of Woodside Park is the highest priority for Council's affordable housing goal. The City Park Community Center will also help meet the community needs for community recreation, senior programs and flexible, multi-purpose space.

Staff recommends entering into a professional services agreement with Sparano + Mooney as soon as possible to help determine final scope, conceptual design, schematic design and budget in coordination with the FY 2018 CIP budget process.

Based on interviews with design teams for the community center, recent experience with ongoing refinement of project scope for major capital projects, as well as understanding and respecting the timeline for public land use approval process staff is significantly concerned with both timing and budget for this project.

Respectfully:

Matthew Twombly, Senior Project Manager

RDA Staff Report



Subject: Community Center Schematic Design
Author: Matt Twombly, Jonathan Weidenhamer
Department: Sustainability
Date: April 27, 2017
Type of Item: Administrative – Award of Contract

Summary Recommendation

Authorize the City Manager to enter into a professional service provider agreement in a form approved by the City Attorney's Office with Sparano + Mooney Architecture Inc., for design of the City Park Community Center in an amount not to exceed Ninety Four Thousand One Hundred Twenty Five Dollars (\$94,125).

Executive Summary

Over the past two years, extensive community engagement and education efforts have focused on gathering input on the community priorities in this area. There is a recently completed Recreation Master Plan including uses for the community center in City Park. There has also been a significant amount of focus on senior and multi-generational needs in the community. The City Council also has significant renewable energy goals and will require the project to be On-site Carbon Net-Zero.

The construction of the Community Center is essential to the overall timeline to move the Seniors and begin construction of the Woodside Park Phase 2 affordable housing development, located where the existing senior center is on Woodside Avenue. The development of Woodside Park is the highest priority for Council's affordable housing goal. The City Park Community Center will also help meet the community needs for community recreation, senior programs and flexible, multi-purpose space.

Staff recommends entering into a professional services agreement with Sparano + Mooney as soon as possible to help determine final scope, conceptual design, schematic design and budget in coordination with the FY 2018 CIP budget process.

Based on interviews with design teams for the community center, recent experience with ongoing refinement of project scope for major capital projects, as well as understanding and respecting the timeline for public land use approval process staff is significantly concerned with both timing and budget for this project.

Acronyms

CIP	Capital Improvement Program
FY	Fiscal Year
HDDR	Historic District Design Review
MRFMP	Mountain Recreation Facility Master Plan
PCMC	Park City Municipal Corporation
RDA	Lower Park Avenue Redevelopment Authority

The Opportunity

The construction of the Community Center is part of the overall goal to develop affordable housing at the Woodside Park location. The construction of the Community Center is essential to the overall timeline to move the Seniors and begin construction of the Woodside Park Phase 2 affordable housing development, located where the existing senior center is on Woodside Avenue. There are also identified recreation and community needs for a new Community Center in City Park.

Background

- Landmark Design presented to City Council the Mountain Recreation Facility Master Plan (MRFMP) on November 17, 2016. This plan identifies a community center encompassing a main level of 11,300 sf, a partial upper level of 5,600 SF and a basement of 3,800 sf (Exhibit B).
- The MRFMP can be found at [link](#) - p. 11-13. The specific excerpt for City Park can be found as Exhibit B.
- On December 1, 2016 City Council directed staff to pursue construction of a community center that will house the summer recreation program and senior uses as “anchor” users of a shared, community flexible space. The space is planned to be located at the City Park ([report link](#)).
- After the FY17 capital budget process a group of staff including multiple project managers from multiple departments worked with the Budget and Executive Departments to develop a consistent and predictable scoping and budget process across departments. Goals include developing common language for capital projects, and processes, as well as clearly defined project budgets within the Capital budgeting process.
- On December 8, 2016 Council reviewed the draft scope of the RFP. That report had links to additional background information ([link](#), p.26). At that time, Council directed staff to:
 - Council concurred that sufficient public engagement with multiple user groups and the general public had been completed;
 - Design the building to focus on the anchor tenants of the seniors and summer recreation camp;
- Limit scope creep but include design elements that promote overall flexibility for the space and ability for other uses when not being programmed by those two groups – caveated on where doing so was efficient with the budget; and have a follow up meeting with Mayor Thomas, City Council Member Worel and staff to further discuss scope including specifically the senior program.
- On January 12, 2016 staff returned to Council to confirm the programming and received direction to procure a design team to finalize scoping, conceptual design, schematic design and a proposed project budget before the adoption of the FY18 Capital budget in June 2017 ([link](#), p22).
- As part of the Elliott Workgroup contract the preliminary programming has been incorporated into a concept design (attached as Exhibit C).

