PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
APRIL 26, 2012

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 26, 2012.

Study Session
3:00 p.m. Capital projects financing P. 6 - 19

Closed Session
4:30 p.m. Property and litigation

Work Session
5:15 p.m. Council questions/comments
5:25 p.m. Quarterly goals – 1st quarter P. 20 - 35
5:50 p.m. Break

Regular Meeting
6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*

IV WORK SESSION AND REGULAR MEETING MINUTES OF MEETING OF APRIL 5, 2012 P. 36 - 43

VI NEW BUSINESS

1. Consideration of an Ordinance approving the 80 Daly Avenue plat amendment located at 80 Daly Avenue, Park City, Utah
   (a) Public hearing
   (b) **Motion to continue to May 24, 2012**

2. Consideration of a Master Festival License, as conditioned, for the Utah High School Cycling League to be held on Saturday, September 8, 2012 at Round Valley Trail System, Quinn's Sports Complex Parking Lots and Richardson Flats Parking Lot P. 44 - 48
   (a) Public hearing
   (b) Action

3. Consideration of an Ordinance approving the 269 Daly Avenue plat amendment, located at 269 Daly Avenue, Park City, Utah P. 49 - 58
   (a) Public hearing
   (b) Action

4. Consideration of an Ordinance approving the 12 Oak Court plat amendment combining Lots 35 and 36 of the Amended Evergreen Subdivision Plat, Park City, Utah P. 59 - 71
   - (a) Public hearing
   - (b) Action

5. Consideration of renewals of leases and new leases of City property/right-of-way for outdoor dining, in a form approved by the City Attorney, for: P. 72 - 90
   - (a) Ciseros, 306 Main Street
   - (b) Bistro 412, 412 Main Street
   - (c) 501 on Main, 501 Main Street
   - (d) Main Street Pizza & Noodle, 530 Main Street
   - (e) Bandits Grill & Bar, 440 Main Street
   - (f) Bangkok Thai on Main, 605 Main Street
   - (g) The Eating Establishment, 317 Main Street
   - (h) Shabu, 442 Main Street
   - (i) Flanagan's, 436 Main Street (deck removed during Arts Festival)

VII ADJOURNMENT

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

Posted: 04/23/12
See www.parkcity.org

Note: This future meeting schedule is TENTATIVE and subject to change.

May 2012

3 **Dana gone** (April 21 – May 7)
Site tour – Quinns Junction
Transportation Alternatives and Partnerships (20 min)
Introduction of budget
Recreation survey – work (1 hour)
Municipal Code amendment – idling and taxi regulation

10 **No meeting – Cindy gone**

17 Budget – work and public hearing
Historic District – HPB and Nominations to the HIS (30 min)
Community Water Efficiency Efforts – TP (20 min)
Water bond – public hearing
QJP annexation – public hearing/continuation
PC Heights bonds
Ordinance - 7700 Marsac Avenue Subdivision
Ordinance – 7700 Marsac Avenue condo conversion
Ordinance – 200 Ridge Avenue Subdivision – ME
Ordinance – 573 Main Street and 564/572 Park Avenue plat amendment - FA
High altitude training - study session

24 Budget – work and public hearing
Emergency planning update – work
PC Heights bonds
Budget – work and public hearing
QJP annexation – public hearing/possible action
Ordinance approving the 80 Daly Avenue plat amendment located at 80 Daly Avenue, Park City, Utah
Rocky Mountain Power substation – study session

31 Budget – work and public hearing
Balanced Growth Study findings – work – (90 min)

June 2012

7 Budget – work and public hearing
Bonanza Park Plan update

14 Budget – work and public hearing – No meeting?

21 (Regular meeting begins at 5 p.m. and limited to budget)

28 Ice Arena update

July 2012

5 **No meeting**

12

19

26

Pending Items:

interviews/appointments

- BOA
- HPB
- Planning Commission

- Library Board
- PAAB

Change Order to the IBI Professional Services Agreement in the amount of $49,500
Sundance Festival Policy – study session
Wildfire discussion – work
Conservation easements
Event discussion
RDA Strategic Plan
Resolution establishing a strategic plan for City-owned property with development potential in Park City, Utah and repealing and replacing Resolution No. 22-05 in its entirety

Study sessions:

Sundance Policy
Night Sky Ordinance
Air quality
Hispanic issues
Business recruitment

Proposed Budget Calendar

May 3

Work Session

Presentation of the Tentative Budget
- Budget Overview & Timeline
- Update of Financial Impact Report (FIAR)

Revenue/Expenditure Summary

Regular Meeting

Public Hearing on the Tentative Budget

May 17

Work Session

CIP Budgets
- CIP Alternative Matrix
- OTIS Update
- Downtown Projects

Revenue & Taxation Policy

Regular Meeting

Public Hearing on the Tentative Budget

May 24

Work Session

Continuation of CIP Budgets

Operating Expenditures
- Strategic Plan Team Presentations

Regular Meeting

Public Hearing on the Tentative Budget

May 31

Work Session

Operating Expenditures
- Strategic Plan Team Presentations

Benefits
- Pay plan
- URS-Retirement
- Health Insurance

Regular Meeting

Public Hearing on the Tentative Budget

June 7

Work Session

Personnel Policies and Procedures (P&P) Manual

Fee Changes
- Administrative Interfund Transfers
- Special Event Fees
- Other Fees

City Fee Resolution

Council Compensation

Budget Policies

Outstanding Budget Issues

Adopt CEMP update by resolution

Regular Meeting

Adoption of the Personnel P&P Manuel by Resolution

Public Hearing on the Tentative Budget

Adoption of the Tentative Budget

Public Hearing on the City Fee Schedule

Adoption of the City Fee Schedule by Resolution

Public Hearing on Council Compensation

Adoption of Council Compensation Resolution

Adopt CEMP update by resolution

June 14

Work Session

Outstanding Budget Issues (if necessary)

Regular Meeting

Public Hearing on the Final Budget

June 21

Work Session

Presentation of the Final Budget

Outstanding Budget Issues

Regular Meeting

Public Hearing on the Final Budget

Adoption of the Final Budget by Resolution

Redevelopment Agency Meeting

Public Hearing on the RDA Budgets

Adoption of the RDA Budgets by Resolution

Municipal Building Authority Meeting

Public Hearing on the MBA Budget

Adoption of the MBA Budget by Resolution

*** Schedules and topics subject to change**

Study Session Overview

During Council Visioning 2102, Council discussed the concept of a “Study Session”.

Items for consideration at a Study Session are similar to those that historically would have been presented at a work session, but lend themselves to a greater amount of give and take discussion between Council members and staff.

	Study Session	Work Session	Regular Session
Purpose	Discussion	Direction	Decision
Staff Report	Short staff report, background material, no recommendation	Staff report with background, analysis, recommendation & specification of direction needed	Staff report with background, analysis, recommendation & specification of decision needed
Public Input	None	If noticed for public input or if Mayor decides to take public input	If noticed for Public Input

<u>Purpose of a Study Session:</u>

- Understanding the issue(s)
- Problem identifications
- Understanding “best options”
- Building commitment
- Emphasis on learning

The intent and the process of a Study Session will differ from a regular work session:

- Topic may be one where future direction or decision from Council will be needed, however, the topic may be one where a leadership role may be needed from the Council and no future direction or decision will be necessary;
- Short staff report, intended provide Council with background material to review prior to the Study Session;
- The Study Session would be held either before a regular Council meeting or after a regular Council meeting (we will try having Study Sessions after Council Meetings to start and then gather feedback from Council on preference);
- The seating arrangement would change – Council would move to the table at the back of Council Chambers and sit alongside the presenting staff members;
- The format would include a presentation, information sharing and discussion. The discussion would include both Council and staff members, but not the public. It is expected that staff participation in the discussion would likely be greater than in normal work session discussion (because there will only be a short formal presentation);
- A normal Study Session would run for at least an hour and possibly longer;
- Council can submit questions or ideas they have to staff prior to the Study Session;

- No public input “While these study session are open to the public, as observers, the public should not participate in the Council-staff dialogue. May Councils short-change this arena, pushing the opportunity for learning into the formal public hearing, which is not designed to promote much in-depth analysis of complex issues.” (From the 2012 Visioning Session handout provided by Carl Neu)

Like work session,

- No formal action or vote would be taken during a Study Session; and
- The meeting would be noticed as a public meeting with no formal action.

<u>Focus:</u>

- Developing knowledge for decision making
- Sorting of options
- Examine consequences
- Set strategies
- Gives Council the ability to make competent & informed decisions at a later date

<u>Key Characteristics</u>

- Purpose: Council-staff dialogue
- Questioning – testing of ideas
- Information Exchange
- Negotiating – consensus building
- No voting
- Face to face group interaction

<u>Staff Preparation</u>

- Short staff report with background material and no recommendation
- Staff can send an email to Council asking for any questions Council members may have about the topic -- and please reply to sender only. Questions may or may not be addressed during Study Session. (For example, if a Council member submitted a question about the permitting status for the Kennecott mine expansion, this question could be answered offline and would not be addressed in the Air Quality study session– even though the expansion impacts SLC air quality.)

<u>Topics</u>

During Council Visioning 2012 the following topics were identified:

- Bond and Funding Options for Capital Projects (April 26): Nate
- High Altitude Training Center (May 17): Jason
- Substation Study Session (May 24): Matt & Diane
- Sundance Policy: Jonathan
- Night Sky Ordinance: Tyler
- Air Quality: Joan
- Hispanic Issues: Phyllis
- Business Recruitment: Bret

City Council Study Session

Subject: Study Session - Capital Project Funding
Author: Nate Rockwood
Department: Budget, Debt, & Grants
Date: April 26, 2012

Study Session Memo - Background:
The City begins the budget process in January and February with the City Council identifying objectives for the next year. As part of the FIAR presentation several large capital projects were discussed along with possible funding sources. As was demonstrated, under the current long range revenue projection the City would be unable to fund the majority of these large projects without significant debt funding and increases to existing revenue sources. On February 16th, staff prepared brief summaries of the major projects including estimated project costs and timing as part of the Capital Project Preview. In addition, on March 29th Council was presented preliminary conceptual designs showing the proposed elements of the Downtown Enhancement projects.

The CIP budget process began in February with project managers evaluating current projects and preparing proposals for new projects. The CIP committee's primary goal has been to evaluate and rate all projects, new and current, and recommend the projects which fall within available funding levels. In the past, more expensive project requests which lacked a designated revenue source, such as Downtown Enhancement projects and OTIS, were recommended to be taken to Council as a policy decision outside of the CIP committee evaluation process.

It has been the plan of Council and staff that, as the City Manager's Recommended Budget is near completion and a better picture of the overall budget becomes clear, City Council and staff would continue the discussion of major capital projects and potential funding sources.

Current & Proposed CIP Budget
The City Manager's Recommended Budget will be presented to Council beginning May 3rd with adoption of the City Manager's Recommended (Tentative) Budget scheduled for June 7th and final adoption scheduled for June 21st. The Operating and Capital budget will be presented in detail over that time period. The currently proposed capital improvement plan includes new and continuing projects which have been prepared by staff. Many of these projects are the result of initial direction provided by Council at Visioning.

The proposed CIP includes several large capital projects over the next 5 years to be funded with the general fund transfer to the CIP or CIP fund balance. These larger projects include the Royal Street Reconstruction, Deer Valley Drive Reconstruction, Soils Repository, and Historic Preservation Studies. The CIP also includes several smaller CIP requests which are currently recommended by the CIP committee and the City Manager. The CIP also includes recommended ongoing projects which are also funded through a general fund transfer. These ongoing projects include Asset Management, Pavement Management, Equipment Replacement, Aquatic Equipment Replacement, Economic Development, Traffic Calming, Walkability Maintenance, Public Art, and Irrigation Controller Replacement.

The Capital Planning Model

The Capital Planning Model was created as an interactive City Council decision tool which allows proposed capital project and General Fund operating expenses to be plotted graphically against projected revenues. The model also includes the majority of available funding options available to City Council. The model has been presented to City Council in past years and was update and presented to Council during the FIAR presentation at Visioning in February. The model has been update for this study session to include the operating and capital expenses in the currently proposed City Manager's Recommended Budget. The primary intent of the study session is to allow City Council to examine the large currently unfunded capital projects and match them with potential funding sources. The model which will be used during the study session has changed based on the proposed FY2013 budget and will be somewhat different than the model provided to Council in March.

The Projects

Due to the large cost and uncertain funding sources, the projects listed below totaling an estimated $38 - $54 million are currently <u>not</u> included in the City Manager's Recommended Budget. It is the intent of this study session and the scheduled budget hearings to identify the scope, timing and funding sources for these projects within the framework of the overall budget picture. These projects have been discussed in detail over the past months and in some cases years. Rather than reprint the past descriptions of the projects included in previous staff reports, the projects in consideration are presented with brief descriptions and costs. The cost and timing of the projects are included in the Capital Planning Model and can be adjusted accordingly. Rather than focus on specifics of the projects exclusively it is the intent of this discussion to focus on the Model and the potential funding sources as well as the projects.

<u>Old Town Improvement Study (OTIS) Projects</u>

In 2002 the City conducted a study of street reconstruction needs in the Old Town area. To date, the City has carried out 7 of the 22 projects identified in the 2002 study. The Study was updated in 2011 and a revised cost estimate and schedule have been presented to Council. It is anticipated that the remaining projects will require approximately $9 - $10 million over the next 10-12 years (including water infrastructure estimated costs are $13 – $14 million).

Storm Drain Capital Projects

As the Storm Drain master plan is nearing completion, capital improvement projects have been identified to keep the system at a functional level. Over the next ten years, the master plan anticipates an expenditure of $7 - $10 million to fix and maintain our existing systems. These repairs include replacing a collapsed section of pipe in Deer Valley Drive and replacing sections of the Park Avenue storm drain, which is the heart of our system and in an extremely deteriorated condition.

Open Space Endowment

On March 29, 2012 City Council and staff discussed the possibility of an open space endowment for Summit Land Conservancy for the ongoing stewardship and monitoring of Park City's conservation easements. The currently proposed endowment would consist of 3 annual contribution of $500,000 starting in FY2013 and ending in FY2015 for a total endowment of $1,500,000.

Additional Open Space

City Council has continued to evaluate available open space acquisitions. While specific property has not yet been specifically targeted for purchase, it is reasonable to assume that open space acquisitions could range from $10 - $15 million.

Recreation Capital Projects

PCMC, PCSD and Basin Recreation recently completed a technical needs assessment for local recreation priorities. The findings will be supplemented with a community wide phone survey. We anticipate recommendations for at least one major facility with a minimum budget of $5M that could be shared between the parties. Likely candidates may be a pool or an indoor recreation facility.

Historic Park City/ Main Street Projects

The HPCA/Main Street Improvement projects include the construction and re-construction of a number of plaza, sidewalks, bulb-outs, walkways, crosswalks, dumpster enclosures and streetscape elements on Main Street, Swede Alley, Heber Avenue and a small portion of Park Avenue. It is anticipated that there will be projects with short, mid and long term completion or goals. A committee of staff, architects and HPCA members are currently in the process of developing conceptual plans and cost estimates for the proposed improvements. Based on funding, the project(s) scope may range from $5 - $12 million and be completed over 5 to 10 years. The scope will need to be further defined to produce accurate budgets.

Quinn's Sports Complex Phase III

Construction of one multi-purpose field (softball & rectangular field), an additional softball field, scoreboards, and approximately 100 parking spaces, field lights for two fields, paved trails, sidewalks, associated utilities and landscaping. The project may also include additional restrooms, locker rooms, and additional field lights. These improvements are estimated at approximately $2.7 million. This project was originally funded through the CIP Budget and intended to be built in FY 10. It was defunded to prioritize the Park City Heights project.

Revenue Sources

During the visioning session held in February, Council was presented with the FIAR projection of the City's revenues over the next ten years. The 10 year revenue and expenditure projection was shown graphically with the Capital Planning Model. As discussed earlier, the Capital Planning Model is an interactive model containing the current City Manager's recommended operating and capital budget and has the ability to show proposed unfunded capital projects and new potential revenue sources.

During visioning Council discussed the idea of matching potential new revenue sources with new projects. The intent being that projects could be funded with revenue sources which closely match the targeted users or general beneficiaries of the project. For example resort sales tax or a transient room tax might be matched to downtown enhancement projects which would benefit businesses and visitors in the historic downtown area; while property tax might be used to fund core infrastructure such as street improvements, etc.

It is the intent out this study session to use the Model to discuss possible capital projects and funding sources. In order to facility the best possible discussion, the following section is intended to provide detailed insight into these potential revenue sources. Potential new or increased revenue sources which could fund projects and are included in the Capital Planning Model are Resort Sales Tax, Transient Room Tax, General Levy Property Tax, General Obligation Bonds, and Fees such as Building, Planning, Engineering, Recreation, Special Events and other fees. This section will provide a high level summary of the available revenue sources, the procedure for increasing the revenue sources, potential revenue generation, and a brief overview of revenue base.

Chart 1 shows the current revenue mix for the General Fund:

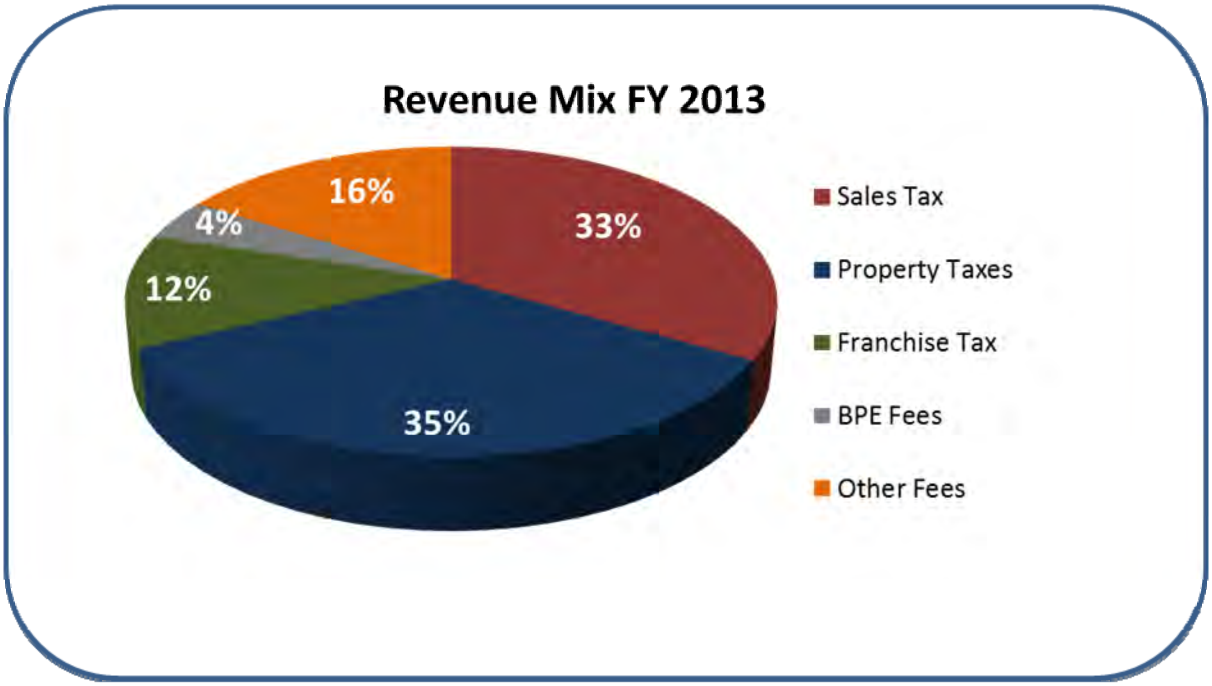


Chart 1 – General Fund Revenue Mix FY2013

Resort Sales Tax

Sales tax revenue accounts for 33% of General Fund revenue. The City currently collects a 1.00% Local Option Sales Tax, 1.10% Resort Sales Tax and .30% Mass Transit Tax. The full Local Option and 75% of the Resort Sales Tax are received into the General Fund to be used for operations and capital projects. The remaining 25% of the Resort Sales Tax is received in the Transit Fund. Local Option Sales Tax is subject to the State distribution/equalization formula whereas the Resort Sales Tax is not. Therefore the City receives the full amount of resort sales tax collected.

Sales tax is a relatively unstable revenue source when compared to property tax. While sales tax in Park City has typically done better during recessions than the rest of the country, sale revenue can fall dramatically as seen in FY 2009 when sales revenue ended the year down 14% over the previous year (A 14 percent drop in FY2009 equated to nearly $2 million). Table 1 shows the current sales tax rates in Park City.