Alternatives for City Council to Consider

Staff recommends that City Council approve a contract with Sparano + Mooney for the confirmation of the proposed scope and preliminary concept design and proceed with the schematic design in order to develop a schematic design level project budget for the 2018 FY. Council should consider the following alternatives:

1. **Recommended Alternative:** Enter into a professional service provider agreement with Sparano + Mooney in an amount not to exceed \$94,125 on a form approved by the City Attorney's office for the Phase 1 and 2 scope of services for scoping and concept finalization, schematic design and budget development for the City Park Community Center.

Pros

- a. The development of housing at Woodside Park is the highest priority for development of affordable housing. The award of the contract will enable Sparano + Mooney to finalize scoping and concept design during the FY 2018 budget process.
- b. Begin the schematic design process toward the goal of construction of the Community Center, which is the preliminary step in moving the Senior Center in order to develop Woodside Park.
- c. The selection committee ranked Sparano + Mooney as the highest qualified to perform the scope of work.

Cons

- a. There is some, albeit minimal risk (the cost for the work) in entering into a professional services provider contract.
2. **Null Alternative:** The City Council could choose not to award the contract to Sparano + Mooney for the City Park Community Center schematic design.

Pros

- a. None seen.

Cons

- a. Not awarding will delay the project.

Analysis

Budget

The Recreation Master Plan identified a specific concept for this building that includes 8,100 sf of multi-purpose space and 3,100 sf of classroom space within a 22,500 sf building. The adopted budget is based on this program at \$200/sf or \$4.5M. The basement storage for the Parks Department will likely be relocated and not needed here, leaving about 17,000 sf, conceptually or \$265/sf total project.

For purposes of comparison, Summit County recently began construction on Kamas Community building, which includes a library branch, Health Department office, senior center with commercial kitchen and dining room and a meeting space that will be shared for Council & Planning Commission meetings, bid at \$341/sf. The budget (\$4.5M) for our building at the same size (17,600) would allow for \$256/sf., minus approximately \$600,000 for soft costs = \$3.9M for construction or \$222/sf.

The concept program identified by Elliott Work Group was for 15,661 sf building. Based on interviews with design teams for this project we understand that comparable, utilitarian buildings in the Salt Lake valley are being constructed for \$275-300/sf (cost of construction only). We also heard from design team and the County to expect premiums for net zero (15-25%) and “Park City construction & entitlements” of another 10-15%, especially if we pursue winter construction. Add up to 12% for soft costs.

15,661 x \$300	= 4,698,300
Net zero	= x 0.20
Park City Premium	= x 0.12
Soft Costs	= x 0.12
	\$6,765,552

We will be working as quickly as possible to create a project budget based on the program identified and returning to Council as quickly as possible for further discussion on scope. The scope of the Sparano + Mooney Architecture Inc. design contract includes reconciliation with the current budget allocation for the project (\$4.5M). This will allow staff to present what the project might be (1) with the project budget based on defined scope needs, and (2) what the City will get for the current \$4.5M project budget. The rising cost of construction in Park City is a major concern for this project and all projects the City is currently considering. As price per sq. ft. continues to climb, due to outside construction pressure throughout the state, the City will be forced to make decisions on how to proceed with projects. The available funding source and the effects on other projects within the 5-year CIP should be evaluated as project budgets are adjusted. Staff will continue to evaluate estimated project costs, potential project reductions and potential revenue sources which might be used to complete projects.

Schedule

The original schedule identified procuring a design team starting in December. Since the January 12, 2017 meeting, confirming building program ([link](#)) staff has been in the process to procure a design and engineering team to meet the project schedule. Below is the last schedule presented, we are approximately 60 days behind:

What (draft, estimated schedule)	start	fin	2016	2017												2018												2019							
Senior/Community Center@ City Park			12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8
Issue RFP for design and/or just scoping	12/16	1/16	x	x																															
Procure design team	12/16	2/17	x	x	x																														
Finalize contract	1/17	2/17		x	x																														
Project Scoping - Schematic design (30%)	2/17	4/17				x	x	x																											
Capital Budget Process	5/17	6/17						x	x																										
CIP Budget Approved	6/17	6/17							x																										
New contract for design and construction	7/17	8/17								x	x																								
Design Development (60%)	8/17	10/17										x	x	x																					
Construction Design (90%)	11/17	1/18													x	x	x																		
Bid	3/18	3/18																x																	
Construction Recreation wing	8/18	5/19																					x	x	x	x	x	x	x	x	x	x	x	x	
Construction Senior wing	8/18	8/19																					x	x	x	x	x	x	x	x	x	x	x	x	

The team will review the scoping and concept designs to date and work with the staff to develop a recommended scope and concept alternative. As this finalization of the scoping and concept design phase of the project is behind schedule, staff will work with the design team to expedite the scoping, concept design and budget prior to the budget adoption. We are unsure that this can be completed in time for the FY 18 budget. We will be working as quickly as possible to create a project budget based on the program identified and returning to Council as quickly as possible for further discussion on scope.

RFP Procurement

As written in the RFP there will be a hard break between completion of schematic design and moving forward into full design and construction administration. The RFP will be written to allow City Council full discretion if they want to move forward with the consultant selected for schematic design prior to extending a contract for design development, construction documents, and construction administration, or procure a new team.

On February 17, 2017 a Request for Proposals (RFP) for the design, engineering and construction administration for the City Park Community Center Project was advertised in the Park Record, Salt Lake Tribune, Utah Legals and PCMC website. The submittal deadline was March 7, 2017.

There were nine firms that submitted on the RFP. These firms were: Blalock and Partners, Caddis, CRSA, EDA, Elliott Workgroup, Method Studio, Process, Sparano + Mooney, and Think Architecture. A committee of staff including Sustainability and Recreation, as well as Heather Nallette Summit County Seniors Coordinator, met on March 20, 2017 to review the proposals and recommend a shortlist of firms to interview. The team interviewed the four firms of CRSA, EDA, Method, and Sparano + Mooney on March 29th and 30th.

The team felt very strongly about two teams and held a follow up interview with Method and Sparano + Mooney. The original proposal from Method was \$86,400 and Sparano + Mooney \$89,250. Contracts for professional services are exempt from competitive bidding. As both firms were close in price the selection committee felt the firm of Sparano + Mooney should be the recommended design team based on their experience, proposed scope and qualifications of their team.

The proposed not to exceed fee for architectural services is \$94,125. In order for Sparano + Mooney to move forward with the schematic design they need survey information. This is not necessary for the scoping and concept design portion of work. Survey was not part of the RFP and the City has only very limited survey information at this location, so staff and the architects recommended that surveying be added to their scope of services. The survey is \$4,875 in addition to the original \$89,250 for a total of \$94,125 for services through schematic design. The contract at this time is only for Phase 1 and 2 services. Staff requested fees for Phase 3 and 4, although that portion of the services will only be contracted at the discretion of the City Council at the end of schematic design.

The construction of the Community Center is essential to the overall timeline to move the Seniors and begin construction of the Woodside Park Phase 2 development. The development of Woodside Park is the highest priority for Council's affordable housing goal. It is a necessity to move forward as quickly as possible with the finalization of the scoping, concept design analysis, and budget review with City Council during the budget discussions.

Department Review

Legal, Sustainability, Budget, and City Manager.