Sales and Use Taxes	Current
State of Utah	
General Sales & Use Tax	**4.70%**
Summit County	
County Option Sales Tax	0.25%
Recreation, Arts, and Parks Tax	0.10%
Park City	
Local Option Sales Tax	1.00%
Resort City Sales Tax	**1.10%**
Mass Transit Tax	**0.30%**
Total Park City "Base"	7.45%
Other Summit County Sales and Use Taxes	
Restaurant Tax*	1.00%
Motor Vehicle Rental Tax*	2.50%
Transient Room Tax*	3.00%

* Added to the Park City "Base" depending on purchase

Table 1 – Current Sales Tax

The resort portion of sales tax presents two possible revenue increases for the General Fund. First the resort sales tax levy can be increased from 1.10% to a maximum 1.60%. In order to charge an addition resort community sales tax the City Council must adopt a resolution approving the tax and obtain voter approval through an 'Additional Resort Communities Sales Tax Election' during a regular election period. The following table shows the estimated revenue generation of increments of an additional resort sales tax:

Revenue Generation from Resort Sales Tax Increase			
	0.10	0.25	0.50
FY2014	$619,822	$1,549,556	$3,099,112
2015	$638,532	$1,596,329	$3,192,659
2016	$657,241	$1,643,103	$3,286,205
2017	$675,950	$1,689,876	$3,379,752
2018	$694,660	$1,736,649	$3,473,299
2019	$713,369	$1,783,423	$3,566,845
2020	$732,078	$1,830,196	$3,660,392

Table 2 – Potential Resort Sale Tax Revenue

The second way General Fund revenue can be increased with Resort Sales tax is by reducing the amount of the tax being received into the Transit Fund. Currently the Transit Fund receives 25% of the resort sales tax, which is expected to be approximately $1.7 million in FY2014. City Council can adjust the percentage of Resort Sales Tax received in the General Fund during the regular budget process. In order to compensate for the loss of revenue in the Transit Fund the Mass Transit Sales Tax can be increased from .30% to .55%. This would require a similar process to raising the resort sales tax rate, the adoption of a resolution by City Council and obtaining voter approval through a 'Mass Transit Sales Tax Election' during a regular election period.

Table 3 shows current Transit Fund revenue which could be received into the General Fund.

Revenue Generation by receiving additional Resort Sales Tax % into General Fund			
	5%	15%	25%
FY2014	$ 340,902	$ 1,022,707	$ 1,704,512
2015	$ 351,192	$ 1,053,577	$ 1,755,962
2016	$ 361,483	$ 1,084,448	$ 1,807,413
2017	$ 371,773	$ 1,115,318	$ 1,858,864
2018	$ 382,063	$ 1,146,189	$ 1,910,314
2019	$ 392,353	$ 1,177,059	$ 1,961,765
2020	$ 402,643	$ 1,207,929	$ 2,013,216

Table 3 – Potential Resort Sale Tax Transfer to GF

Sales Tax Base in Park City

The following information is provided in order to convey a better understanding of sales tax patterns in Park City. There is a multitude of ways to analyze sales tax data, in order to curb information overload the following analysis is provided in the simplest format which still provides a basic understanding of the Park City sales tax base. The Budget Department can provide additional analysis if necessary for a more comprehensive understanding of sales tax patterns. Chart 2 shows the seasonality of the resort sales tax. Over 60 percent of the Resort Sales Tax is generated between December and March.

Chart 2 – Seasonality of Resort Sales Tax

Chart 3 shows the spending pattern of annual sales between the Park City Geos. The Deer Valley Geo continues to grow as a percentage of City wide sales due primarily to recently opened hotels in the area.

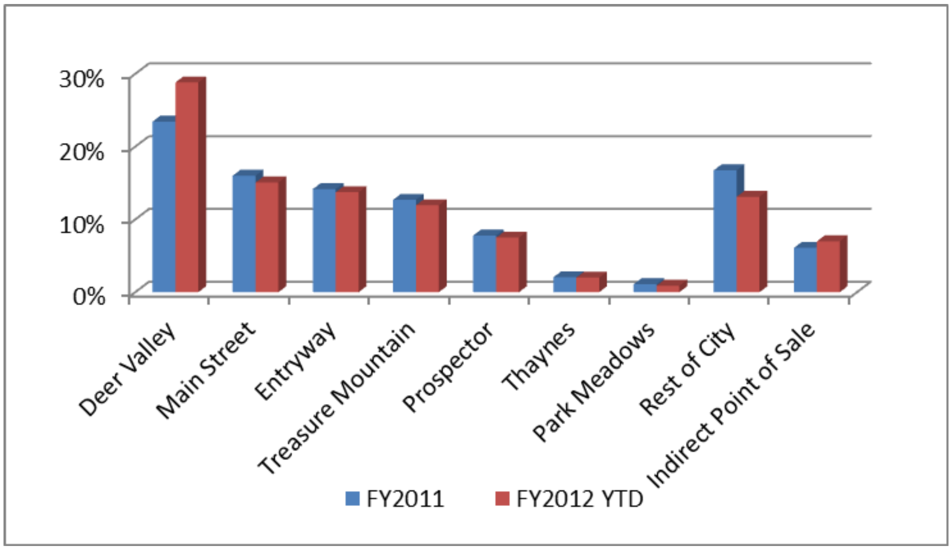


Chart 3 – Sales by Park City Geo

Chart 4 shows annual spending patterns by industry type. As mentioned above Lodging as a sector has experienced large growth due primarily to recently opened hotels in the Deer Valley Geo.

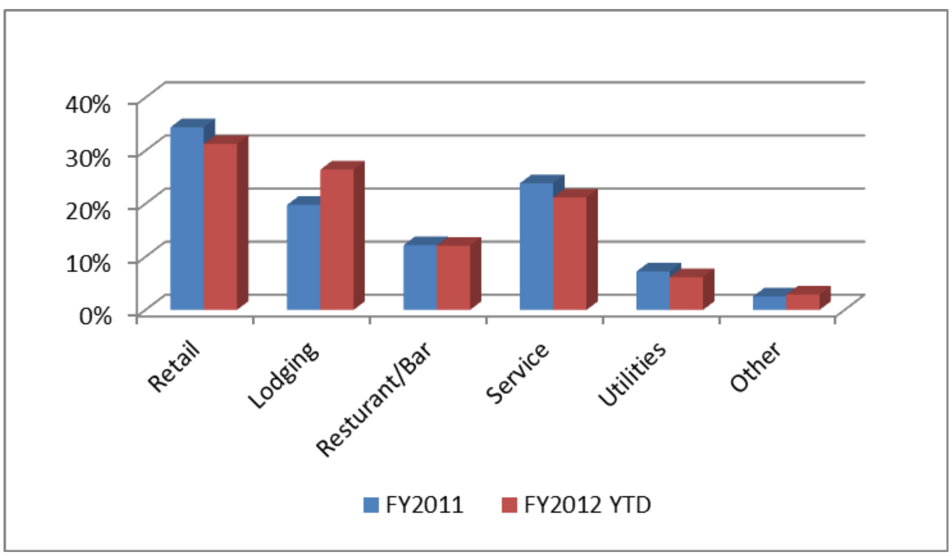


Chart 4 – Sales by Industry Type

Transient Room Tax

Park City does not currently charge a City Transient Room Tax (TRT). Under State code cities and towns that meet certain requirements may impose a 1% tax on temporary lodging. The transient room tax, if imposed, is charged in addition to sales tax. The transient room tax does not apply to charges for meeting rooms. Summit County currently charges a 3% TRT tax for lodging within the County. The additional 1% if levied on Park City lodging would increase the total TRT tax in Park City to 4%. As with Resort Sales Tax, a TRT tax would fluctuate based on the current ski season and economic conditions. The TRT tax is the most directly connected tax to overnight visitors. The 1% TRT tax levy is enacted by City Council vote. The following table shows the estimated revenue from a .5% and 1% TRT.

Revenue Generation from Transient Room Tax		
	0.5%	1%
FY2014	$ 648,302	$ 1,296,604
2015	$ 667,321	$ 1,334,642
2016	$ 686,340	$ 1,372,681
2017	$ 705,360	$ 1,410,719
2018	$ 724,379	$ 1,448,758
2019	$ 743,398	$ 1,486,796
2020	$ 762,417	$ 1,524,835

Table 4 – Potential Revenue generated by TRT

Property Tax

Property Tax currently contributes 35 percent of the general fund revenue. Property tax is set based on the previous year's collection amount plus new growth. As assessed property values within the City collectively increase or decrease the tax rate decreases or increases respectively in order to generate the same revenue year over year. Due to this rate structure, property tax is the most stable revenue source for the General Fund. However, also due to this structure, the property tax levy does not include an automatic inflationary component and thus as the cost of providing services continue to go up over time, the purchasing power of property tax remains stagnant.

The Property Tax levy is set by Council each year as part of the budget process. The levy can be increased in order to generate additional revenue by a Council vote and through the process of a Truth in Taxation hearing. In order to initiate a Truth in Taxation hearing the Tentative Budget must be adopted in June of the year in which the tax levy would adjust, showing the proposed property tax increase, after which a Truth in Taxation hearing would be held in August, and the Final Budget would be adopted at that time. There is no limit to the amount of the levy. The following table shows the amount of potential increase by adjusting the property tax levy one time in FY2014.

Revenue Generation from One-Time Property Tax Rate Increase			
	1%	3%	6%
FY2014	$ 93,298	$ 279,893	$ 559,787
2015	$ 97,018	$ 291,055	$ 582,111
2016	$ 100,723	$ 302,169	$ 604,338
2017	$ 104,279	$ 312,837	$ 625,674
2018	$ 107,542	$ 322,627	$ 645,254
2019	$ 110,356	$ 331,068	$ 662,137
2020	$ 112,691	$ 338,072	$ 676,143

Estimated Annual Property Tax Impact of Increased Tax Levy			
	1%	3%	6%
Per $100,000 of Taxable Value	$ 1.39	$ 4.17	$ 8.33
For Average Primary Resident ($701,000 assessed value)	$ 5.36	$ 16.07	$ 32.13

Table 5 – Potential Revenue generated by property tax increase & estimated cost to property owner

The following graph shows the current property use category of collected property tax revenue in Park City. As shown the majority of Property tax revenue is generated from Residential Non-Primary use.

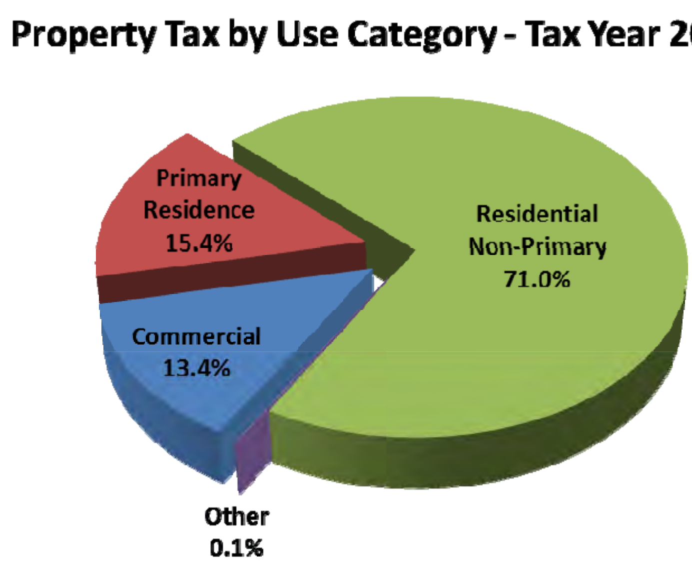


Chart 5 – Property tax revenue by property use

General Obligation Bonds and Sales Revenue Bond
General Obligation (GO) Bonds are bonds which are issued for specific projects or uses as approved by popular vote. The pledged revenue source for repayment of the bonds are payable from the proceeds of ad valorem taxes to be levied without limitation as to rate or amount on all of the taxable property in the City fully sufficient to pay the bonds as to both principal and interest. The City has used GO bonds in the past in order to pay for open space acquisition and walkability improvements. GO bonds are the most stable long term funding solution for major capital projects when there is general voting support of the city population.

Sales Revenue Bonds are a long term solution to funding upfront costs of large capital projects when there is insufficient cash on hand. The pledged revenue source for repayment of the bonds are payable from the proceeds of sales tax revenue. While GO bonds have an identified revenue source which is levied for repayment of the bond, sales revenue bonds are paid with current sales tax revenue and therefore reduce the amount of sales tax revenue available for use in the General Fund for operating and CIP fund for capital. Table 6 shows the potential sales revenue bond which could be issued related to new revenue source.

Potential Sales Revenue Bond Size with Additional Revenue Sources			
Revenue Source	Revenue FY2014		Potential Bond Size
Resort Sales Tax			
0.10%	$	619,822	$7 Million
0.25%	$	1,549,556	$17 Million
0.50%	$	3,099,112	$34 Million
TRT			
0.50%	$	648,302	$7.25 Million
1.00%	$	1,296,604	$14.5 Million
Property Tax (onetime increase)			
1%	$	93,298	$1.1 Million
3%	$	279,893	$3.2 Million
6%	$	559,787	$6.3 Million

*assumes 15 year term level debt at average rate of 4%

Table 6 – Potential Sales revenue Bond Size

The Capital Planning Model includes options for funding projects with both cash or bond. The Model includes both sales revenue and GO bonds and has the ability to show the long term impacts that bonding would have on the General Fund.

Other Options
Other potential funding options, which are included in the Capital Planning Model, include onetime use of various fund balance; reductions in ongoing capital replacement

programs (asset management, equipment replacement, etc.); ongoing or onetime reductions in operating expenditures; increased level of cost recovery in recreation, BPE fees, and other programs; special agreements with partnering organizations; and deobligation of currently funded capital projects.

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

MEMO

Executive Department

To: City Council
From: Tom Bakaly, City Manager
Subject: City Council Goals and Targets for Action Update
1st Quarter (Jan – Mar 2012)
Date: April 26, 2011

On April 26, 2012, we have scheduled time in work session for City Council to review Staff progress on City Council Goals and Targets for Action for the 1st Quarter (January through March) 2012.

Staff provides Council with quarterly goals updates as a vehicle for reporting progress related to goals and targets for action that Council identifies at their annual visioning sessions. Staff has revised this report to integrate the desired outcomes agreed upon for each Council Goal by Council on March 22, 2012. The Quarterly Goals Report is not a comprehensive list of all programs and activities.

Staff continued to set "target dates" for each of the actions. These dates are chosen as working dates for each project and not as hard deadlines since many of the actions require coordination with outside agencies. Target dates are also revised based upon council direction, availability of staff and financial resources, regulatory review processes and/or other unplanned pressing matters that arise.

Staff continues to use a system of one-word summaries: **complete** - project is complete; **in progress** - on target for revised or initial date; **pending** - project may not - Completed items remain in the report through year-end. The comment section includes brief details about projects and explains revisions to target dates. Staff also tentatively adds new action items based upon individual input from Council members, the Mayor and Staff. Those items are in bold and need to be affirmed by Council. At the end of each year, all **completed** items are removed from the report.

Please note that as discussions about the Park City 2030 Plan continue, the number of goals may decrease and the outcomes and targets for action will change and be enhanced.

Attachments:

Quarterly Goals Update – January through March 2012

2012 Park City Council Goals & Targets for Action (January - March 2012)

Goal 1 Preservation of Park City Character

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Diverse Population & Social Fabric - Phyllis Robinson				
1. Complete 5-yr housing plan including a finance program to assist low-income homebuyers	Jul-12			
• Affordable Housing Demand Study and Resolution Update	Apr-11	Jul-12	In Progress	Awaiting more detailed Census data in order to complete Housing Needs Study before updating resolution.
2. Implement Senior Strategic Plan				
3. Develop Master Plan for City-owned property on LPA	In Progress	Jul-12	In Progress	
4. Facilitate Work for Advisory Committee for Latino Affairs	In Progress		In Progress	
2. Connected, Knowledgeable and Engaged Citizens - Linda Tillson				
1. Enhance library's technology resources	Dec-12		Pending	Budget request submitted as part of FY13 Budget
2. Identify programs utilizting technology for citizen engagement	Dec-12		Pending	Budget request submitted as part of FY13 Budget
3. Reconfigure Library & Education Center based on approved comprehensive plan for building contingent upon Council funding decision	Dec-12		Pending	Budget request submitted as part of FY13 Budget
3. Vibrant community gathering spaces and places - Jonathan Weidenhamer				
1.Implement Downtown projects contingent upon Council funding and prioritization decision	Jun-11	Jun-12	Pending	Project scope finalized. Further design details and cost estimates being generated for FY13 budget process and Council prioritization.
•Historic Wall Stabilization and daylight	Nov-11	Oct-13	In Progress	Included in scope; preliminary cost estimates being generated.
2. Examine abiltiy to create event venue, convention area, and permanent Sundance area	Dec-11	Dec-12	Complete	Feasibility Analysis completed. City not currently in pursuit of venue. Will consider appropriateness on case by case basis.
4. Physically and socially connected neighborhoods - Thomas Eddington				
1. Rewrite General Plan with neighborhood focus				
• Data collection, analysis, meetings with Planning Commission and City Council, recommendations and complete plan preparation	Apr-12	Oct-12	In Progress	The Planning Staff has incorporated a neighborhood approach to the Plan and has been actively involved in the Joint CC/PC meetings. With the expedited BOPA Neighborhood Plan completed in December 2012, the proposed General Plan timeline would move to October 2012.
• Tie Lower Park Avenue / Bonanza Park Redevelopment concepts into General Plan	Jun-11	Oct-12	In Progress	To be included in General Plan
2. Adopt plans for Bonanza Park, form-based code & transportation connectivty				
• General Plan Future Land Use Element - Area Plan for Bonanza Park				Plan completed and prsented to PC/C; adoption pending the Form Based Code work
• Identify transportation corridors as part of General Plan Transportation Element	May-11	Oct-12	In Progress	Transportation Element of General Plan to be created using information in master plan. New deadline established due to BOPA. Grid layout for BOPA draft area plan complete. Corridors will be compliant with approved transportatin Master Plan. In addition, SR224 study being coordinated with BOPA FBC work; looking at integration of grid network and existing state roads.
• Concept planning and Bonanza park functional priorities - talk to power company	Dec-11	Oct-12	In Progress	BOPA substation to move to Lower Ironhorse area, pending cost impacts (if higher) to be approved by Council. Station will fit at new locattion. Working with RMP to migtigate road/access issues. Anticipate cost disussions in February 2012.
• Examine ability for new anchor tenant	Jul-11	Dec-12	In Progress	Exploring options. Planning to conduct economic development and/or fiscal analysis within the General Plan.

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
5. Preserved and celebrated History and protected National Historic District - Thomas Eddington				
1. Complete National Historic District inventory and National Register analysis		Jun-13	In Progress	Planning is working with Dina Blaes to begin a detailed analysis (in July) of quality of existing district with intensive level surveys and recommendations.
2. Complete Historic Park City/Main Street Plan while retaining historic designation	Jul-12		In Progress	Planning is working with Sustainability to ensure the new plan is historically compatible with National Register Guidelines.
• Assessment of National Historic District - Main Street Designation	Jun-11	Dec-12	In Progress	Project scope finalized and, pending budget commitments, analysis to begin in July.
3. Planning Department to work with HPB to clarify their role and Joint Meeting with Council	Feb-11	Aug-12	In Progress	HPB and Planning working to implement recommendations from HPB Visioning that was held in october. Staff preparing information for joint CC/HPB meeting in summer 2012.
4. LMC Amendments for Sustainability	Apr-11	Aug-12	In Progress	Planning is working through LMC amendments relative to architecture. The timeline to work with Sustainability in late 2011 was not possible; however, after late-2011 General Plan work, early 2012 LMC amendments should be complete.
5. Clean up miscellaneous Historic Preservation Issues	Jun-11	Nov-12	Ongoing	Design Guidelines to be updated in Spring 2012. Completed Historic Preservation issues update and miscellaneous studies complete.
6. Vibrant arts and culture offerings for community and visitors				
No targets for action currently identified in Biennial Strategic Plan. Some related action items may exist in other Outcome Areas.				Targets for action may be established as part of the Park City 2030 Long Term Strategic Plan.
7. Protected pristine natural setting				
No targets for action currently identified in Biennial Strategic Plan. Some related action items may exist in other Outcome Areas.				Targets for action may be established as part of the Park City 2030 Long Term Strategic Plan.

2012 Park City Council Goals & Targets for Action (January - March 2012)

Goal 2 World Class, Multi-Seasonal/Resort Community

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Proactive Partnerships with Major Landowners in Redevelopment Efforts - Jonathan Weidenhamer				
1. Implementation of BOPA Area Plans				
• Identify City's role in facilitating/partnering in redevelopment	Jul-12		Pending	This question will be framed during FY13 budget process. Specific tools and roles to be discussed as BOPA Neighborhood Plan is vetted.
2. Implementation of LPA Area Plans				
(a) City Property & adjacent private property at fire station and senior center. Finalize project scope, ID budget, move into Construction Drawings.	Mar-12	Jul-12	Pending	Community Center, various housing and connectivity goals. Hire design team to facilitate public input process to finalize scope; begin construction drawings. Intend to begin projects in summer 2013.
(b) PCMR		Jul-12	Ongoing	Identifying transit scope, size and location for parking lot redevelopment and initial financial pro forma. Conduct housing authority update.
3. HPCA/Main Street Projects				
• Downtown Projects (see Goal #1) Prioritization	Jun-11	Jun-12	In Progress	Presentation of final Downtown Infrastructure plan with cost estimates in FY13 budget process.
2. Extend the Lower Park Avenue RDA - Jonathan Weidenhamer				
1. Letter of Intent with PCMR for Parking Project	Sep-12		Pending	Ongoing discussions with PCMR. Drafting preliminary tenets of LOI.
2. Taxing Entity Committee Resolution for Extension	Sep-12		Pending	Richard Peek appointed to TEC. TEC process to consumate LOI.
3. Balance Tourism & Local Quality of Life - Jonathan Weidenhamer, Heinrich Deters, Sharon Bauman				
1. Secure Sundance Agreement thru 2028				
(a) Temporary Business Regulations	Jul-12		In Progress	Reviewing the various mechanisms that regulate temporary business. Will present potential changes in July.
(b) MLK Conflict	Nov-12		In Progress	Festival conflicts with MLK each of next two years. Looking at ways to avoid as soon as 2014
2. Partiipate in Ski Resort Interconnect Concept Plans When Asked	In Progress		In Progress	
3. Wi-Fi Network Infrastructure	Pending		Pending	Pending Consideration in FY13 Budget Process
4. Dan's to Jan's Implementation	May-13		Pending	SR 224 Corridor Study in process. Preliminary project recommendatino to come out this summer/fall.
5. Public Art				
• Art in Public Places Implementation	Ongoing		Ongoing	
• Recreation Center Public Art	Oct-11	Jun-12	Pending	PAAB reviewing RFQ responses.
• Increase Public Art Funding	Jul-12		Pending	CIP Budget Discussion
4. Further Populate Event Calendar - Tommy Youngblood, Jonathan Weidenhamer				
1. Take More Facilitative Role in Events				
• Event Overhaul Discussion				
- Update Municipal Code	Feb-11	Jun-12	In Progress	
- Tents and temporary structures	Jun-12		In Progress	Return for additional discussion on use of event process for temporary uses.
• Event Overhaul Implementation	Mar-11	Jun-12	Ongoing	
5. Unique & Locally Owned Businesses - Jonathan Weidenhamer, Jason Glidden, Bret Howser				
1. Institute Direct Business Recruitment Program	Pending		Pending	Further refirement will be part of ongoing BOPA and RDA planning
2. Define & Test City's Role in High Altitude Destination	May-12		Pending	Study session.
3. Woodward Facility	May-14		Pending	Part of onging RDA planning in LPA RDA.

2012 Park City Council Goals & Targets for Action (January - March 2012)

Goal 3 Effective Transportation System

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Effective, Well Maintained Multi-Modal Transportation Network - Kent Cashel, Matt Cassel, Brooks Robinson				
1. Expanded Pedestrian Path Snow Removal	Sep-12			
2. Smart Wayfinding Signs	Pending		Info Gathering in Process	Staff in information gathering stage to determine smart highways technologies available and how those might integrate into Park City's environment, viewshed, character and transportation plan. Following info gathering, staff will return to Council at work session to determine next steps.
3. Empire Ave Reconstructions: 2012	Nov-12		In Progress	Ready to bid as of April 23, 2012
4. Deer Valley Drive Reconstruction: 2013	Nov-13			Consultant currently being selected
5. Royal Street Reconstruction: 2014	Nov-12			
6. Traffic Control Sign Replacement				
7. Participate in study of Mountain Transportation	Jul-12		In Progress	Study underway - scheduled completion July 2012
8. Update Strategic Plan to include pedestrian-bicycle and transit modes - Pending General Plan Update	Jun-12	Jul-12	Pending	Pending General Plan Transportation Element Update
9. Complete Highway 224 Strategic Plan	Mar-11	Jul-12	In Progress	Study underway, alternatives being developed ahead of public meetings. Infuse PCMC transit/parking lot RDA project into overall planning.
10. Partipate in discsusions to invite Olympics back to Utah				
11. SR-248 Project - Implement Park & Ride Roll-Out				
• Complete Environmental Study for Richardson Flat Road Intersection	Jan-11	Jun-12	In Progress	Working cooperatively with UDOT and EPA on soils sampling study to determine extent of tainted soils to be handled and protocol for those soils.
• Complete Envirionmental W ork for Corridor	Aug-11	Jul-12	In Progress	Working with UDOT to define scope & requirements. Seeking to secure study funding. $2,000,000 appropriated for construction in 2012 Utah legislative session.
• Engineering Design of Strategic Plan Improvements	Feb-12	Oct-12	Pending	Awaiting completion of environmental work by UDOT.
• Secure Funding for Strategic Plan Improvements	Mar-12	Mar-13	In Progress	$2,000,000 in funding awarded during 2012 Utah legislative session. Continue to pursue additional funding for final phases.
• Construct Richardson Flat Road Intersection Improvements	Aug-12		In Progress	Pursuing required construction permits through UDOT, Army Corps of Engineers and USEPA. Working cooperatively with UDOT on soils sampling study to determine extent of tained soils to be handled and protocol for those soils.
• Construct Improvements	Oct-12	Oct-13	Pending	State funding awarded in 2012 legislative session may be available to begin some construction in 2012. Phase 1 island removal complete.
2. Well Utilized, Enivronementally Sensitive, Efficient & Effective Public Transit System - Kent Cashel				
1. Kamas & Heber Transit Service	Dec-13			Staff will begin working with Wasatch County summer 2012 to determine their interest in participating in developing Heber-PC transit link. Summit County will take lead on Kamas service.
2. Iron Horse Expansion				
• Landscaping Complete	Jul-12		In Progress	Awaiting Spring weather.
3. Enhance Transit Marketing	Annual		Ongoing	
4. Implement employee vanpool incentive program	Annual		Ongoing	Program implemented. One van operational.
5. Regional/Rural Transporation Issues - COG	Ongoing		Ongoing	County Staff will present prioritized regional project list to COG to aid in determining funding decisions by August 2012.

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
3. Parking Management System that Balances Demand for Convenient Options while Still Promoting Use of Alternative Modes of Transportation - Jonathan Weidenhamer				
1. Conduct Main Street/Swede Alley Circulation Study	Nov-11	Jun-12	In Progress	HPCA has expressed its interest in completing a circulation study, including exploration of taxi staging area. Staff is currently analysing data gathered during winter 2012 on numbers and patterns of Main Street taxis, hotel shuttles and buses.
2. Taxi Drop-off/Pick-up	Oct-11	Jun-12	In Progress	Evaluating circulation study conducted winter '11-12
4. Community Transportation & Walkability Plan - Heinrich Deters, Jonathan Weidenhamer				
1. SR 224 Corridor Walkability - 2014	Oct-13		Pending	Upon completion of SR224 Corridor Plan: ID, design & implement projects.

2012 Park City Council Goals & Targets for Action (January - March 2012)

Goal 4 Water and Natural Environment

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Secure Regional Water Solutions - Clint McAffee				
1. Pursue Water Importation Options	Ongoing		Ongoing	Staff is looking at import options with JSSD and WBWCD. Due diligence study nearly complete looking at JSSD option and determination whether or not to pursue this option will be made once study is complete. Staff also working on securing additional 400AF through Rockport project that would be either used in raw water system or treated at Quinn's WTP.
2. Determine a preferred project with Weber Basin and Bureau of Reclamation			Ongoing	See comments in No. 5
3. Summit County, Snyderville Basin Water Reclamation District Cooperation Discussions/Stream Flow Enhancements	Annual		Ongoing	See comments in No. 5
4. JSSD Water Discussions	Annual		Ongoing	See comments in No. 1.
5. Regional water supply system - due diligence study	Summer 2012		In Progress	Staff is a party of a non-binding due diligence study that will look at solutions to satisfy all of the Basin's water needs into build out. The study will include evaluating each party's assets and needs. Other parties include Weber Basin Water Conservancy District, Mountain Regional Special Service District, Summit Water, Snyderville Basin Water Reclamation District, and Park City.
2. Water Quality, Customer Confidence/Service, and Conservation - Clint McAffee				
1. Sampling Plan	Ongoing		Ongoing	An enhanced sampling plan was developed and implemented to continue to establish baseline conditions within the water distribution system, sources, and reservoirs. This plan will continually be modified to capture water quality at specific locations throughout the year with a reduction of frequency during high demands and for specific parameters that ar not prevalent. Specific monitoring was conducted during water system flushing for proactive introduction of Quinns water into the distribution system. Upgraded field instrumentation, new Quinns operator lab equipment and contract laboratory resources will continue to be utilized for these efforts.
2. Blending and Source Management Program	Ongoing		Ongoing	Water department personnel have had multiple proactive meetings, considering evaluation of water quality results from the sample plan, to continue blending waters in the current system configuration and for proactive introduction of Quinns water into the distribution system. More aggressive/modern flushing programs have been introduced and implemented as viable throughout the distribution system.
3. UPDES Related Facilities	Ongoing		Ongoing	Staff is looking at several options with scenarios for treatment per the UPDES permits including: collaboration with JSSD, treatment at Quinns, treatment at Spiro, and combined treatment at Spiro. Current proposed compliance periods are: 5.5 years for Prospector Drain, 7.5 years for Judge Tunnel, and 10 years for Spiro Tunnel.
4. Water Quality Program Development	Ongoing		Ongoing	The Water Department hired a Water Quality Program Manager under a two-year special employment contract. The Quinns WTP laboratory equipment was specified, purchased and is being utilized for start-up of the plant. Equipment set-up and investigative testing of the raw water quality has been essential during changing water quality conditions. Formal and informal training is continually being conducted to enhance operator knowledge, especially with regard to surface water quality regulations. Online distirbution system monitoring equipment has been purchased for installation in Thaynes and Old Town. Instrumentation will be programmed for proactive tracking and alarming. Continued efforts are underway to support upcoming piloting treatment options for antimony removal, treatment options for metals removal to conform to the UPDES for surface water, and other project management for work relating to water quaity.

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
5. Public Involvement and Education	Ongoing	Apr-12	In Progress	As part of Water Quality Program development and in addition to public notification for QJWTP, staff is working with Sustainability on improving the Water Department's public involvement and education plan. Thaynes Canyon Neighborhood Water Quality meeting held March 15 to go over Phase 1 consultant study results and efforts underway to continue to avoid future events. Quinns open house held on April 5 to introduce public to new water source.
3. Adequate & Reliable Infrastructure & Financial Stability - Clint McAffee				
1. Quinn's Treatment Plant - Under Construction	Dec-11		In Progress	**Open house was held on April 5. Water has been treated in the facility and discharged to Silver Creek while plant is proffed out. Water expected to be delivered to distribuion system late April. Final completion in May or June, but plant will be operational beginning late April.**
2. McLeod Creek Intake Start Up	Spring 2012			**Ready to begin diverting water. Minor landscaping and control programming remaining. Staff working on setting up a meeting with Utah Department of water Rights to change operation on the existing Mt. Aire splitter. This meeting needs to happen prior to utting this structure into use. Meeting expected to be held in April.**
3. Pipeline Projects, Raw & Potable	Ongoing		Ongoing	**Staff is working on plan to begin extending this lint into City from Wyatt Earp summer of 2013. This will coincide with Judge Tunnel pipeline work. Staff working towrds goal of construction of this pipeline during construction season of 2013 and first half of 2014.**
• Judge Water Line				
(a) NPDES Permit	Early 2012	TBD	Pending	The Utah Division of Water is reviewing the permit application and expects to provide a **Final UPDES permit spring/summer of 2012.**
(b) Judge delivery system to Quinn's Water Treatment Plant construction	Mar-12		Pending	See EA comments below.
(c) Determine Scope and Timing for **water line** Design and Construction (Evalulating alternatives due to antimony level increases)	Aug-12	Dec-12	Pending	Draft EA w/EPA since 2010. The NEPA process has experienced further delays as the EPA continues to give input including looking at the cumulative effects of the water line and Prospector Drain and how these impact the Silver Maple Claims Wetlands. Staff has also experienced delays in this process while coordinating with the mine company and the BLM to gain access to their property for environmental investigations. EPA has given the City other punch list of items that still need to be addressed but staff is waiting until all issues are resolved to reissue the EP. Final design and construction cannot begin until a FONSI has been issued. Original plan was to bid in 2011 and start construction of pipeline in 2011. Schedule drepends on EPA's issuance of FONSI. STAG grant extended to December 2012. The City is also adding an additional alternative alignment from the Judge Tunnel portal to JSSD's WTP via the Ontario Shaft and Drain Tunnel. This process includes an engineering study to estimate the effort and cost to construct this option. This process has also been delayed while the City and JSSD execute a non-binding LOI that includes sharing the cost of the study.
4. Implement Replacement and Renewal Projects	Ongoing		Ongoing	Phase 1 of Last Chance pipeline replacement completed fall of 2011; Phase 2 will be completed during summer of 2012. Water lines in Empire Avenue along with 2 PRV vaults and the 13th Street Pumpstation improvements will also be compelted during summer fo 2012 in conjunction with Empire Road reconstruction.
5. Integrated Water Solutions	Ongoing		Ongoing	Staff is looking at combining drinking water improvements while also addressing the UPDES permits for Spiro and Judge Tunnels. Staff is analyzing many options and discussiong them with Council.

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
4. Storm Water Management - Clint McAffee				
1.Storm Water Infrastructure repair and replacement				
2.FEMA Mapping of Flood Plains				
5. Increased Utilization of Renewable Energy - Tyler Poulson				
1. Solar Feasibility Study for PCMC and Micro-Hydro Power Research	Aug-11	Feb-12	In Progress	Utilizing grant funding, staff was able to assess the potential for additional solar PV panels on City-owned buildings. Results were presented to City Council during the 2011 mid-year update. PCMC has grant funding to support solar panels on the Public Works building and is currently researching this with the intention to release a RFP if the building checks out. Staff is less formally assessing options for micro-hydro electricity generation in PCMC's water system. The research for micro-hydro will be ongoing while suitable solutions are reviewed and funding sources explored.
2. Solar instlalations on Police and Public Works/Transit Buidings in 2012	Oct-12		In Progress	Staff received grant funding for solar panel arrays at the Police building (Park Avenue) and Public Works/Transit Building (Iron Horse Drive). A RFP for Police solar project has been released with a response deadline of May 1, 2012. A RFP for Public Works/Transit Building should be released in April 2012. Both projects should be completed by late summer/fall 2012.
3. Wasatch Solar Challenge	Mar-13		In Progress	Park City is part of a new coalition of local governments working to encourage more solar power installations in Utah. The coalition's efforts are being funded by a Department of Energy grant recently received by Salt Lake City (Park City and Summit County were sub-recipients). The goal of this partnership is to reduce the "non-hardware" costs for installing solar panels and make the process more efficient. Over the next year, we will be working collaboratively with other municipalitieis and experts in the field to improve and streamline the process for installing solar panels.
6. Reduced Municipal & Community Carbon Footprints - Tyler Poulson				
1. Participate with County Health Dept in Air Quality Study	Ongoing		Ongoing	Working with Summit County to facilitate monitoring program
2. Environmental Heroes Awards	Ongoing		Ongoing	Awarded periodically. Website has form for public submissions/nominations.
3. Update to Environmental Strategic Plan	Ongoing		Bi-Annual	Completed August 2010; 2011 mid-year update to Council completed.
4. Launch internal revolving loan fund and finance CO_2 emissions reduction projects at the City	Ongoing		In Progress	Council approved fund on July 29, 2010. The initial project will be piloting idle-reduction technology for a small number of Police vehicles. This project is underway with two pilot vehicles that received anti-idling retrofits in late 2011. A third vehicle may be piloted prior to making a decision on wehther to extend the technology to more of the fleet in 2012.
5. WAVE Project/Electric Trolley in partnership with USU	Aug-11	Jun-12	In Progress	On June 9 Council provided staff feedback to continue to work with USU's Energy Dynamics Lab on this project. Scope may change to include a fleet vehicle, rather than the trolley, for initial phase. The University of Utah recently partnered with WAVE technologies to demonstrate a wirelessly charged shuttle on their campus in 2012 Staff still has periodic contact with WAVE/EDL and funds are in a queue awaiting a partnership opportunity and/or Council direction. Details will be provided during the next mid-year update to Council.
6. Develop and Implement community CO_2 emission and water consumption reduction program in conjunction with partners - community outreach or rebate program for residential and Green Businesses program for commercial properties	Mar-11	Mar-13	In Progress	The Low Carbon Diet Program community carbon reduction program publicly launched, along with webpage, in June 2011. Staff has helped initiate a number of Low Carbon teams and presented to over 700 community members as part of 30+ presentations since late 2011. Thus far, roughly 250,000 pounds of CO2 have been reduced through the program. The program continues to build momentum and will run through year-end 2012, or when FY2013 funding expires. A Green Business program will be reassessed once resources free up and/or grant assistance is awarded.

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
7. Economically Feasible Soil Disposal Options - Jason Christensen				
1. Define a long-term, economical solution for munipal and community mine waste disposal (Soils Repository)	Sep-11	Feb-12	In Progress	Working with EPA & UPCM/Talisker to define terms of a multi-party agreement to build a second repository.
2. Soil Ordinance Administration	Ongoing		Ongoing	Five properties were issued Certificates of Compliance this past summer/fall. Staff expects sampling and Certificate of Compliance issuance to increase as we head into construction season.
3. Permits for Judge, Spiro and Prospector Drain	Jan-12		In Progress	Permit applications submitted to Utah Division of Water Quality on schedule on July 27, 2011. Discussions continue. **We continue to work with UDEQ to identify compliance schedules for the three sources.**
4. Further develop relationships with state and federal regulators	Ongoing		Ongoing	
5. Mine hazard mitigation ordinance	Ongoing		Ongoing	Reminder letters were sent to property owners within the Mine Hazard Mitigation Area in October. These mailings inform property owners of their obligations under the ordinance and provide the necessary forms to meet the December 1, 2012 deadline. Received several evaluation forms from property owners. Staff has almost completed document review of Park City-owned property for mine hazards and will then do field visits to identify if mine hazards exist on identified properites.
8. Other - Tyler Poulson				
1. Solid Waste				
• Work with County Solid Waste Team to represent the City's interest in disucssion of future recycling & solid waste solutions	Jul-12		In Progress	Foster and Poulson participated in a solid waste update meeting with the County from 2011-12. The County released a RFP in early 2012 for curbside waste/recycling services and has received a number of responses. Summit County Council is reviewing responses and intends to award a contract by July 2012. City staff have formally expressed a desire to expanded curbside recycling options as part of the new contract.
• Support HPCA Recycling Program Efforts (recycling contract completed)	Ongoing		In Progress	Poulson representing City on HPCA's Solid Waste & Recycling Task Force
• Discussion on recycling facility relocation	Dec-12		In Progress	City/County/Recycle Utah relocation planning meeting held as planned in September. Discussions continue with Summit County and Recycle Utah.