Funding Source

Funding for the proposed Community Center has been allocated as part of the 5-year CIP in the Lower Park Avenue Redevelopment Area (RDA) budget. The amount was originally recommended to City Council and approved after a review of the projected revenue and expenditures in the Lower Park RDA financial model. The model forecasts the anticipated revenue over the 15-years life of the RDA in order to determine the amount of debt which may be leveraged against the anticipated tax increment. The RDA budget and Capital Improvement Plan has been prepared and prioritized to align with City Councils priorities and goals. The Community Center project was recommended for funding within the RDA because it replaced/remodeled existing facilities which were in need of renovation (City Park Recreation Building and Senior Center) and because the project would allow for the relocation of the Senior Center and facilitate Councils critical housing project at the Woodside Phase II location.

In determining the budget for this project, Council must consider that funding renovation above the target budget of \$4.5 million will require a reduction in other targeted project budgets in the RDA plan, including the \$40 million anticipated for affordable housing or allocating funding from sources other than the RDA. Affordable housing continues to be the critical priority of project funding in the RDA.

Attachments

- A Sparano + Mooney – Scope and Fee
- B Mountain Recreation Facility Master Plan Concept
- C Elliott Workgroup Concept

April 17, 2017

Mr. Matthew Twombly, Senior Project Manager
Park City Municipal Corporation
P.O. Box 1480
Park City, UT 84060

Dear Mr. Twombly,

Thank you for this opportunity to submit our proposal to provide architectural services for the **Park City Municipal Corporation City Park Community Center** project. Sparano + Mooney Architecture, Inc. (SMA), together with our qualified team of engineering and design professionals, bring nearly two decades of expertise focused almost exclusively on producing outstanding civic facilities and in assisting public works agencies, including municipalities, with a wide range of community-based projects. We are architectural specialists with an **extensive portfolio of community centers, senior centers, recreational complexes, and childcare facilities**, as well as direct knowledge of the Park City Recreation Master Plan, which SMA prepared in collaboration with our team members Landmark Design and Parametrix. Our skilled team offers PCMC a **vast body of related expertise and responsive assistance, and in-depth knowledge of PCMC needs**. The City Park Community Center located at 1364 Sullivan Road will benefit from SMA's comprehensive architectural and design resources - which include scoping and site assessment, programming, community outreach, fundraising, building design, strategic planning, construction documents and specifications, bidding and negotiation, cost estimating, and construction contract administration - to produce a flexible, multi-use facility to meet the needs of senior citizens, provide youth recreation and support and fulfill the diverse needs of the Park City community.

**HIGHLY
QUALIFIED
TEAM**

We are a **full-service architecture firm with nationally-recognized, award-winning work experience**. Our team brings decades of experience with similar high-profile public projects in Utah and across the country. Comprehensive design and planning services are provided in-house and through an established network of specialized consulting engineers. We incorporate creative design and cost control strategies to meet both current and future needs of Park City and its residents. We are also skilled in helping our clients with budgeting and fundraising, and will partner with the PCMC during each project phase to deliver a sustainable, cost-conscious project.

**EXCEPTIONAL
DESIGN +
TECHNICAL
ABILITY**

Our ability to develop **custom design solutions** that satisfy operational, aesthetic, budgetary and technical requirements makes us highly qualified to deliver exceptional, innovative and affordable results so PCMC can realize lower first capital and operating costs. The enclosed portfolio of experience has been featured in international publications and exhibitions, and has been the recipient of AIA design awards. Sparano + Mooney Architecture was also named this year's **AIA Western Mountain Region Architectural Firm of the Year** - the first firm in Utah to receive this prestigious award.