2012 Park City Council Goals & Targets for Action (January - March 2012)

Goal 5 Recreation, Open Space and Trails

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Provide accessibility to premier recreational activities/facilities to the local community at an affordable cost - Ken Fisher, Jason Glidden, Matt Twombly, Jon Pistey				
1. Evaluate maintenance staff for Park City Sports Complex	Aug-12		Pending	Budget request submitted as part of FY13 budget
2. Increase staff to accommodate increased use of facilities	Aug-12		Pending	Budget request submitted as part of FY13 budget
3. Increase Aquatic programs to 12 months	Nov-12		Pending	Budget request submitted as part of FY13 budget
4. Purchase new golf cars			Pending	Budget request submitted as part of FY13 budget
5. Shower renovation at Ice Arena	May-12	Apr-12	Completed	Ice Arena Staff completed renovation
6. Concourse repairs at Quinn's	Jun-12		Pending	Staff currently investigation funding options
7. Purchase additional fitness equipment	Aug-12		Pending	Budget request submitted as part of FY13 budget
8. Public/Private Rec Facility RFP	Jun-12		Pending	Waiting on completion of recreation survey
2. Preserve the Park City brand through beautification of City parks and open space - Heinrich Deters				
1. Open Space Management Plan	Dec-12		In Progress	Development of Management Plan for Round Valley. Obligation of Osguthorpe funding from County.
2. Osguthorpe Improvement	In Progress		In Progress	Summer Trail currently being designed.
3. Osguthorpe Conservation Easement	Feb-12		Ongoing	Working with Summit Land Conservancy, Round Valley Bench Auction
4. Kimball and new Round Valley Conservation Easement	Jul-11	Oct-12	In Progress	County and City staff will discuss with Council the proposed easement on Kimball Junction PRI property, owned jointly by the City and County in early 2012.
5. Gambel Oak & White Acre Conservation Easement	Jul-11	Oct-12	Pending	Staff will ask Council to have a policy disucssionon easements in early 2012.
6. Additional easement monitoring on new acquisitions	Ongoing		In Progress	Staff will ask Council to have a policy discussion on easements in early 2012.
7. Property Management Matrix	Nov-12		In progress	Sharepoint database with applicable documentation and information per acquisition and property management (deed restrictions/bond language).
8. Open space partnership with County	Ongoing		Ongoing	Staff continues to participate in bi-weekly BOSAC meetings and is meeting with County staff on a regular basis per management plans, weeds and wildlife concerns.
9. Recommendation on amended Summit County Leash Law Ordinance	Jan-11	Apr-12	In Progress	County combined with "bigger picture" of kennels. Legal Department working with County's legal department. Staff is working with a sub-committee of the Interagency Task Force group.
3. Responsive and respectful internment services Ken Fisher, Matt Twombly				
1. Inventory and capacity plan for City cemetery	Nov-12		Pending	Verified and entered into softward system by September 2012
2. Construct Memorial Wall at cemetery	Nov-12		Pending	CIP request for funding submitted for FY13

2012 Park City Council Goals & Targets for Action (January - March 2012)

Goal 6 Regional Collaboration and Partnerships

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. A City that other agencies invest in				
1. Kamas & Heber Commuter Service				
• Engage appropriate agencies to begin dialogue on service need, design and implementation	Sep-12		In Progress	Scheduling meetings with Summit County/Wasatch County/heber City to begin dialogue
• Equipment for Commuter Services	TBD			Target date will be determined upon reching agreement with other agencies on service levels.
2. Library Reciprocal Borrowing for Summit County Students	Ongoing		Ongoing	
3. Council of Governments Participation	Ongoing		Ongoing	Currently working on prioritization process for Corridor Preservation Fee Projects
4. Mountainlands Association of Governments Participation	Ongoing		Ongoing	Diane Foster attended March 2012 MAG meeting
4. Maintain relationship with MIDA and monitor progress on project				
2. A community that is ever prepared				
1. Interagency Relationships	Ongoing		Ongoing	Coordinated with Summit County for Utah Shakeout. Monthy Interagency Task Force meetings; Quarterly Meetings with School District.
2. Public Safety				
• Police/Sheriff's Spillman records Management Data Merge	Jul-12		Ongoing	Training for City and County
3. A City that is part of a regional water network				
No targets for action currently identified in Biennial Strategic Plan. Some related action items may exist in other Outcome Areas.	Pending		Pending	Targets for action may be established as part of Park City 2030 Long Term Strategic Plan.
4. A City that protects its resources - Tyler Poulson				
1. Assess recycling service levels				
• Recycle Center	Ongoing		Ongoing	Continued to work with Summit County on Solid Waste and Recycling Contract. Attended all County Council meetings on topic and provided written input.
2. Engage community, in partnership with Summit County and other groups (non-profit, HMBA, Chamber, School District) in reducing water consumption and carbon emissions	Ongoing		Ongoing	*Low Carbon Diet* is the primary program being used to engage with community members and encourage carbon emissions reductions. The program is limited to household participants and is based on a softer, voluntary approach (as opposed to concrete financial incentives and technical asistance) to fit within its allocated budget. Staff also partners with numerous orgnaizations to promote education and conservation, recent examples include the "Focus on the Climate" series, Recycle Utah Water Festival, and programs administered on ParkCityGreen.org. Water Department staff intend to provide free irrigation audits, and irrigation timer rebates, as a way to encourage conservation for households. Grant funding has been pursued, but not yet acquired for a local Green Business program. Additional water conservation and carbon reduction program ideas are included in the community-developed Save Our Snow Action Plan. http://parkcitygreen.org/Community/Community-Footprint_SOS_Action_Plan.aspx
5. A beautiful unique mountain town - Heinrich Deters				
1. Work with Wasatch County re SR-224 and public versus private access				
2. Noxious weed coordination and enforcement on private property	Ongoing			Parks Staff sits on County weed board. Coordination of weed management on City-owned property is oingoing.

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
6. A town that plays on the world stage				
No targets for action currently identified in Biennial Strategic Plan. Some related action items may exist in other Outcome Areas.	Pending		Pending	Targets for action may be established as part of Park City 2030 Long Term Strategic Plan.
7. A City respected and admired globally				
1. Mayor/Council/Staff learn & lead	Ongoing			LIFO training for Council; preparation completed for Mayor's trip to China.
2. Council of Governments Participation	Ongoing			See Goal 1.3 above.
3. ULCT Continued Participation	Ongoing			Council Member Butwinski and staff member Foster attended Spring ULCT Conference.

2012 Park City Council Goals & Targets for Action (January - March 2012)

Goal 7 Open and Responsive Government to the Community

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Fiscally & Legally Sound				
1. Reduced paperwork and mailing costs through direct paperless billing and payroll	Pending		Pending	Investigating viability for payroll. Discussing project timelinesfor water billing.
2. Specialized Software Acquisition for Budgeting for Outcomes	Dec-12		In Progress	Currently in RFP process.
2. Engaged, Capable Workforce				
1. Specialized Software Acquisition for Performance Reviews	Nov-12		Pending	Software for performance evaluations will be implemented for the fall 2012 review process. This will save 50%+ of staff time spent for previous cycles, enhance the experience for all staff, simplify to allow focus on important aspects of performance instead of paperwork, and allow for better review by managment to further improve alignmet of staff and City goals.
2. Enhace centralized HR training program	Jun-13		In Progress	A member of the HR Staff has been identified to administer City-wide training and education programs. HR department has identified needs of all supervisory staff including such items as documentation, crucial converstaions, employee discipline, etc. Mandatory training program has been initiated with classes to begin end of April 2012. Safety training needs are being evaluated currently by a safety professional to assist the City in identifying needs. Current safety program will be updated as needed. These efforts are currently being conducted by the Engineering Department.
3. Identify training needs and develop implementation plan for staff, elected and appointed officials	Pending		Pending	All City staff positions and appointed employees require individual indentification of training needs, as well as identification of staff member wants. Once needs are identified and approved, programs need to be designed and implemented to ensure that needs are being met so that resources can run smoothly. Staff has met with all the managers to identify future training needs. Staff is currently trying demo programs for possible on-line training opportunities. HR Staff is also working on developing a consistent individual development and succession plan program.
3. Flexible and Nimble to Adjust Quickly to Changing Environments				
1. Develop mid-range and long-term Information Technnology Strategic Deployment and Management Plan	Pending		Pending	Targets for action may be esdtablished as part of Park City 2030 Long Term Strategic Plan.
4. Security, Maintenance and Preservation of City Assets				
1. Invest in backup, storage & recovery	Apr-12		Complete	Implemented in February 2012
5. Connected with Our Citizens with a Shared Vision for the Future - Phyllis Robinson				
1. Connect, collaborate and create with community in person and virtually	Ongoing		Ongoing	Currently developing spring/summer Council neighborhood meetings.
2. Streaming media software	Sep-12			Investigate option for live audio streaming of City Council meetings.
3. Enhance mobile technology and related traiing to enhance citizen access and communication				
4. Community Visioning Plan	Ongoing		Ongoing	Community Visioning and development of portfolio approach incorporated into joint City Council/Planning Commission meetings.
5. ICMA Resort Consortium	Fall 2011	Dec-12	In Progress	CAST and Council presentation on benchmarks complete. National Citizen Survey tie-in with existing 8 mountain towns in CAST possible. Need to lobby other towns to join us on comparisons between mountain towns. Will make pitch again at January CAST meeting in Steamboat.

2012 Park City Council Goals & Targets for Action (January - March 2012)

Goal 8 Public Safety				
Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Preparedness: Actions citizens can take to keep themselves and their families safe				
1. Specific team training for distinct Emergency Support Functions (ESF)	Apr-12		Completed	In conjunctionwith the Great Utah Shakeout all departments have reviewed their responsibilities under the ESF/SOPs with the Emergency Manager
2. Maintain and expand as able our current Comprehensive Emergency Management Plan	Jun-12		Ongoing	The CEMP is under reiew and scheduled to be readopted by Council with updates in June 2012.
3 Begin a funding plan for acquiring a Mobile Command Post (MCP)	Jun-12		Pending	Plan proposed as part of CIP budget request, awaiting committee rankings.
2. Prevention: How to prevent or reduce crime and maintain quality of life				
1. Implement City building security recommendations	Jun-13		In Progress	Some funding was identified for Marsac, Library, City Park Recreatio nBuilding and Public Works. Additional projects are awaiting CIP funding decisions. Staff training expected to begin this summer.
3. Education: Delivery of public safety services, prevention of crime and build mutually beneficial relationships				
1. Citizen Academy	Ongoing		Ongoing	2012 Class has been filled; Class runs 11 weeks from May 4 to July 11. 40 Hours.
2 In-Service Officer Training - All Officers	Oct-12		Ongoing	Emergency Vehicle Operations (EVO); Defensive Tactics; Stop & Approach; Felony Stops; Taser Evidence Chain of Custody Process; Legal Update; CPR/AED; and all mandatory training blocks.
3. "Stand by Me"	Spring 2012		Ongoing	Anti-bullying education campaign; Treasure Mountain Middle has been completed for 2012; will be rescheduling for coming school year
4. Peace Officer Standards & training (POST) Physical Fitness Standards	Oct-12		Ongoing	Officers are currently setting up personal progress plans with consultant. Employees implementing second of four phases.
5. Lexipol (Comprehensive Police Policy Manual Program based on model policies developed by a national board)	Biannually		Ongoing	Living document; updated every six months.
4. Response: Deployment of resources efficiently and effectively				
1. Justice Court Electronic (e-Citations) Citations	Jan-12		Ongoing	Per Utah legislation, hand-written citations eliminated.
2. Special Event staffing to reduce overtime costs	Ongoing		Ongoing	Continually revise. Currently looking at actual cost of vehicle expense; utilizing outside law enforcement agencies.

PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
APRIL 5, 2012

Present: **Mayor Dana Williams; Council members Andy Beerman; Alex Butwinski; Cindy Matsumoto; Dick Peek; and Liza Simpson**

Tom Bakaly, City Manager; Tom Daley, Deputy City Attorney; Jon Weidenhamer, Economic Development Manager; and Tyler Poulson, Sustainability Coordinator

Dave Nicolas, IBI Group

1. Council questions/comments. Andy Beerman stated that he filled in for Mayor Williams on a conference call with other communities set up by Mayor Becker's Office to determine the level in interest and capacity for hosting another Olympics. The advantage is our experience with producing a sustainable event as 2002 is viewed as one of the most successful Games ever held. There are not many cities in the US interested in hosting the Olympics. At this point, the effort is exploratory but the group will make a recommendation about formally moving forward and if there is support, will get cities more involved.

Cindy Matsumoto mentioned that last week members heard from Sandra Morrison, Director of the Historical Society, about considering an amendment to the Land Management Code to allow the Historic Preservation Board to nominate buildings to our Historic Sites Inventory list. Right now, that specific language is not in the Code. She also asked that the demolition policy be reviewed again. Tom Bakaly asked if staff should explore amendments. Dick Peek felt there should be alternate ways to provide research and to determine if our existing process is broad enough. Mr. Bakaly explained that providing a more intensive survey of historic sites is a budget option which is estimated at $300,000 to $700,000.

Cindy Matsumoto explained that currently the LMC specifies that staff or the home owner can make nominations and there might be a *community part* that is missing. Mayor Williams asked if her suggestion is intended to prompt citizens to lobby the HPB. Ms. Matsumoto acknowledged that anyone could pass on a request to staff but designating citizens and the HPB as able to nominate should be added to the LMC.

Liza Simpson recommended that the HPB discuss this proposal so that the process doesn't create more of a problem for homeowners. She stated that she has no desire to revisit the current demolition process or policy. Dick Peek felt that the HPB is somewhat of an entry level board and needs adequate tools. Tom Bakaly understood that the HSI is approved by the HPB and then the City Council. Alex Butwinski agreed with Ms. Simpson's comments and asked what *nominate* means?

Ms. Matsumoto explained that currently the consultant and staff nominate buildings and sites and the list is fluid and should be. Just recently the Post Office was added, demonstrating that there are properties that are overlooked. Dick Peek emphasized that two buildings were removed from the list when it was discovered they were not historic. Alex Butwinski felt that there needs to be compelling evidence about the property to change its status. Cindy Matsumoto discussed a homeowner who petitioned the City to get back on the HSI. The opportunity to nominate should be provided to the community.

Tom Bakaly warned that Council is opening the door to a more subjective process and Mr. Peek pointed out that boards and commission disagree from time to time with staff's recommendations. Mr. Bakaly again discussed the proposed intensive survey service and Ms. Simpson felt this discussion may need to be delayed until after budget. He explained that Landmark is the highest historic designation and Significant is based more on local criteria. Cindy Matsumoto clarified that her concern is omissions.

Ms. Simpson pointed out that a citizen could request staff to nominate a building and Cindy Matsumoto responded that the public would be relying on staff who may not agree. Tom Bakaly suggested returning with a work session discussion. Dana Williams felt that anything that can be done to avoid conflicts in the future seems productive. Mr. Butwinski pointed out the complexity of historic evaluations and is hesitant to put owners through significant expense because someone thinks that maybe the structure is historic. Ms. Matsumoto emphasized that she is not asking for that.

Dick Peek stated that on the other hand if experiences point out some faults in the ordinance, he felt the Council should talk about it because the goal is to have clear guidelines. In response to a question from Mr. Butwinski, Mr. Peek stated that he feels that the preservation ordinance has some faults.

Liza Simpson stated that she attended the Recreation Advisory Board, Summit County Health Board and the Fire Board meetings during the week. Dick Peek reported that he attended the Historic Preservation Board and the Historical Society meetings. Ms. Matsumoto described the transportation in the West traveling exhibit and reported that free days are being offered by the Museum to locals on April 17 and 26 and May 10 and 17.

Mayor Williams reported on speaking at the University of Utah and congratulated participants in the Polar Plunge. He and staff met with UDOT this week on upcoming projects.

Tyler Poulson stated that Park City was the recipient along with other local governments for a $400,000 Department of Energy grant, called the Wasatch Solar Challenge. Entities include Park City, Salt Lake County, Summit County, West Valley City, Midvale and Salt Lake City. The goal of the grant is to reduce the non-partner cost for solar panels and over the next year, staff will be participating in related workshops to promote solar. He explained that the Mayor will be speaking at the press conference next week.

2. Downtown improvements. Jon Weidenhamer stated that Matt Twombly is the project manager and Dave Nicholas is the consultant from IBI Group. Alison Butz and Monty Coates have been representing the HPCA on the working committee. The 1998 Downtown Action Plan has been the blueprint for many years and most of the projects have been implemented. The Hyatt Palmer Study and OTIS followed and the downtown projects were guided by a 2003 task force, including the Marsac remodel and the China Bridge shell space, for instance. A few years ago, the HPCA approached the City about the next steps and the HPCA was asked to prioritize improvements. The City contracted with IBI and a preliminary study was completed in August and tonight the concept projects will be presented and the scope of the projects will be refined during the budget process. He emphasized that heating sidewalks is not being proposed. Focusing on the Brew Pub will result in delaying a central gathering area in the 5th Street area because of its cost. He pointed out that about $50,000 to $100,000 is budged and available for projects this summer.

Dave Nicholas displayed and read a PowerPoint presentation on street concepts and designs which is attached to these minutes and made a part of the record. After the presentation, comments were invited.

Liza Simpson asked that Swede Alley and Heber Avenue be considered in the scope of improvements because of the volume of foot traffic at that intersection which needs attention. Mr. Nicholas stated that IBI rec

In response to a question from Andy Beerman, Dave Nicholas explained that the crosswalks would be a different texture. Mr. Beerman explained that in early discussions regarding Miners Park, the HPCA wanted maximum flexibility without losing the cozy feel and the proposed design might be too tight with the landscaping. He suggested that it be opened up a little bit more so that a small farmers market, for example, could be held there and maybe instead of trees, focus on sun shade structures to maximize flexibility. He would like to move away from the retail option on the town plaza in the Brew Pub lot because this is probably the last opportunity on the street for a large plaza. There is plenty of retail available on Main Street and the City doesn’t need to get into the development business. If trends change, the retail option can be considered again. Jon Weidenhamer expressed that narrowing concepts will save time and money.

Mayor Williams complimented Mr. Nicolas on his presentation and stated that he likes many of the ideas. He stated that some business owners expressed to him that the proposed park or gathering area in Swede Alley is a waste of money and is not a priority. He encouraged keeping the retail park on the table because it could raise significant revenue to pay for improvements.

Liza Simpson also felt it was a great presentation and looks forward to more detail. She pointed out that there are historic trees in the area for the park at the bottom of the stairs to City Hall that she would like preserved.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
APRIL 5, 2012

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, April 5, 2012. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Tom Daley, Deputy City Attorney; Kirsten Whetstone, Planner; Ken Fisher, Recreation Manager; Katie Cattan, Planner; and Polly Samuels-McLean, Assistant City Attorney.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

III PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*

<u>Bike lanes on state road projects</u> - Mike Watson, bike enthusiast, pointed out that the bike lanes in Prospector are one year old and suggested that bike lanes in town be repainted. UDOT will be resurfacing portions of Deer Valley Drive and Kearns Boulevard and he hoped that certified Class 2 bike lanes will be added to those stretches of roadway. UDOT is considering narrowing lanes and adding shoulder striping and he suggested that the City may have some leverage in encouraging the installation of bike lanes. He understood there are residual funds from the walkability bond to cover some Dans to Jans improvements and requested that Class 2 bike lanes be added to these projects. Mr. Watson felt the City should support multi-modal transportation. He displayed a picture of a Park City bike lane sign and a more attractive bike lane sign that the City might consider installing.

IV WORK SESSION AND REGULAR MEETING MINUTES OF MEETING OF MARCH 22, 2012

Alex Butwinski, "<u>I move to approve the work session and regular meeting minutes of March 22, 2012</u>". Cindy Matsumoto seconded and Dick Peek abstained as he was not in attendance. <u>Motion carried</u>.

Andy Beerman	Aye
Alex Butwinski	Aye
Cindy Matsumoto	Aye
Dick Peek	Abstention
Liza Simpson	Aye

V CONSENT AGENDA *(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon.)*

1. Consideration to authorize staff to execute a professional services agreement for auditing services with Piercy Bowler Taylor & Kern, in a form approved by the City Attorney's office, in an annual contract amount of $33,575 for FY2012 and $34,500 for FY 2013 - and

2. Consideration of a Resolution supporting the Statement of Principles of the Coalition of Mayors Against Illegal Guns, Park City, Utah – Cindy Matsumoto, "I move we approve Consent Agenda Items 1 and 2". Liza Simpson seconded. Motion unanimously carried.

VI NEW BUSINESS

1. Consideration of an Ordinance annexing a 29.55 acre parcel located in the southwest quadrant of the Quinn's Junction Planning Area, at the intersection of US40 and SR248 and amending the Official Zoning Map of Park City Utah - Quinn's Junction Partnership – The Mayor opened the public hearing; there were no comments from the audience. Cindy Matsumoto, "I move that we continue New Business Item 1 to May 17th". Andy Beerman seconded. Motion unanimously carried.

Kirsten Whetstone explained that the continuance will allow the Planning Commission additional time to conduct its review. Public hearings are scheduled before the Commission on Wednesday, April 11 and April 15. Quinns Partnership agreed to a 30 day extension.

2. Consideration of a Resolution adopting a Joint Use of Facilities Recreation Interlocal Agreement between the Park City School District, Snyderville Basin Special Recreation District and Park City Municipal Corporation - Ken Fisher explained that the School District, SBSRD, and City entered into a joint use agreement in 2007. On Tuesday, the School District asked that some language from the lease agreement be inserted in the site specific provision for the North 40 Treasure Mountain Middle School and the Park City High School fields. The language clarifies how the City would be compensated if the School District decides to develop school facilities on the fields. The City spent $1 million to build and improve these fields and in return for the investment, field access is provided. The City also maintains the fields and receives 300 hours of gymnasium use from the School District. Mr. Fisher read the specific part of the agreement. The SBSRD Board approved the agreement as amended by the School District.

Liza Simpson complimented everyone for working through the agreement which is complex and challenging. Bonnie Park, SBSRD, agreed that it was a long process and appreciated Council's participation. She felt that clarifying agreements will make it easier in the future to understand the history of the partnerships and associated investments. It is important to look at things from time to time because a lot can change in five to ten years. Discussion ensued on the School District's reasoning for inclusion of additional agreement language. Andy Beerman added his thanks to the group and expressed that the community benefits from this collaboration.

Liza Simpson, "I move we approve a Resolution adopting a Joint Use of Facilities Recreation Interlocal Agreement between the Park City School District, Snyderville Basin Special Recreation District and Park City Municipal Corporation, as amended". Andy Beerman seconded. Motion unanimously carried.

VII OLD BUSINESS

Consideration of an appeal of the Planning Commission's decision to approve the request from North Silver Lake LLC of an additional one-year extension of an approved Conditional Use Approval for a 54 unit development at North Silver Lake 2B - Appellant Lisa Wilson – Matt Evans stated that the Planning Commission approved a second one-year extension on January 11, 2012 for a CUP for the North Silver Lake Lot 2B 54 unit attached residential development. On February 9, 2012 the City received an appeal of the decision from Lisa Wilson to extend the original CUP from July 21, 2012 to July 21, 2013. Section 15-1-10(g) of the Land Management Code establishes the mechanism by which the Planning Commission can grant an extension to a CUP which he read.