**PROJECT
CONTROLS**

SMA is known for design quality, receptiveness to our clients' needs, and for completing projects **on time and within budget**. Your experience with us will be characterized by our firm's aim to exceed your expectations, and to accomplish the following goals:

- Creating a site responsive design that fosters community engagement
- Developing energy-efficient, sustainable + low-maintenance architectural design solutions
- Ensure design excellence, technical ability and national best practices
- Applying principal-led project leadership to ensure quality, schedule and cost controls
- Maintaining clear and attentive communications to ensure client satisfaction

SMA has the professional capabilities, organizational and administrative experience, and available staffing needed to begin work immediately and create design solutions in a timely manner to satisfy PCMC's requirements. Our successful track record working with public entities makes us uniquely qualified to provide outstanding architectural services for the City Park Community Center project. We look forward to working with you to realize this project, and thank you for entrusting us as your consultant. Should you have any questions or require further information, please do not hesitate to contact me directly at 801.746.0234 or john@sparanomooney.com.

Sincerely,



John P. Sparano, FAIA, NCARB
Principal-In-Charge + Authorized Representative

WORK PLAN – INTRODUCTION

Our team is immediately available to begin work on this project for Park City. Sparano + Mooney Architecture will serve as the PCMC's primary contact as the community center project is developed through schematic design and design development, and if awarded, throughout completion of construction documents and construction administration phases. Our work plan includes the development of complete schematic design documents. We will also finalize project scope, program and budget and reconcile the budget with PCMC's annual capital budgeting process.

Our work will include the review of applicable codes and standards in Park City, with which we are very familiar due to our completion of numerous recent projects in Park City and with PCMC, and we will ensure conformance with these regulatory agencies and design standards. As the architect, we will complete the planning process with PCMC and obtain approvals as required from the PCMC and Community Development office.

The project will be designed to achieve a Net Zero energy standard, with which we are experienced through our other Net Zero municipal community facility projects, and we can meet Park City's ambitious climate goals for Net Zero carbon architecture powered by renewable electricity. Our SMA Integrated Sustainable Design Program begins with the end goal in mind - Net Zero energy use - and allows us to design from the start with guidelines and a specialized work plan to ensure we reach these goals. We recently completed a LEED Gold certified project in Park City using this design process and ground source heating and cooling, as well as another Net Zero recreation/gymnasium project for a municipal client. Our close-out and commissioning plan ensures performance criteria will be met for your project.

We have divided our scope of services into the tasks that we feel should be performed in order to provide PCMC with planning, programming, and conceptual and schematic design options for the City of Park Community Center. We also anticipate a period of collaborative discussion to ensure our scope, timeline, and deliverables meet PCMC's needs. Together we will develop the Team Work Plan to provide a road map to guide the entire team to successful project development. Our selected team of professionals will bring its collective expertise to assist PCMC as we articulate your vision for this project. John, Anne and Seth will be leading each aspect of the Work Plan through each project phase, and will be involved in each task for the required number of hours, along with our sub-consultants. They will ensure that the full team will also be available for each specified task.

RESEARCH + DISCOVERY

TIMELINE: 2-4 WEEKS

The SMA project start-up is a key phase in our design process, in which we orient all members of the team to the project and establish approved lines of communication with PCMC in our Communications Management Plan. We will confirm all work elements, scope, schedule and budgets to ensure PCMC's goals are met. This research and discovery phase is one of the ways we make sure our team is able arrive at the best project approach and strategy, in order to ensure a successful outcome.

We will review and confirm, or modify as necessary, the project information for the facility and site prior to proceeding with the design phase. The specific work of this phase will include conducting a thorough site analysis and obtaining site information on topography, utilities, and other infrastructure including adjacent land use and planning data. We will develop design criteria to address site and building systems including finishes, materials, lighting, compatible scale and program configurations and other design options.

If directed by PCMC, our team will prepare a list of key stakeholders to interview. This list typically will include City staff, school and community representatives, non-profits with an interest in the site, operators of the facility and private community-based organizations that have a stake in the outcome of the community center and related planning process. If desired by PCMC, our team will prepare a written survey with appropriate questions to determine potential user groups, facility needs and demand for the project. Our team will distribute, then review and analyze, the material and prepare a summary report for PCMC staff. These results provide the necessary data to determine market demand and amenities needed for our municipal clients.