> *"The Planning Commission may grant an additional one year extension of a Conditional Use Permit when the applicant is able to demonstrate no change in circumstance that would result in unmitigated impact where that would result in a finding of non-compliance with the Park City General Plan, Land Management Code in effect at the time of the extension request. Change in circumstances includes physical changes to the property and surroundings."*

Mr. Evans pointed out that there has been no change in circumstance that would result in unmitigated impacts and there is no result in a finding of non-compliance with the General Plan or the LMC at the time of the extension request. The Planning Commission found that there were no new plans, no change in circumstance to the site that result in unmitigated impacts and applicable sections of the General Plan and LMC have not been modified since the July 2010 original approval of the CUP. He emphasized that approval of the original CUP is not an appeal issue, only the Planning Commission decision to grant the second extension for the original CUP. He relayed that it is the responsibility of the appellant to demonstrate that the Planning Commission erred in approving the extension. Staff feels confident that the Planning Commission made the correct decision in granting the extension and that the mailed, posted and published noticing for the extension was done properly. Mat Evans stated that staff recommends that the City Council deny the appeal to overturn the Planning Commission's final action to grant the additional one-year extension to the original CUP for the North Silver Lake Lot 2B based on the findings of fact, conclusions of law and conditions of approval, as ratified by the Planning Commission on January 11, 2012.

In response to a question from Andy Beerman, Mr. Evans clarified that there are 54 units and two required ADA units provided within the open space of the development. Katie Cattan confirmed the numbers and added that this is consistent with what has been done throughout Empire Pass. The only way to access the ADA units is in conjunction with renting a unit. The ADA units are platted as common and cannot be sold individually.

In response to a question from Dick Peek, Mat Evans clarified that mailed notice is considered a courtesy but posted and published notice are required. Mr. Peek acknowledged the City Council's annual meeting notice setting forth meeting dates for the year.

Polly Samuels-McLean interjected that the City Council can expand the scope of the appeal but members were not interested. The Mayor pointed out that appellant Lisa Wilson is not in attendance. Katie Cattan stated that the City received notice that Ms. Wilson could not be here tonight and she was advised that she could send a representative. The Mayor opened the public hearing.

Bob Dillon, American Flag resident, stated that he is an attorney at Jones Waldo who represents a group who has opposed this project over the past six or seven years of process. The project is much too large and is not compatible with the surrounding neighborhoods. When something is approved 25 years ago and the neighborhoods around it builds out, then construction use must be compatible with the surrounding neighborhoods. This project has led them through a process where phasing and bonding, etc. are an essential part of the project as it gets built out. He felt the Planning Commission punted the phasing to the Building Department which is improper. A phasing plan will have to be presented as part of whatever goes forward with this project. None of these units are platted and he will be watching very closely what is presented by the developer.

With no further public input, the public hearing was closed.

Liza Simpson, "I move that we deny the appeal of the Planning Commission's decision and uphold the Planning Commission in approving the North Silver Lake extension of an approved CUP according to the findings of fact, conclusions of law, conditions of approval and order found in the staff report". Alex Butwinski seconded. Motion unanimously carried.

VIII ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Tom Daley, Deputy City Attorney; Diane Foster, Interim Assistant City Manager; Jim Blankenau, Environmental Regulatory Coordinator; Jason Christensen, Environmental Regulatory Counsel; Clint McAffee, Water Manager; Nate Rockwood, Budget Analyst; and Bob Rosenthal, consultant. Cindy Matsumoto, "I move to close the meeting to discuss property and litigation". Andy Beerman seconded. Motion carried unanimously. The meeting opened at approximately 3:45 p.m. Liza Simpson, "I move to open the meeting". Andy Beerman seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott, City Recorder

City Council
Staff Report

Subject: Utah High School Cycling League
Author: Tommy Youngblood
Department: Sustainability
Date: April 26, 2012
Type of Item: Application - Master Festival License

Summary Recommendations:
Review the Master Festival License application, conduct a public hearing, and approve the license for the Utah High School Cycling League**,** as conditioned, on Saturday, September 8, 2012 at Round Valley Trail System, Quinn's Sports Complex Parking Lots and Richardson Flats Parking Lot.

Description Topic:
Review the Master Festival License Application, submitted for the Utah High School Cycling League at Round Valley Trail System, Quinn's Sports Complex Parking Lots, and Richardson Flats Parking Lot on Saturday, September 8, 2012.

Background:
Lori Howard submitted an application requesting a Master Festival License to hold the Utah High School Cycling League Mountain Bike Race. This is a first time event for the organizer in the area. This will be the first race of a 4 race series throughout Utah. Through a series of meetings the organizer has demonstrated and good knowledge of working with this type of event. PCPD has been notified and will be involved in the public safety coordination should Council approve the event. The organizers application was received prior to 90 days before event. The organizer will allow a maximum of 300 entrants and 750 spectators. Utah High School Cycling League charges a fee for participation.

The original application date was for September 22, 2012. The organizer requested the change of event date to September 8th, 2012. There were no staff objections to this change.

Utah High School Cycling League is a recreation use and is consistent with the City Council's Goal #4 which is to continue to promote Park City as multi-seasonal resort by maintaining its status as a World Class Resort which hosts such events as this and to increase the number of events.

Analysis:
<u>Utah High School Cycling League</u>
The event organizers have requested to hold their event on Saturday, September 8, 2012. The Utah High School Cycling League will take place from 8am – 6pm. All race courses will be within the diverse trail system of Round Valley. In addition to racing, the day will be filled with festivities for both participants and spectators including; clinics and demos.

<u>Parking</u>
Parking for the Staff & participants will be at the Quinn's Sports Complex Lots Spectator Parking will be located at Richardson Flats Park and Ride Lot. All participants and spectators

will be transported to the Quinn's Sport Complex by shuttle bus. The applicant will supply signage and employ volunteers to assist in the location and direction to event parking. Public Parking will be reserved for normal trail use.

Traffic Circulation & Trail Monitoring

There will be no full or partial road or trail closures associated with this event. All public trail accesses will be maintained and monitored by Mountain Trails Foundation during event. At the time of this report there are no projects planned that would hinder this activity.

Marketing

This event will be publicized within the organizers event community and the Park City Chamber/Bureau and Local newspaper outlets. It is also currently listed on various event & social networking websites. The organizer has also contacted local business about mutually beneficial cross-marketing opportunities.

Park City Council Review:

This application is being reviewed as a Master Festival License due to the size of the event, and the request for use of the Park City Trail system & right-of ways.

Department Review:

All applicable PCMC departments and the appropriate external agencies have reviewed the application for Utah High School Cycling League and their comments have been incorporated into the report.

Alternatives:

Approve the Request:

Approve the Master Festival License allowing Utah High School Cycling League

Deny the Request:

Deny the Master Festival License, preventing the addition of Utah High School Cycling League to Park City's schedule of events.

Continue the Item:

The City Council may continue the discussion in order to receive additional information.

Significant Impacts:

The event, as described, should incur no significant Impacts
Park City has held similar events to the Utah High School Cycling League

Consequences of not taking the recommended action:

Utah High School Cycling League would not take place, as described, within Park City Limits

RECOMMENDATION:

Staffs recommends the City Council conduct a public hearing and approve a Master Festival License for Utah High School Cycling League on, Saturday, September 8, 2012 based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact:

1. The event organizers have requested to hold their event on Saturday, September 8, 2012. The Utah High School Cycling League will take place from 8:00am – 6:00pm within the Round Valley Trail System including setup and breakdown.
2. Parking for the Staff & participants will be at the Quinn's Sports Complex Lots Spectator Parking will be located at Richardson Flats Park and Ride Lot. All participants and spectators will be transported to the Quinn's Sport Complex by shuttle bus. The applicant will supply signage and employ volunteers to assist in the location and direction to event parking. Public Parking will be reserved for normal trail use.
3. Conducting Utah High School Cycling League will not substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its venue other than noted.
4. The events associated with Utah High School Cycling League 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.
5. The event will begin at Round Valley Trail System trailhead. 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.
6. There is one (1) Master Festival or Special Event license that has been granted on the date requested. The operation of these events will not adversely affect each other or the community at large
    a. Mid-Mountain Marathon
7. 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.
8. 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.

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. Applicants shall provide proof of liability insurance in the amount of four million dollars ($4,000,000) or more as may be required by the Special Events Manager or the City Attorney's Office, and shall further name Park City Municipal as 'additionally insured', as required by section 4-8-10 of the Park City Municipal Code.
Corporation as additional insured. All Applicants shall further indemnify the City from liability occurring at the event except for any claim arising out of the sole negligence or intentional torts of the City or its employees.

3. 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.
4. All plans for tents, fireworks, stages, signs and other temporary structures shall be submitted to the Building Department for review and permitting by August 31, 2012.
5. The applicant is responsible for a Race Operation and Pedestrian Management
Plan in a form approved by the Park City Municipal Event Manager and Chief of Police.
6. All Summit County permit approvals shall be secured by August 31, 2012 and submitted to Park City Municipal in writing for review.

Attachments

Exhibit A- Applicant's Application Page 1

Exhibit A

Submit by Email

PARK CITY 1884

Park City Municipal Corporation

Master Festival & Special Event Application

Special Events
435.615.5150
specialevents@parkcity.org

Master Festival (MFL) & Special Event Applications **MUST** be complete and submitted to the Special Events Department no Less than **90 Days Prior** to a MFL and no less than **60 Days Prior** to a Special Event for staff review. Applications not submitted within that timeframe may not be granted approval. Refer to Park City Special Event Planning Guide for answers to the most frequently asked event related questions

This application **DOES NOT** constitute a valid permit until approved by the Special Events Department and/or Park City Council

APPLICATION FEES

All new applications require a $100.00 non-refundable application processing fee
All applications for returning events require a $50.00 non-refundable application processing fee

Additional fees for other services, including Health Department, Fire Department, and City Services will be estimated and provided to the applicant.

EVENT INFORMATION

MASTER FESTIVAL CRITERIA (PUBLIC EVENT) (If one box is checked the event is automatically an MFL)	☒ Attraction of crowds over 500 participants and or spectators	☐ Requires Partial or Full Street Closure or use of Public Right of Way	☒ Use of City park, buildings or other properties	☒ Use of off –site parking facility	☐ Use of Amplified Music
SPECIAL EVENT CRITERIA (PUBLIC OR PRIVATE EVENT)	☒ Causes significant public impacts via disturbance, crowd, traffic, and or parking	☐ Disruption of the normal routine of the community or affected neighborhood	☐ Necessitates temporary business or liquor licensing	☐ Event signs visible from public property or right of way	☒ Temporary structures, including inflatable's

EVENT TYPE

☐ Street Fair/Festival ☐ Run - Walk ☐ Parade ☐ Trail Event ☐ Concert ☐ Road Bike Event

Other Type of Event (Please Specify): Mountain Bike Race

APPLICANT AND SPONSORING ORGANIZATION INFORMATION

NAME: Lori Harward
POSITION: Executive Director

STREET ADDRESS: 10303 Spruceleaf Dr.
CITY, STATE, ZIP CODE: South Jordan UT 84095

MAILING ADDRESS: (If different from above)
CITY, STATE, ZIP CODE:

TELEPHONE (WORK): 801-502-8516
MOBILE PHONE:
OTHER: 801-661-7988

EMAIL ADDRESS: lori@utahmtb.org
FAX NUMBER:

SPONSORING ORGANIZATION: Utah High School Cycling League
Is organization a registered non-profit? ☒ Yes ☐ No (If yes, please provide copy of registration paperwork)

ONSITE CONTACT: (day/s of event)
MOBILE PHONE:

NAME OF EVENT: Utah High School Cycling League Race #2

☒ FIRST TIME EVENT ☐ ANNUAL EVENT (How many years?)
Will a fee be charged for attendance or participation? ☒ Yes ☐ No

Overall Event Description (Briefly explain event and activities):

EVENT DATES AND TIMES

EVENT DATE(S): Sept. 22, 2012
EVENT HOURS - START TIME: 8 am
END TIME: 6 pm

SET-UP DATE/S: 9/21
TIME/S: 8am
BREAKDOWN DATE/S: 9/22
TIME/S: 6 pm

ESTIMATED ATTENDANCE - PARTICIPANTS: ~300
SPECTATORS: ~ 750
TOTAL: 1050

EVENT LOCATION: Round Valley - Quinn's Recreation Trail head

EVENTS WITH ATTENDANCE HIGHER THAT 500 REQUIRES A SUMMIT COUNTY MASS GATHERING PERMIT

City Council Staff Report

Subject: 269 Daly Avenue Plat Amendment
Author: Mathew W. Evans, Senior Planner
Date: April 26, 2012
Project Number PL-11-01232
Type of Item: Administrative – Plat Amendment

PARK CITY 1884 PLANNING DEPARTMENT

Summary Recommendations

Staff recommends the City Council hold a public hearing for the 269 Daly Avenue Plat Amendment and approve the same based on the findings of fact, conclusions of law and conditions of approval as found in the attached ordinance.

Topic

Applicant:	Rick Otto and Dirk De Vos on behalf of Theodore Pistorius
Location:	269 Daly Avenue
Zoning:	Historic Residential (HR-1)
Adjacent Land Uses:	Residential

Proposal

The applicant is proposing to combine two "metes and bounds" parcels located within Block 73 of the Millsite Reservation, into a lot of record; parcel 1 is 3,575 square feet and parcel 2 is 3,708 square feet. Parcel 1 does not have access to Daly Avenue and is east of parcel 2. The plat amendment to combine these parcels will create a new 7,283 square foot lot of record.

The existing house and detached carriage house (garage) which is on the Historic Sites inventory as a "Landmark Site" is on parcel 2, which has frontage onto Daly Avenue. Ultimately, the owners wish to renovate and restore the existing home and garage, as well as a build an addition to the rear of the home, which would ultimately cross the existing property line between parcels 1 and 2. The existing home located on parcel 2 is approximately 13 feet away from its rear property line. The rear yard requirement for both parcels (including the new proposed lot) is ten-feet (10'). Only a small three-foot (3) addition would be allowed to extend into the rear yard setback unless the parcels are combined.

The combination of the two parcels does not grant approval for the future home addition, as the applicant will still be required to go through the Historic District Design Review (HDDR) Review prior to any approvals to expand the home. Any addition that extends into the hillside area will require a Steep Slope Conditional Use Permit. The applicant's current plans are for a simple addition to the rear of the home, and they have agreed to limit the house size to 2,000 square feet which is much less than what could be built based on the maximum footprint allowed by the HR-1 zone.

Background

The 269 Daly Avenue property is on the Historic Sites inventory as a “Landmark Site” which includes a small Mining era home constructed in 1901. The 720 square foot home is considered an “L” Cottage design, and includes a historic 192 square foot detached carriage house (garage) and storage area. The home also includes a small front porch that, according to the Historic Inventory Survey, is not considered “historic”.

On May, 2011, the applicant applied for a HDDR pre-application meeting before the Design Review Team (DRT). The applicant proposed to clean, repair and replace items on the Landmark Historic home which are in disrepair, as well as place an additional 500 square foot single-story addition to the rear. The applicant also indicated that the existing accessory structure, which is also identified as historic, would be repaired.

The plat was first viewed by the Planning Commission on March 14, 2012, The Planning Commission was concerned with the impacts of the development on the combined lots on a site which is very steep in the rear on the east side of Daly Canyon and directed Staff to meet with the applicant to discuss the possibility of selling the development rights of the rear parcel as a “Transferable Development Rights” (TDR) or the option of having the applicant consider a smaller footprint and a reduced total floor area.

On April 11, 2012, the applicant came back before the Planning Commission with a proposal to limit the structure size to no more than 2,000 square feet, as well as a proposed no building line 93 feet from the front yard setback. The Planning Commission requested that the applicant clarify the proposal to limit the size to no more than 2,000 square feet of gross floor area (GFA). The applicant agreed to the wording, and the Planning Commission voted unanimously to approve the proposed Plat with the clarified language.

Analysis

Planning Staff finds there is good cause for the application as the rear parcel alone is not buildable, and combining parcels will adjoin the ownership of both as one lot. Staff finds that the plat will not cause undo harm on any adjacent property owners because the proposal meets the requirements of the Land Management Code and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements.

The back parcel (parcel1) has no frontage onto Daly Avenue, and has no possibility of adjoining other property with frontage elsewhere. All of parcel 1 is located on the upward slope of Daly Canyon, and has more than a thirty percent (30%) slope. There is little or no economic viability for the rear parcel to remain un-adjoined to the primary parcel. The applicant will be required to continue through the HDDR process to gain approvals for any proposed addition to the home. It also appears that any rear addition to the home would likely encroach into the 30% slope area. Below is a table which shows the applicable zone requirements for the subject property:

Existing Conditions – 269 Daly Avenue

- Lot Size: 7,283 square feet (parcels 1 and 2 combined)
- Home Size: 720 square feet
- Footprint 720 square feet
- Accessory Structure: 192 square feet[1]
- Total Building Footprint: 912 square feet
- Stories: 1
- Setbacks: Front – 40', Rear - 13', Side (n) 4', Side (s) 11'
- Height: 18' approximately

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

- Maximum Building Footprint: 2,418 square feet
- Maximum GFA as proposed: 2,000 square feet
- Side-yard Setback Requirement: 5 feet minimum, 10 feet combined
- Front and Rear-Yard Setbacks: 10 feet minimum, 20 feet combined.
- Max Height: 27 feet

Future development on the combined lot will be limited to 2,000 square feet of gross floor area (GFA) as proposed by the applicant. The applicant is also proposing a maximum development line which will extend 93 feet from the front property line, and would restrict any future development beyond the line, which will be recorded on the plat.

Because the home is a Landmark Site, the home cannot be moved to another portion of the lot. The home, which sits 40 feet off of Dally Avenue, could not be moved forward to provide for additional space to the rear of the home.

Development on the steep slope portion of the lot would require a Steep Slope Conditional Use Permit. A CUP is required for any structure in excess of 1,000 sq. ft. if said structure and/or access is located upon any existing slope of 30% or greater. A Steep Slope CUP review is subject to the following criteria:

"Location of development, visual analysis, access, terracing, building location, building form and scale, setbacks, dwelling volume, building height, and height exception."

The applicant has not given Staff specific plans for the rear addition so it is unknown if future development will require the CUP. A majority of the lot, as combined, exceeds 30% slope. However, the applicant has indicated that their plans are for a simple addition to the rear of the home, which would be less than 1,000 square feet.

[1] Accessory Structure is considered "Historic" and does not count against the maximum allowed footprint per LMC Section 15-15-1.35 "Building Footprint" definition.

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

Department Review
This project has gone through an interdepartmental review. All of the issues raised by the Development Review Committee (DRC) have been addressed, and the original proposal was altered to reflect the changes requested by the DRC.

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

Public Input
No public input was received at the time of writing this report. Public input may be taken at the regularly scheduled City Council meeting April 26, 2012.

Alternatives

- The City Council may approve the proposed 269 Daly Avenue Amended Plat; or,
- The City Council may deny the proposed 269 Daly Avenue Amended Plat; or,
- The City Council may continue the discussion on the on 269 Daly Avenue Plat Amendment to a date certain and provide the applicant and staff direction on additional information or changes needed to make a decision.

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

Consequences of not taking the Suggested Recommendation
The proposed plat amendment would not be recorded and two existing lots would not be adjoined. The applicant would not be permitted to do a rear addition to the home as proposed due to the fact that it would encroach into the required rear-yard setback unless both lots are adjoined.

Recommendation
Staff recommends the City Council hold a public hearing for the 269 Daly Avenue Plat, consider any public input and consider approving the plat amendment based on findings of fact, conclusions of law and conditions of approval as stated in the attached ordinance.

Exhibits
Ordinance
Exhibit A – Vicinity map and Aerial Map
Exhibit B – Proposed Plat
Exhibit C – Record of Survey

Ordinance No. 12-

ORDINANCE APPROVING THE 269 DALY AVENUE PLAT AMENDMENT LOCATED AT 269 DALY AVENUE, PARK CITY, UTAH

WHEREAS, the owners of property located at 269 Daly Avenue have petitioned the City Council for approval of the 269 Daly Avenue Plat Amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on March 14 2012 and April 11, 2012, to receive input on the 269 Daly Avenue Plat Amendment;

WHEREAS, the Planning Commission, on the aforementioned date, forwarded a recommendation to the City Council;

WHEREAS; the City Council, held a public hearing on April 26, 2012; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the 269 Daly Avenue Plat Amendment.