SCOPING, SITE ASSESSMENT, CONCEPTUAL DESIGN REVIEW

TIMELINE: 2-4 WEEKS

The purpose and objectives of this phase will be to evaluate design options. In doing so, the design team will prepare documents in such detail to ensure that the functional requirements as outlined in the Research + Design Phase are met. Our team will develop scenarios for how the program will be arranged on the site. Site plans will take into account current and future growth and development, and consider the site's unique environmental conditions. Our internal design workshops with the design team will endeavor to determine the most viable configuration of the new Community Center within the larger area for site access and egress and examine the facility's general appropriateness within the context of the park, landscape and historic context.

During this phase we will also explore specific site strategies and options to determine optimum configuration of pedestrian, bike and vehicular access and relationships to other park amenities and circulation. Two meetings with PCMC staff will be held to review the preliminary conceptual design scenarios. At these meetings our team will explain new proposed scenarios in a working session format. The presentation materials will be rougher than the final presentations because we will be soliciting feedback and engaged in a discussion to assist us in developing the scenarios further.

SCHEMATIC DESIGN

TIMELINE: 8-10 WEEKS

We will assist PCMC in developing a schematic design that meets the current needs of the City and community and provides for future flexibility. The design team will work closely with PCMC staff and community representatives to develop and incorporate design solutions and recommendations into the facility and site improvements. This phase will also include the preparation of documents that meet the HDDR Guidelines and a meeting with City planners to discuss permitting, land use, entitlements and Fire, Life and Safety issues relating to the proposed schematic design.

The project team will prepare an estimate of probable construction costs appropriate for this level of completion for the schematic design scenario(s). Our project team members are involved with construction and are thus familiar with current costs of construction in Park City. The benefit to PCMC is that the cost estimates developed for these early design studies will reflect real costs culled from similar projects under construction now, and escalated to an assumed mid-point of construction. The goal of this task is to work with PCMC to develop a cost model for the purposes of establishing an accurate budget for the next stage of the project. Our scope for this phase will also include the development of a preliminary material template, building elevations, and site and building sections to illustrate the overall site strategy and architectural design and character.

COMMUNITY OUTREACH

SMA will provide ongoing leadership and support in PCMC's outreach process by supplying graphic materials and project visualizations representing the community building design and site plan, and material palette for presentation in public meetings, City Council meetings and posting on PCMC's project website. Our team will support PCMC in its outreach efforts to ensure success and brings two decades of municipal outreach experience to this project.

DESIGN DEVELOPMENT

TIMELINE: 8-10 WEEKS

During this phase our team of architects, engineers and specialty consultants will further develop the schematic design to clarify the building program components, systems and arrangements in plans, sections, elevations and outline specifications. The architectural, mechanical, electrical, plumbing and equipment will conform to Park City Green Building standards and the project's Net Zero goals. Costs will be considered in a first cost plus a life cycle cost analysis, and value engineering will be performed as required to meet PCMC's budgetary goals for the project. Deliverables include a final Design Development level estimate of probable cost that will be developed along with an updated project schedule.

CONSTRUCTION DOCUMENT PHASE

TIMELINE: 18-20 WEEKS

During the construction documents phase the architectural and engineering team will move forward to produce a comprehensive set of drawings and documents with greater detail, including specifications and construction details. These drawings and specifications, known as "Contract Documents", will set forth in detail the requirements for construction of the project and will be based on value engineering decisions made at the Design Development level. The Construction Documents will meet code requirements at the local, state and federal level, including ADA, and comply with Utah State Code and Procurement Policies of Park City. Deliverables for this phase will include an updated schedule and estimate of probable construction costs along with a comprehensive set of drawings and specifications that include all pertinent information required for the contractor to price and build the project. A final value engineering report will be included identifying possible alternates to proposed materials or design elements to meet the project budget.