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 269 Daly Avenue Plat Amendment as shown in Exhibit B 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 269 Daly Avenue within the Historic Residential (HR-1) Zoning District.
2. The property is shown on the Historic Sites inventory as a “Landmark Site” and includes a 720 square foot mining era home constructed in 1901.
3. The applicants are requesting to adjoin two “metes and bounds” parcels into one Lot for the purpose of a future expansion of the home.
4. The plat amendment is necessary in order for the applicant to obtain a building permit for the proposed addition to the rear yard due to the location of an existing lot line.
5. The amended plat will create one new 7,283 square foot lot.
6. Currently the property is two separate parcels. The front parcel is where the existing home is located, and has frontage onto Daly Avenue, and all of the rear parcel

exceeds 30% slope and has no street frontage, and thus no separate development potential without the lot combination.

7. The existing garage is also listed on the historic sites inventory and does not count against the maximum building footprint square footage as “footprint” is defined by the Land Management Code.
8. A majority of the lot exceeds 30% slope and any addition beyond 1,000 square feet will require a Steep Slope Conditional Use Permit to be reviewed and approved by the Planning Commission.
9. The existing historic home and historic garage cannot be moved or relocated to another site on the lot.
10. Any addition to the existing historic home would require review by the Design Review Team and any exterior remodels are additions would be reviewed under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.
11. The applicant has proposed a plat note limiting the maximum gross floor area to no more than 2,000 square feet, as well as a no build line measured ninety-three feet (93’) from the front property line.

<u>Conclusions of Law:</u>

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

<u>Conditions of Approval:</u>

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year’s time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permits for the rear expansion of the existing home will be granted until the plat amendment is recorded with the Summit County Recorder’s office.
4. More than half of the new lot will exceed 30% slope and future development may be subject to a Steep Slope Conditional Use Permit.
5. Modified 13-D sprinklers will be required for renovation of the existing structure.
6. A 10 foot wide public snow storage easement will be provided along the frontage of the property.
7. The maximum gross floor area as defined in the Land Management Code will not exceed 2,000 square feet.
8. The no build line (no building zone) shall be established as shown on the current plat date stamped April 5, 2012 (measured 93 feet from front property line eastward).

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

PASSED AND ADOPTED this 26th day of April, 2012.

PARK CITY MUNICIPAL CORPORATION

____

Dana Williams, MAYOR

ATTEST:

____

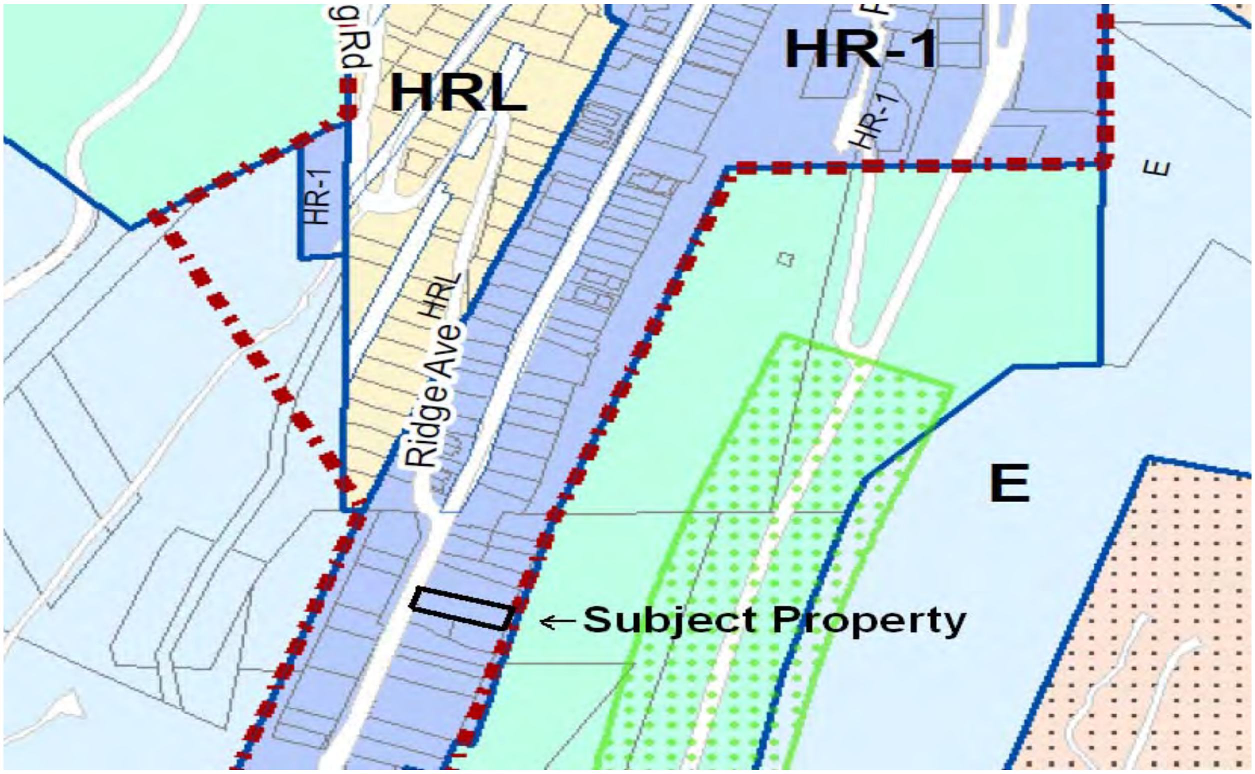
Jan Scott, City Recorder

APPROVED AS TO FORM:

____

Mark Harrington, City Attorney

Exhibit A

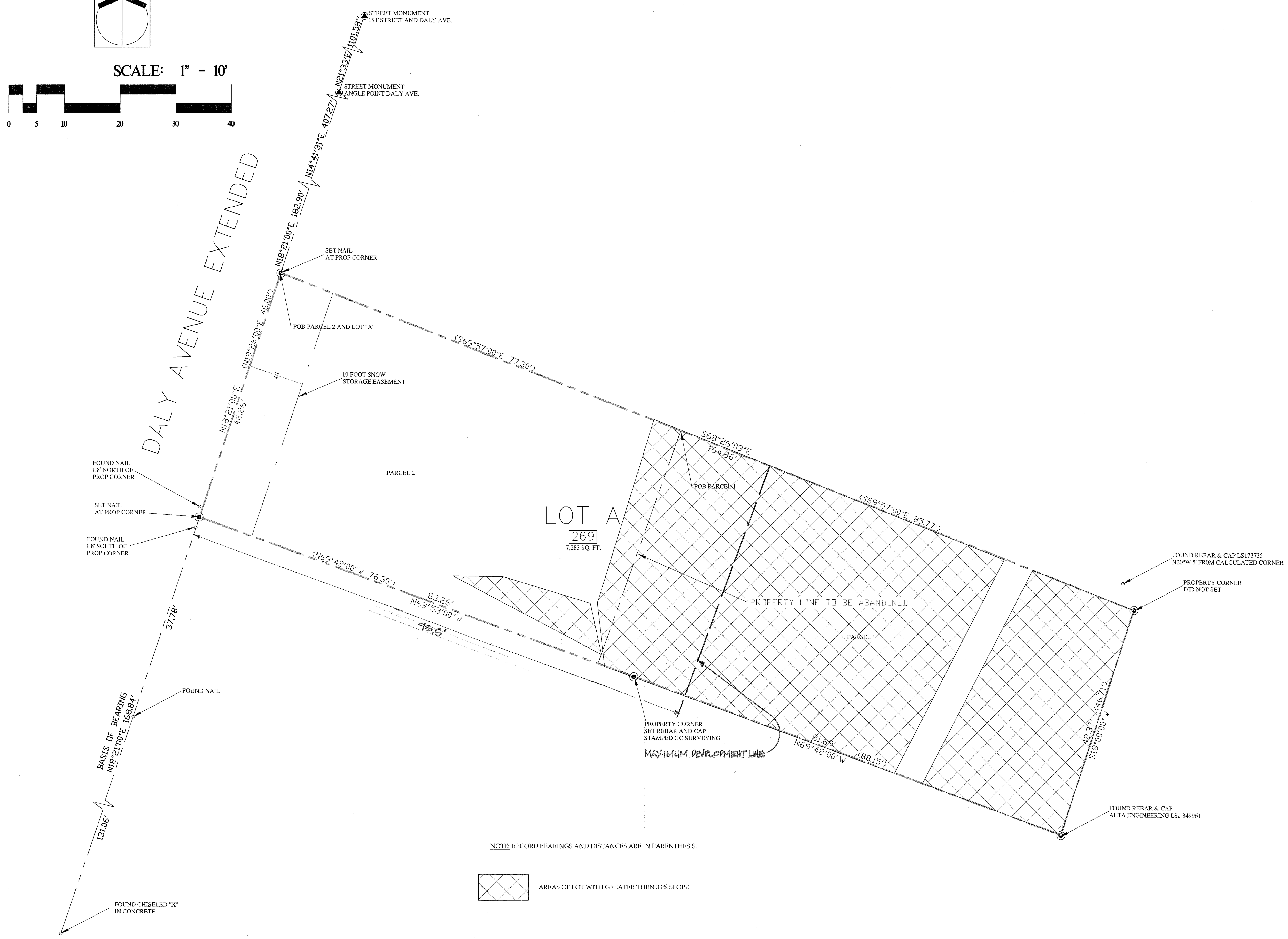

HR-1
HRL
HR-1
HR-1
E
Ridge Ave
HRL
E
Subject Property


Subject Property

269 DALY AVENUE PLAT

A LOT COMBINATION PLAT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH UTAH STATE CODE 10-9A-603, I CHARLES GALATI, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE # 7248891-2201 IN ACCORDANCE WITH TITLE 58 CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS ACT. I FURTHER CERTIFY THAT ON BEHALF OF GC SURVEYING LLC I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH STATE CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT.

PROFESSIONAL LAND SURVEYOR
No. 7248891-2201
CHARLES GALATI
STATE OF UTAH

LEGAL DESCRIPTION

(PARCEL 1)
BEGINNING AT THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED BY WARRANTY DEED RECORDED JANUARY 7, 1982 AS ENTRY NO. 187312 ON BOOK M207 AT PAGE 743 OF THE OFFICIAL RECORDS, SAID POINT BEING WEST 1095.20 FEET AND SOUTH 1521.21 FET FROM THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 69°57' EAST 85.77 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF WASHINGTON MILLSITE LOT 80-B; THENCE SOUTH 18°00' WEST ALONG SAID EAST LINE 46.71 FEET; THENCE NORTH 69°42' WEST 88.15 FEET TO THE SOUTHEAST OF THE ABOVE REFERENCED TRACT; THENCE NORTH 20°55' EAST 46.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION IS INTENDED TO BE AN EXTENSION OF THE PROPERTY LINES OF THE FOLLOWING DESCRIBED PARCEL TO THE EAST BOUNDARY OF THE WASHINGTON MILLSITE:

(PARCEL 2)
THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT 34, BLOCK 73, MILLSITE RESERVATION, PARK CITY, IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN ; THENCE NORTH 74° 55' WEST 16.6 FEET TO A POINT IN DALY AVENUE; THENCE SOUTH 22°28' WEST 298.6 FEET ; THENCE SOUTH 69°57' EAST 35.4 FEET TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE SOUTH 69°57' EAST 77.3 FEET; THENCE SOUTH 20°55' WEST 46.3 FEET; THENCE NORTH 69°42' WEST 76.3 FEET; THENCE NORTH 19°26' EAST 46 FEET TO THE TRUE POINT OF BEGINNING.

NEW LOT "A" LEGAL DESCRIPTION

BEGINNING ON THE EASTERLY RIGHT-OF-WAY LINE OF DALY AVENUE EXTENDED AS SHOWN ON THE DEDICATION PLAT OF DALY AVENUE EXTENDED RECORDED, SEPTEMBER 12, 1983 AS ENTRY NO. 210640 ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH, SAID POINT BEING SOUTH 14°41'31" WEST 407.27 FEET AND SOUTH 18°21'00" WEST 182.90 FEET FROM A BRASS CAP MONUMENT LOCATED IN DALY AVENUE OPPOSITE LOT 24, BLOCK 74, PARK CITY SURVEY; THENCE SOUTH 68°26'09" EAST 164.86 FEET ALONG A CHAIN LINK AND WOOD STAKE FENCE EXTENDED TO THE EAST BOUNDARY OF THE WASHINGTON MILLSITE; THENCE ALONG SAID EAST BOUNDARY SOUTH 18°00'00" WEST 42.37 FEET TO THE NORTHEAST CORNER OF LOT "A" AS SHOWN ON THE 279 DALY AVENUE PLAT RECORDED JULY 29, 2008 AS ENTRY NO. 851296 ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH; THENCE NORTH 69°42'00" WEST 81.69 FEET ALONG THE NORTHWESTERLY PROPERTY LINE OF SAID LOT "A"; THENCE NORTH 69°53'00" WEST 83.26 FEET ALONG THE NORTHWESTERLY PROPERTY LINE OF SAID LOT "A" TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF DALY AVENUE EXTENDED; THENCE ALONG SAID RIGHT-OF-WAY NORTH 18°21'00"EAST 46.26 FEET TO THE POINT OF BEGINNING.

CONTAINS 7283 SQUARE FEET OR 0.17 ACRES MORE OR LESS.

DEVELOPMENT NOTES

MAXIMUM FINISHED HOUSE SIZE SHALL BE LIMITED TO 2000 SQUARE FEET.

CONSTRUCTION OF THE HOME SHALL NOT EXTEND BEYOND THE MAXIMUM DEVELOPMENT LINE AS SHOWN ON THIS DRAWING

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOWN ALL MEN BY THESE PRESENT: THAT THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND TO BE KNOWN HEREAFTER AS THE 269 DALY AVENUE PLAT, DO HEREBY CERTIFY THAT I HAVE CAUSED THIS LOT COMINATION PLAT TO BE PREPARED, AND I, DIRK DEVOS HEREBY CONSENT TO THE RECORDATION OF THIS LOT COMBINATION PLAT.
ALSO, THE OWNER OR THEIR REPRESENTATIVE, HEREBY IRREVOCABLY OFFERS FOR DEDICATION TO THE CITY OF PARK CITY ALL EASEMENTS SHOWN ON THIS PLAT IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.

IN WITNESS WHEREOF, THE UNDERSIGNED SET THEIR HAND
THIS _______ DAY OF______________ ,2012.

____
DIRK DEVOS
OWNER

ACKNOWLEDGMENT

STATE OF UTAH:
COUNTY OF SUMMIT: }

ON THIS ____________ DAY OF ____________2012, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SUMMIT, IN SAID STATE OF UTAH,____________, HAVING BEEN DULY SWORN, ACKNOWLEDGED TO ME THAT________________IS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THAT__________________SIGNED THE ABOVE OWNER'S DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

NOTARY PUBLIC: ______________________

MY COMMISSION EXPIRES: ______________________

RESIDING IN: ______________________

GC SURVEYING
2132 West 1235 South Lehi, Utah 84043
Ph. 801-520-8763 Ph.435-640-4200
www.gc-surveying.com

CERTIFICATE OF ATTEST

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

____
PARK CITY RECORDER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS ______DAY OF______________ , 2012.

____
S.B.W.R.D.

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS______ DAY ______________ , 2012 A.D.

____
MAYOR

CITY ENGINEER

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

____
PARK CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS______ DAY OF______________ , 2012.

____
CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS______ DAY OF ______________ , 2012 A.D.

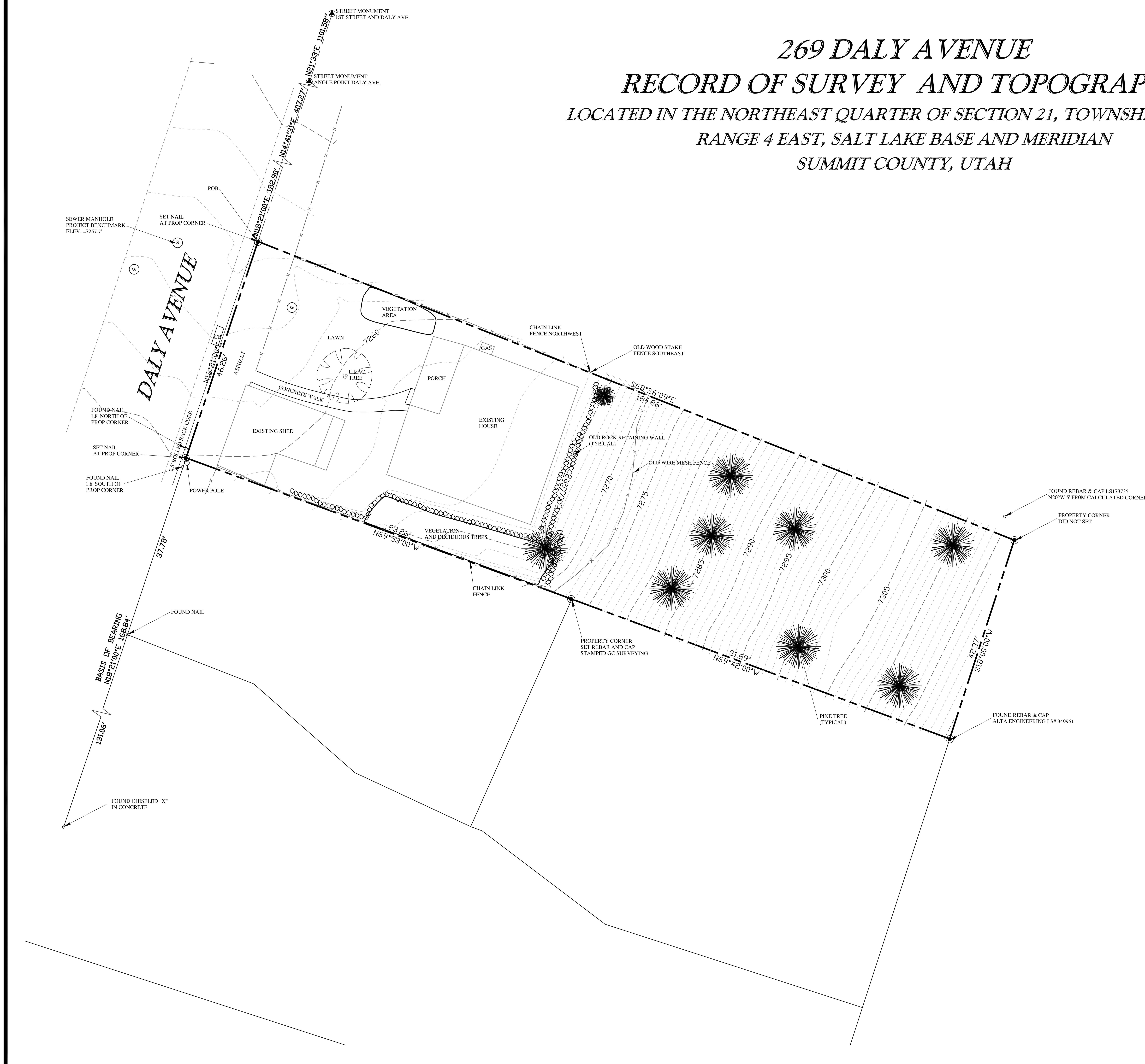
____
PARK CITY ATTORNEY

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF ______________
DATE__________TIME________BOOK__________PAGE________

______ FEE ______ RECORDER

269 DALY AVENUE
RECORD OF SURVEY AND TOPOGRAPHY
LOCATED IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
SUMMIT COUNTY, UTAH



SURVEYOR'S NARRATIVE:

1. THE SURVEY WAS REQUESTED BY DIRK DEVOS.

2. THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARY, PROVIDE TOPOGRAPHY AND AS-BUILT EXISTING CONDITIONS WITH THE INTENTION OF MAKING IMPROVEMENTS TO THE SUBJECT PROPERTY.

3. THE BASIS OF BEARING IS BETWEEN A FOUND NAIL AND A CHISELED "X" IN CONCRETE ALONG THE EAST RIGHT-OF-WAY LINE OF DALY AVENUE SOUTH 18°21'00" WEST 131.06 FEET AS SHOWN ON THIS PLAT.

4. NO ATTEMPT WAS MADE TO LOCATE UTILITIES. CLIENT SHOULD CONTACT BLUE STAKES PRIOR TO ANY DIGGING ON THE PROPERTY.

5. THE CLIENT SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT.

6. THIS SURVEY WAS COMPLETED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF UTAH.

7. EVIDENCE FOR THIS SURVEY WAS TAKEN FROM RECORDED DEEDS, 279 DALY AVENUE PLAT (ENTRY #851296), DEDICATION PLAT OF DALY AVENUE EXTENDED (ENTRY #210640), 291 DALY SUBDIVISION PLAT (ENTRY #765648) ALL ON FILE AND OF RECORD AT THE SUMMIT COUNTY RECORDER'S OFFICE AND PHYSICAL EVIDENCE OBTAINED IN THE FIELD. ALL EVIDENCE HAS BEEN CONSIDERED IN THE ESTABLISHMENT OF THE BOUNDARY SHOWN HEREON.

LEGAL DESCRIPTION

BEGINNING AT THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED BY WARRANTY DEED RECORDED JANUARY 7, 1982 AS ENTRY NO. 187312 ON BOOK M207 AT PAGE 743 OF THE OFFICIAL RECORDS, SAID POINT BEING WEST 1095.20 FEET AND SOUTH 1521.21 FET FROM THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 69°57' EAST 85.77 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF WASHINGTON MILLSITE LOT 80-B; THENCE SOUTH 18°00' WEST ALONG SAID EAST LINE 46.71 FEET; THENCE NORTH 69°42' WEST 88.15 FEET TO THE SOUTHEAST OF THE ABOVE REFERENCED TRACT; THENCE NORTH 20°55' EAST 46.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION IS INTENDED TO BE AN EXTENSION OF THE PROPERTY LINES OF THE FOLLOWING DESCRIBED PARCEL TO THE EAST BOUNDARY OF THE WASHINGTON MILLSITE:

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT 34, BLOCK 73, MILLSITE RESERVATION, PARK CITY, IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN ; THENCE NORTH 74° 55' WEST 16.6 FEET TO A POINT IN DALY AVENUE; THENCE SOUTH 22°28' WEST 298.6 FEET ; THENCE SOUTH 69°57' EAST 35.4 FEET TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE SOUTH 69°57' EAST 77.3 FEET; THENCE SOUTH 20°55' WEST 46.3 FEET; THENCE NORTH 69°42' WEST 76.3 FEET; THENCE NORTH 19°26' EAST 46 FEET TO THE TRUE POINT OF BEGINNING.

AS-SURVEYED LEGAL DESCRIPTION

BEGINNING ON THE EASTERLY RIGHT-OF-WAY LINE OF DALY AVENUE EXTENDED AS SHOWN ON THE DEDICATION PLAT OF DALY AVENUE EXTENDED RECORDED, SEPTEMBER 12, 1983 AS ENTRY NO. 210640 ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH, SAID POINT BEING SOUTH 14°41'31" WEST 407.27 FEET AND SOUTH 18°21'00" WEST 182.90 FEET FROM A BRASS CAP MONUMENT LOCATED IN DALY AVENUE OPPOSITE LOT 24, BLOCK 74, PARK CITY SURVEY; THENCE SOUTH 68°26'09" EAST 164.86 FEET ALONG A CHAIN LINK AND WOOD STAKE FENCE EXTENDED TO THE EAST BOUNDARY OF THE WASHINGTON MILLSITE; THENCE ALONG SAID EAST BOUNDARY SOUTH 18°00'00" WEST 42.37 FEET TO THE NORTHEAST CORNER OF LOT "A" AS SHOWN ON THE 279 DALY AVENUE PLAT RECORDED JULY 29, 2008 AS ENTRY NO. 851296 ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH; THENCE NORTH 69°42'00" WEST 81.69 FEET ALONG THE NORTHWESTERLY PROPERTY LINE OF SAID LOT "A"; THENCE NORTH 69°53'00" WEST 83.26 FEET ALONG THE NORTHWESTERLY PROPERTY LINE OF SAID LOT "A" TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF DALY AVENUE EXTENDED; THENCE ALONG SAID RIGHT-OF-WAY NORTH 18°21'00"EAST 46.26 FEET TO THE POINT OF BEGINNING.

NORTH

SCALE: 1" - 10'

0 5 10 20 30 40

GC SURVEYING
2132 West 1235 South Lehi, Utah 84043
801-520-8763 435-640-4200
www.gc-surveying.com

DATE:	NOVEMBER 10, 2010
DESIGNED BY:	CJG
DRAWN BY:	CJG
REVIEWED BY:	
PROJECT:	
ISSUE:	ROS/TOPOGRAPHY

REVISIONS

RECORD OF SURVEY
AND TOPOGRAPHY
269 DALY AVENUE
PARK CITY, UTAH
SUMMIT COUNTY

City Council
Staff Report

Subject: 12 Oak Court
Author: Kirsten Whetstone, MS, AICP
Date: April 26, 2012
Type of Item: Administrative – Plat Amendment
Project Number: PL-12-01491

PARK CITY 1884
PLANNING DEPARTMENT

Summary Recommendation

Staff recommends the City Council hold a public hearing and consider approving the 12 Oak Court Plat Amendment, combining Lots 35 and 36 of the Amended Evergreen Subdivision plat, based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Topic

Applicant:	Rick Otto, on behalf of Blake Roney, owner
Location:	12 Oak Court
Zoning:	Residential Development (RD)
Adjacent Land Uses:	Residential and Deer Valley Resort ski runs and trails
Reason for Review:	Plat amendments require Planning Commission review and City Council approval

Proposal

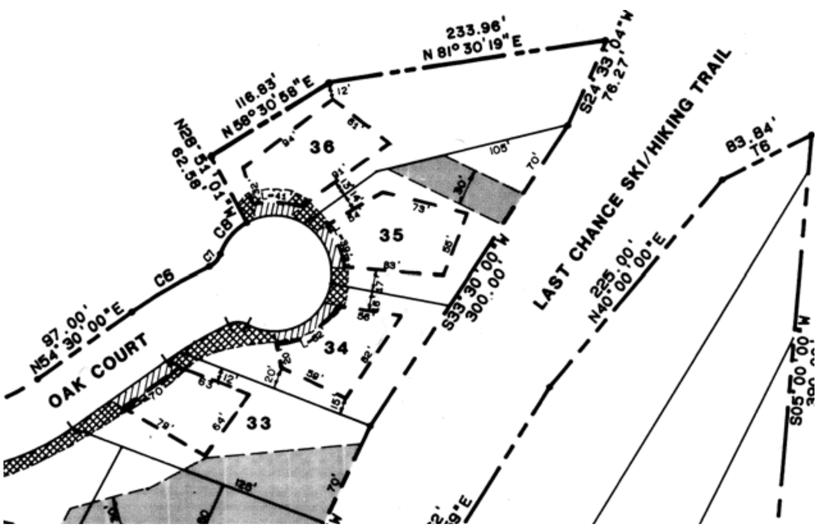
This plat amendment is a request to remove the common lot line between Lots 35 and 36 of the Amended Plat of Evergreen Subdivision and to create one lot of record for the existing house and a proposed addition. The existing house is addressed at 12 Oak Court.

Background

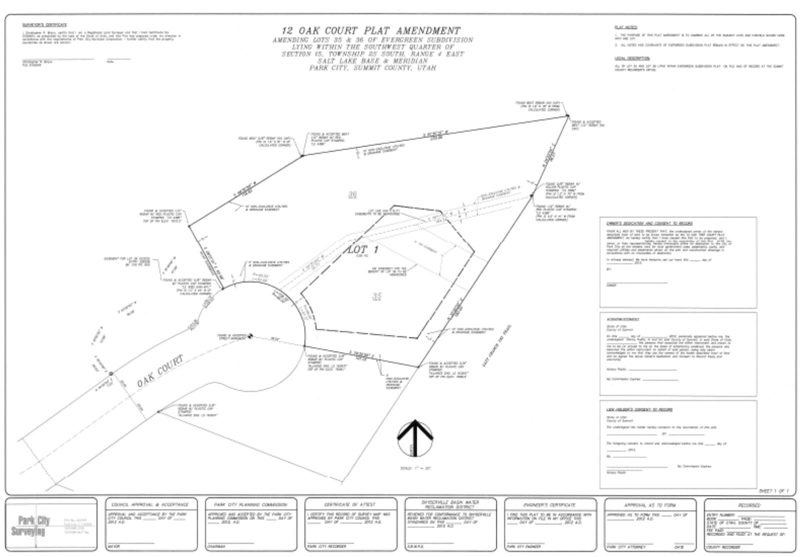
On February 17, 2012, the applicant submitted a complete application for a plat amendment to combine Lots 35 and 36 of the Amended Plat of Evergreen Subdivision (Exhibit A). The Amended Plat of Evergreen Subdivision (Exhibit B) was recorded at Summit County on May 17, 1988. Lots 35 and 26 are located at the end of a cul-de-sac known as Oak Court. The lots are adjacent to Deer Valley Resort's "Last Chance" Ski Trail and the existing plat has a ski easement across Lot 35 to benefit Lot 36 for access to the Ski Trail. The property is located within the Deer Valley Master Planned Development.

There is an existing house located on Lot 35 which was constructed in 1991. The same property owner owns the adjacent Lot 36 and desires to combine Lot 36 with Lot 35. The owner desires to construct an addition to the existing house which would encroach onto Lot 36 which is why the applicant is requesting removal of the common lot line between the lots. The applicant is also vacating the existing ski easement over Lot 35 because it will no longer be necessary (Exhibit C). Approval and recordation with Summit County of the amended Plat is a condition precedent to issuance of a building permit for any proposed addition that crosses the property line or does not comply with the required building setbacks.

On April 11, 2012, the Planning Commission conducted a public hearing and forwarded a positive recommendation to City Council. There was no public input.



Existing Plat



Proposed Plat

<u>Analysis</u>

Staff finds good cause for this plat amendment to allow an addition to an existing house and a decrease in the total number of lots in the Evergreen Subdivision.

Utility easements and snow storage easements will be granted with the plat at recordation.

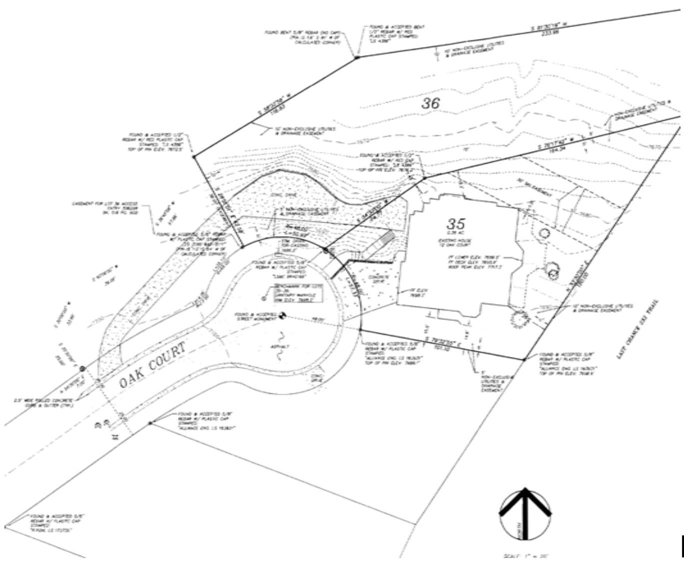
	Permitted	Existing
Front setback	10' (per plat note exception from 25' required by LMC)	23'
Rear setback	15'	26'
Side setbacks	12' (side setbacks increase based on the % increase of the house)	14'6 (south) and 12' (north)
Lot size	Per subdivision plat, no minimum, no maximum ranges between 10,124 sf to 54,394 sf.	Lot 35- 16,693.05 sf Lot 36- 23,555.34 sf Proposed Lot Size is 40,248.39 sf
House size	7,500 sf maximum per lot 11,250 sf for combined lots (150%) with an allowance for the garage.	7,343 sf existing (excluding 600 sf for garage and Basement area)
Parking	two spaces	three spaces within garage

The house at 12 Oak Court complies with all existing lot and site requirements of the RD Zone designation, including a condition of approval limiting the house size to 7,500 sf (exclusive of Basement areas and 600 sf for the garage). There is an existing driveway leading to the lower level that is located within a recorded easement from Deer Valley Resort and also located on Lot 36. This driveway crosses the common property line and is non-conforming at this time because there is not a setback to the property line. If the plat amendment is approved the driveway will comply with the required setbacks.

The proposed plat amendment is consistent with the Deer Valley Master Planned Development in that no additional density is created as the number of units/lots is decreased by one. Total floor area for a lot combination in the RD zone, for a lot with a maximum house size, is 11,250 sf. The existing house contains 7,343 sf, excluding 600 sf for the garage. Any additions to the house will be limited to a maximum of 11,250 sf with an allowance for the garage and basement area is not calculated in the house size. The proposed lot size of 40,248.39 sf is consistent with the range of lot sizes in the neighborhood. Lots in the Evergreen Subdivision range in lot area from 10,124 sf to 54,394 sf.

Building footprint and limits of disturbance areas are indicated on the Amended Plat of Evergreen Subdivision. The proposed plat amendment identifies a revised building footprint and limits of disturbance area for the combined lot. The Amended Plat of Evergreen Subdivision amendment recorded in May of 1995, allows deviations from the area of disturbance with approval by the Evergreen

Architectural Committee.



Existing Site Conditions

<u>Process</u>

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 15-1-18.

<u>Department Review</u>

This project has gone through an interdepartmental review. Issues raised include: requirements for residential fire sprinklers for new construction, easements for utilities (water and sewer), snow storage easements along the street, documentation for vacation of the ski easement, and maximum house size for combined lots in the RD zone. These issues are addressed with conditions of approval.

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

Public Input
On April 5th a letter from Bob Wells, Vice President of Deer Valley Resort Company was submitted by the applicant confirming that Deer Valley Resort, as the declarant of the Evergreen Subdivision, has no objection to the proposed lot combination or to the vacation and elimination of the ski easement (Exhibit D).

Alternatives
- The City Council may forward approve the 12 Oak Court plat amendment as conditioned or amended; or
- The City Council may deny the plat amendment and direct staff to make findings for this decision; or
- The City Council may continue discussion on the plat amendment to a date certain and request additional information.

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

Consequences of not taking the Suggested Recommendation
The lot lines would remain as they are today and any addition to the house would be limited to the allowed 7,500 sf and the driveway would be a non-conforming driveway. The addition could not be constructed across the common lot line and would be required to meet all required setbacks.

Recommendation
Staff recommends the City Council hold a public hearing and consider approving the 12 Oak Court Plat Amendment, combining Lots 35 and 36 of the Amended Evergreen Subdivision, plat based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Exhibits
Ordinance
Exhibit A- Proposed Plat
Exhibit B- Existing Plat
Exhibit C- Existing Site Plan
Exhibit D- Letter from Deer Valley Resort

Draft Ordinance No. 12-

ORDINANCE APPROVING THE 12 OAK COURT PLAT AMENDMENT COMBINING LOTS 35 AND 36 OF THE AMENDED EVERGREEN SUBDIVISION PLAT, PARK CITY, UTAH

WHEREAS, the owners of the property located at 12 Oak Court have petitioned the City Council for approval of the 12 Oak Court Plat Amendment combining Lots 35 and 36, Amended Plat of Evergreen into one lot of record; 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 11, 2012, to receive input on the proposed plat amendment; and

WHEREAS, the Planning Commission, on April 11, 2012, forwarded a positive recommendation to the City Council; and

WHEREAS, the City Council on April 26, 2012, held a public hearing on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment as conditioned, thereby creating one lot of record from two lots for an existing house and future addition. Utility easements and snow storage easements will be dedicated with the recording of the plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 12 Oak Court Plat Amendment, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located in the Residential Development (RD) zone and is subject to Section 15-2.13 of the Land Management Code, the amended Evergreen subdivision plat, and the Deer Valley Master Planned Development.
2. The RD zone is characterized by mainly single family homes and resort development condominiums and hotels.

3. The property is located at 12 Oak Court in the North Silver Lake neighborhood of the Deer Valley MPD. The property is located next to the "Last Chance" ski run of the Deer Valley Resort.
4. There is an existing ski easement across Lot 35 to provide ski access for Lot 36 to Last Chance ski run. The ski easement does not connect any other lot or common area to this ski run. The applicant is pursuing a vacation of this easement as it would no longer necessary if the lots are combined. If vacated, the recording information regarding the vacation should be noted on this amended plat.
5. The property consists of Lots 35 and 36 of the Amended Plat of Evergreen Subdivision. The amended plat was recorded at Summit County on May 17, 1988. A plat amendment to combine the two (2) lots into one (1) lot of record is required before final building permits for any new construction can be issued if that construction increases the size of the house on Lot 35 beyond the 7,500 square foot maximum, crossing onto Lot 36, or is not in compliance with required setbacks to the common lot line.
6. Building footprint and limits of disturbance areas are indicated on the Amended Plat of Evergreen Subdivision. The proposed plat amendment identifies a revised building footprint and limits of disturbance area for the combined lot.
7. Maximum house size is 11,250 sf for the combination of these 2 lots, per LMC Section 15-2.13-6 (B). The existing house contains 7,343 sf of floor area, excluding 600 sf for the garage. A revised building pad is identified on the amended plat.
8. There is no minimum or maximum lot size associated with the Amended Plat of Evergreen subdivision. The combined lot resulting from this plat amendment is 40,248.39 square feet in area.
9. Lots in the Amended Plat of Evergreen range in area from 10,124 sf to 54,394 sf.
10. The proposed plat amendment does not increase the density allowed by the Deer Valley Master Planned Development.
11. The applicant stipulates to the conditions of approval.
12. The discussion in the Analysis section is incorporated herein.

<u>Conclusions of Law:</u>

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 plat amendments.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law; the Land Management Code; requirements for utility, snow storage, ski easement vacation, and any encroachment agreements; as well as any conditions of approval that apply to this property, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A note shall be included on the plat prior to plat recordation stating that the maximum house size and building setbacks for new construction on a combined lot shall be determined by the LMC Section 15-2.13-6 (B).
4. A note shall be included on the plat prior to recordation stating that the conditions of approval and plat notes of the Deer Valley MPD and Amended Plat of Evergreen subdivision continue to apply to this lot.
5. A 10' (ten foot) snow storage easement shall be dedicated to Park City across the property's frontage on Oak Court.
6. The property owner shall comply with the requirements of the Snyderville Basin Water Reclamation District (SBWRD).
7. Modified 13-D residential fire sprinklers are required in all modifications or new construction.
8. If the applicant pursues a vacation of the ski easement, the recording information of the easement vacation shall be noted on the amended plat prior to recordation. Otherwise the dedicated ski easement shall be shown on the amended plat.

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

PASSED AND ADOPTED this 26th day of April, 2012.

SURVEYOR'S CERTIFICATE

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

______________________ Date ________

Christopher R. Brown
P.L.S. 5152604

12 OAK COURT PLAT AMENDMENT

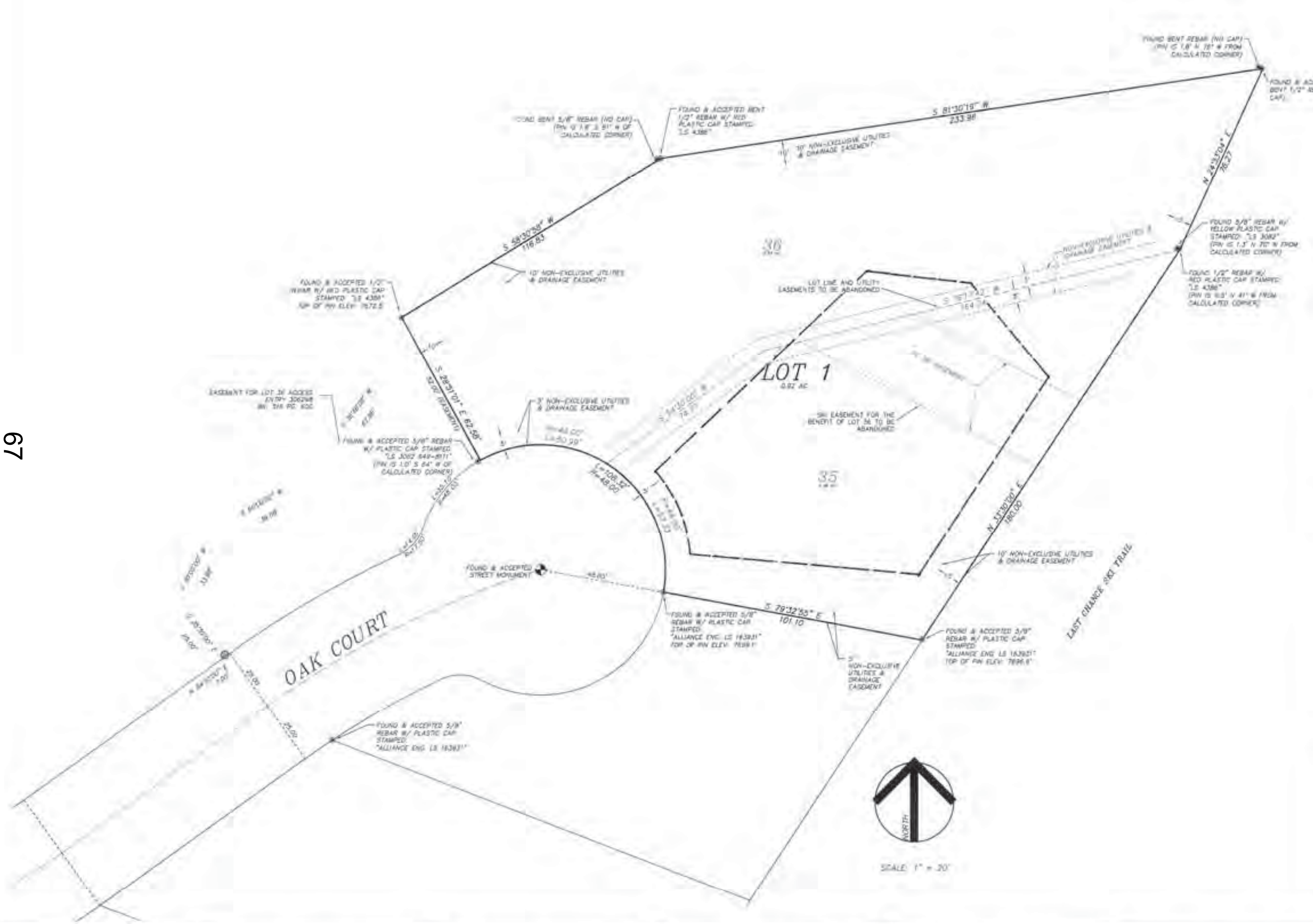
AMENDING LOTS 35 & 36 OF EVERGREEN SUBDIVISION
LYING WITHIN THE SOUTHWEST QUARTER OF
SECTION 15, TOWNSHIP 2S SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

PLAT NOTES:

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

LEGAL DESCRIPTION:

ALL OF LOT 35 AND LOT 36 LYING WITHIN EVERGREEN SUBDIVISION PLAT, ON FILE AND OF RECORD AT THE SUMMIT COUNTY RECORDER'S OFFICE.