CONSTRUCTION ADMINISTRATION PHASE

DURATION TBD

During this phase SMA will assist PCMC (and CM/GC) in developing the bid documents - including the preparation of instructions to bidders, issuing addenda, and organizing and leading the pre-bid conference - and will provide assistance in the evaluation of bids. During construction we will make regular site visits to determine if the work is being performed in accordance with the Contract Documents. SMA will provide written observation reports with these findings and consult with PCMC throughout the construction process. Our team will be available during construction to review, log and process RFCs (Request for Clarification) and RFIs (Request for Information) or submittals, such as shop drawings, product data and samples, for the purpose of determining if the work affected by and represented in such submittals is in compliance with the requirements of the Contract Documents. We will also review all change orders, verify all costs, and make recommendation for payment or appropriate action. Deliverables also include a record set of as-built drawings showing significant changes made during construction. We will also participate in the final observations of the work to determine if the work is complete and in accordance with the Construction Documents and prepare a punch lists for project close out.

SPARANO + MOONEY ARCHITECTURE

PROPOSED FEE SCHEDULE for the

CITY PARK COMMUNITY CENTER PROJECT

PARK CITY MUNICIPAL CORPORATION

April 17, 2017

PHASE 1	\$30,125.01	estimated hours: 280 estimated reimbursable expenses: \$3,000
	\$4,500.00	Topographic surveying of the immediate project area.
PHASE 2	\$59,500.05	estimated hours: 536 estimated reimbursable expenses: \$6,000
PHASE 3	\$125,625.03	estimated percentage of sub-consultants' fees for this phase: 48%
PHASE 4	\$40,125.03	estimated percentage of sub-consultants' fees for this phase: 25%
TOTAL	\$259,875.12	

NOTES:

1. This proposal includes SMA's involvement at a maximum of two community (outreach) meetings.
2. This proposal only includes exterior lighting and utilities immediately outside the new building.
3. This proposal does not include the services of a lighting designer/consultant.
4. This fee is valid for 18 months from the date of this proposal. A negotiated increase in rates, 5% minimum per year, will be implemented for contracts extending beyond this date.
5. Reimbursable expenses are in addition to the fees delineated above and will be invoiced per the attached reimbursable sheet.
6. This proposal assumes that the subject project will be within 5% of 17,000SF and cost approximately \$4.25M. If the project size or budget increases by more than 5%, fees will increase proportionally.

Architectural Services

Principal
\$165.00 an hour

Project Manager
\$140.00 an hour

Project Architect
\$120.00 an hour

Job Captain
\$90.00 an hour

Draftsperson/CAD Operator
\$85.00 an hour

Administrative
\$65.00 an hour

HOURLY RATES + REIMBURSABLE EXPENSES

Reimbursable expenses and any additional services performed by engineers or sub-consultants will be billed at their cost plus a 15% administrative fee. Expenses include: mileage and transportation in connection with a project, including authorized out-of-town travel; fees paid for securing approval of authorities having jurisdiction over a project; printing, plotting and reproduction services; postage, handling and express mail of drawings, specifications and other documents; and renderings, materials, models and mock-ups requested by the client. Note: Rates are effective for a period of 18 months from the date the contract is signed. A negotiated increase in rates, 5% minimum per year, will be implemented for contracts extending beyond this date.

Reimbursable Unit Costs

Auto Mileage
Federal standard rate per mile

In-house plotting of CAD files
12"x 18" - \$2.50 per sheet

24"x 36" - \$5.00 per sheet

30"x 42" - \$7.50 per sheet

36"x 48" - \$10.00 per sheet

Black & White Printing
8-1/2"x11" - \$0.75 per sheet

11"x17" - \$1.50 per sheet

Color Printing
8-1/2"x 11" - \$3.50 per sheet

11"x 17" - \$5.75 per sheet

24" x 36" - \$15.00 per sheet

30" x 42" - \$22.00 per sheet

36" x 48" - \$27.00 per sheet

SPARANO + MOONEY ARCHITECTURE

Figure 9: City Park - Recommended Concept (Architectural Pre-Programming Plan)



Exhibit B

Exhibit C



Community Center Conceptual Master Plan



ELLIOTT
WORKGROUP
DESIGN