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT THAT, the undersigned owner of the herein described tract of land to be known hereafter as the 12 OAK TREE COURT PLAT AMENDMENT, do hereby certify that I have caused this Plat to be prepared, and I, ______________ hereby consent to the recordation of this Plat. ALSO, the owner, or their representatives, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable of dedication.

In witness whereof, We have hereunto set our hand this _____ day of ____________ 2012.

BY:

____
OWNER

ACKNOWLEDGMENT

State of Utah
County of Summit

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

Notary Public: ______________________

My Commission Expires: ______________________

LIEN HOLDER'S CONSENT TO RECORD

State of Utah
County of Summit

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

______________________ BY: ______________

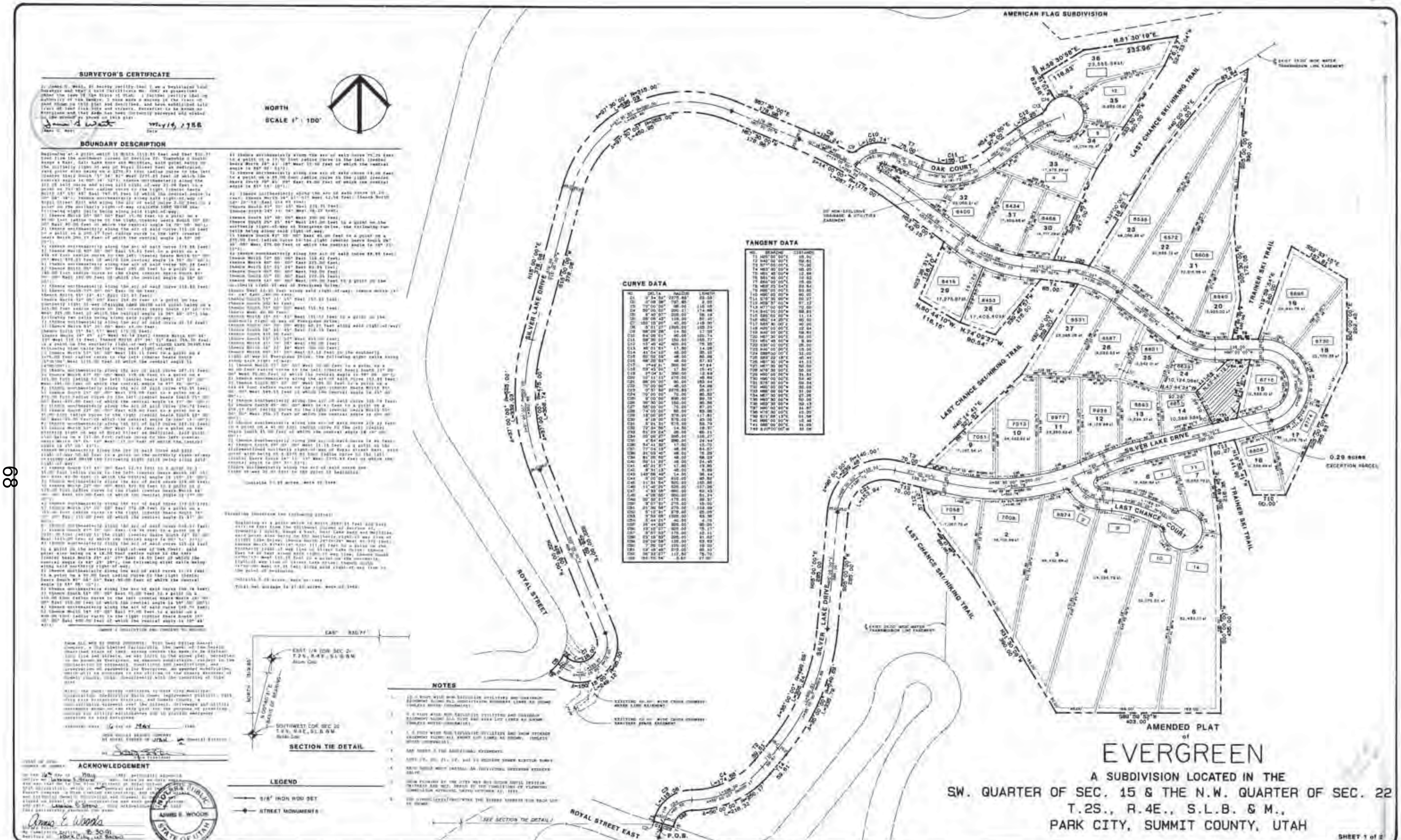
The foregoing consent to record was acknowledged before me this _____ day of ____________ 2012.

By: ______________

______________________ My Commission Expires:
Notary Public

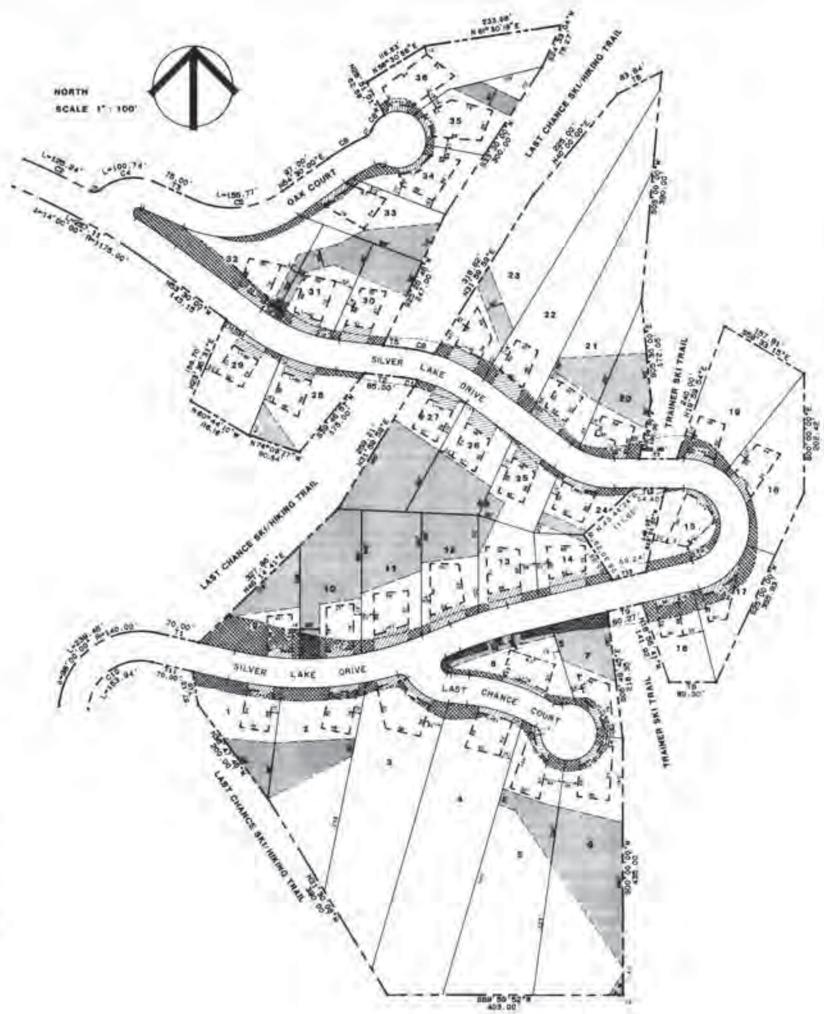
SHEET 1 OF 1

Park City Surveying	COUNCIL APPROVAL & ACCEPTANCE	PARK CITY PLANNING COMMISSION	CERTIFICATE OF ATTEST	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	RECORDED
	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 2012 A.D.	APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ 2012, A.D.	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ 2012 A.D.	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2012 A.D.	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2012 A.D.	APPROVED AS TO FORM THIS _____ DAY OF _____ 2012 A.D.	ENTRY NUMBER: _____ BOOK: _____ PAGE: _____ STATE OF UTAH, COUNTY OF _____ DATE: _____ TIME: _____ FEE PAID: _____ RECORDED AND FILED AT THE REQUEST OF: _____
	MAYOR	CHAIRMAN	PARK CITY RECORDER	S.B.W.R.D.	PARK CITY ENGINEER	PARK CITY ATTORNEY / DATE	COUNTY RECORDER



CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	RECORDED
PRESENTED TO THE BOARD OF Park City CITY COUNCIL THIS 17th DAY OF May A.D. 1988 AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED. MAYOR. CITY RECORDER	APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THE 17th DAY OF MAY A.D. 1988. CITY ENGINEER	APPROVED AND ACCEPTED BY THE Park CITY PLANNING COMMISSION ON THIS 17 DAY OF May A.D. 1988. CHAIRMAN	APPROVED AS TO FORM ON THIS 17th DAY OF May A.D. 1988. CITY ATTORNEY	STATE OF UTAH 5/17/88 COUNTY OF SUMMIT TIME 3:38 RECORDED AND FILED AT THE REQUEST OF HIGH COUNTRY TITLE. 58.00 FEES. COUNTY RECORDER

J.J.Johnson & Associates
Park Meadows Plaza
Highway 248
Park City, Utah 84060
(801) 649-9811



LEGEND

- 5/8 IRON ROD SET
- LOT LINE
- ROAD CONSTRUCTION SLOPE EASEMENT
- AREA OF DISTURBANCE WITHIN SETBACK
- SKI EASEMENT
- AREA OF DISTURBANCE

CURVE DATA

NO.	DELTA	RADIUS	LENGTH
C1	6°40'07"	225.00'	26.19'
C2	5°51'27"	1225.00'	125.24'
C3	68°29'26"	14.50'	17.33'
C4	64°08'01"	90.00'	100.74'
C5	59°30'00"	150.00'	155.77'
C6	10°46'42"	400.00'	75.25'
C7	46°01'51"	17.50'	14.06'
C8	41°54'10"	48.00'	35.10'
C9	10°11'11"	275.00'	48.89'
C10	98°00'00"	90.00'	153.94'

TANGENT DATA

NO.	BEARING	DISTANCE
T1	S77°00'01"E	70.00'
T2	N83°30'01"W	65.00'
T3	S86°00'00"E	75.00'
T5	S83°29'59"E	40.00'
T6	N63°25'24"E	83.84'
T7	N90°00'00"E	63.85'
T8	N90°00'00"W	80.00'
T9	S76°30'00"W	60.27'
T10	N09°37'00"W	57.12'
T11	N77°00'00"W	70.00'
T12	N90°00'00"E	54.40'
T13	S76°30'00"W	59.24'

BUILDING SETBACKS

LOT NUMBER	REQUIRED FRONTYARD SETBACK
1	10'
2	10'
3	10'
4	10'
5	10'
6	10'
7	10'
8	10'
9	10'
10	10'
11	25'
12	25'
13	25'
14	25'
15	10'
16	10'
17	10'
18	10'
19	10'
20	10'
21	25'
22	25'
23	25'
24	10'
25	25'
26	25'
27	25'
28	25'
29	25'
30	25'
31	25'
32	10'
33	10'
34	10'
35	10'
36	10'

AMENDED PLAT

of

EVERGREEN

SHEET 2 of 2

J.J.Johnson & Associates

Park Meadows Plaza
Highway 248
Park City, Utah 84060

(801) 649-9811

Park City Surveying

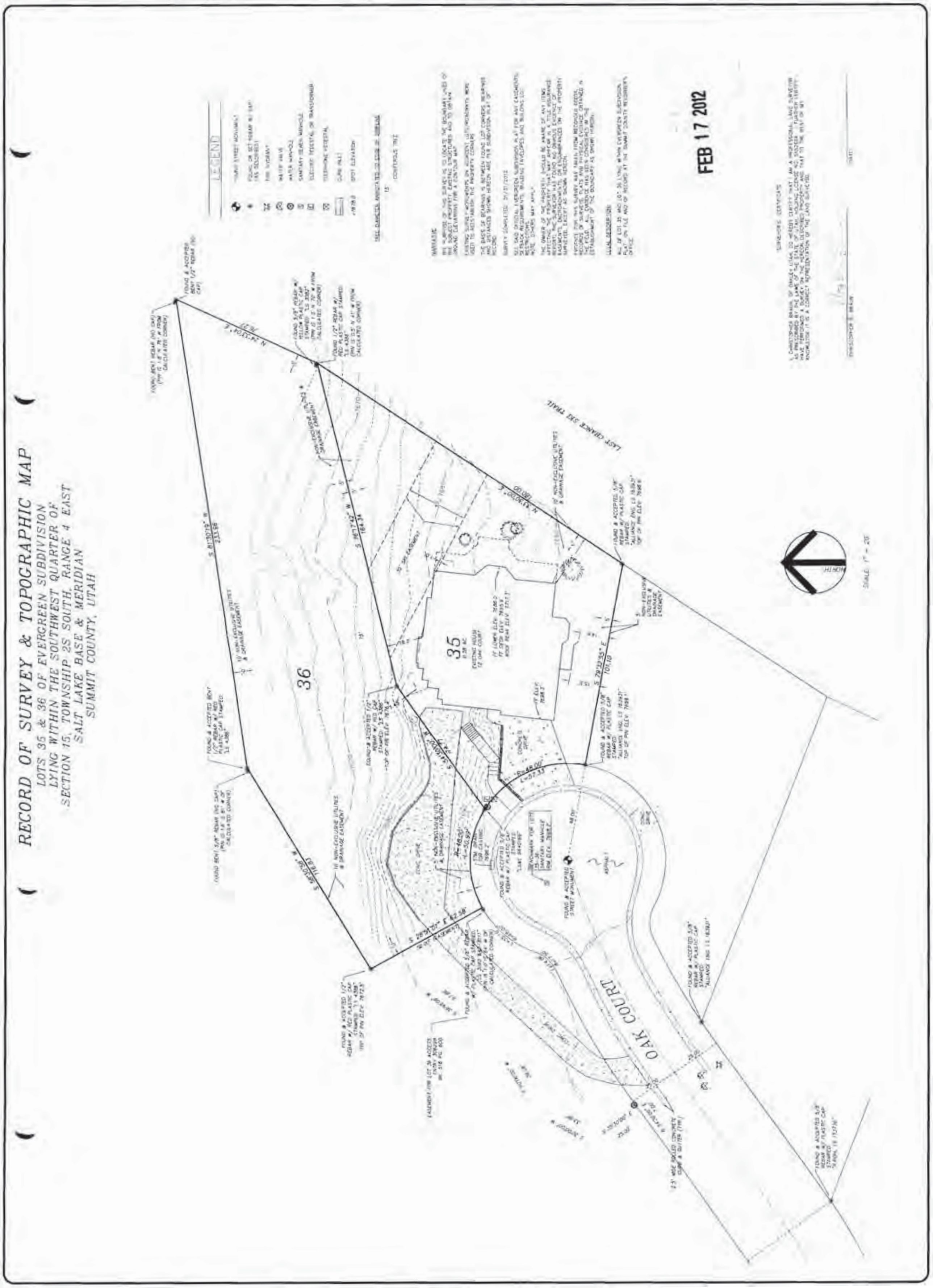
DATE	BY	COMMENTS

SURVEYED BY: CB/CR
DRAWN BY: CRB
DATE: FEBRUARY 2012

RECORD OF SURVEY & TOPOGRAPHIC MAP
LOTS 35 & 36
EVERGREEN SUBDIVISION

FOR: OTTO WALKER

DWG: EVER 35-36 ROS-ASB V2.DWG



DEER VALLEY

April 5, 2012

Rick Otto
Otto Walker Associates
2200 Park Avenue
Suite C201
Park City, Utah 84060

Re: Combination of Lots 35 and 36 Evergreen Subdivision

Dear Rick:

This will confirm our previous discussions to the effect that Deer Valley Resort Company, as the declarant of Evergreen subdivision, has no objection to the proposed combination of Lots 35 and 36. Further, Deer Valley Resort Company has no objection to the vacation and elimination of the ski easement shown on the Evergreen subdivision plat as crossing Lot 35. The sole purpose of the platted easement was to provide for access across Lot 35 to access Lot 36 from the Last Chance ski run and hiking trail. The combination of Lots 35 and 36 eliminates the need for the easement. Please advise if any questions.

Sincerely,

DEER VALLEY RESORT COMPANY

Robert W. Wells, Vice President

P. O. Box 889 • Park City, Utah 84060-0889 • 435.649.1000 • Fax 435.649.1910
www.deervalley.com

City Council Staff Report

Subject: Street Dining on Main Lease Agreements
Author: Francisco Astorga, Planner
Department: Planning
Date: April 26, 2012
Type of Item: Administrative

Summary Recommendations:

Consider amendment/renewal of leases and approving new leases of City property/right-of-way for several restaurants located on Main Street, so that they can have on street dining on City property/right-of-way.

Topic/Description:

Cisero's Ristorante, Bistro 412, 501 on Main, Main Street Pizza & Noodle, Bandits' Grill & Bar, Bangkok Thai on Main, The Eating Establishment, Shabu, and Flanagans propose to build the same temporary street dining decks that the City approved in 2011 on Main Street. The Street Dining on Main program allows restaurant owners that have direct access to Main Street to build temporary decks on City right-of-way pending City Council approval of a lease agreement and an administrative Conditional Use Permit.

Restaurant	Address	Deck size
Cisero's	306 Main Street	9' x 31'
Bistro 412	412 Main Street	9' x 20'
501 on Main	501 Main Street	10' x 17'
Main Street Pizza & Noodle	530 Main Street	9' x 31'-2"
Bandits' Grill & Bar	440 Main Street	10'- 6" x 23'
Bangkok Thai on Main	605 Main Street	9' x 38'
The Eating Establishment	317 Main Street	9' x 21'-10½"
Shabu	442 Main Street	9' x 23'
Flanagan's (*deck removed during Arts Fest*)	438 Main Street	9' x 22'-8"

Background:

Section 15-2.6-12 of the Land Management Code (LMC) allows Outdoor Dining on "leased public property" as an Administrative Conditional Use Permit (CUP). This lease is for the use of Main Street in front of the property from May 1 to October 30th.

Street Dining was first explored and used the summer of 2010. The Leasees entered into a three year contract. Since that time, Council discussed the Street Dining on Main program and suggested amendments to the terms of the leases in

November 2010, April 2011, and March 2012. During the March 29, 2012 meeting, direction was given to move forward with a minor update to the operational & lease agreements which includes to charge five hundred and fifty dollars ($550) per parking space (twenty feet [20’] in length) based on a linear calculation.

In 2010, three (3) restaurants on Main Street were granted leases for the use of the right-of-way and administrative CUPs. In 2011, nine (9) restaurants were granted leases. This year the same nine (9) restaurants approved in 2011 requested the use. The term of those leases was for one (1) year with automatic renewal to the end of 2012. The term of the lease provided 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.”

A maximum of twelve (12) street dining decks will be accommodated on Main Street based on the layout of the proposed decks. The applications will be evaluated on a first come first serve basis.

Analysis:

The lease to restaurant owners to use the City right-of-way on Main Street for on-street dining includes provisions which regulate the time and duration of the use, provide for consistency in look and materials of the decks which are placed in the right-of-way, prevent conflicts with Special Events/Master Festival Licenses, mitigate for conflicting uses in the public right-of-way, ensure for clean sidewalks, and provide an ongoing monitoring mechanism and revocation provision for failure to comply with regulations. In addition to this lease, the Leasee is required to get an Administrative CUP which regulates the operation of the on street dining.

Based upon the discussion during the March 29, 2012 City Council work session before Council, Staff proposes that the rent provision of the existing leases be modified from the 2011 lease to waive a portion of the parking fees which is normally charged for use of the street for street dining decks. The City Council directed staff to charge five hundred fifty dollars ($550) per parking space (twenty feet [20’] in length) based on a linear calculation.

Restaurant	**Address**	**Deck size**	**Parking spaces**	**Rent (based on linear foot)**	**Maximum parking fees**
Cisero’s Ristorante	306 Main Street	9’ x 31’	1.55	$852.50	$4,464
Bistro 412	412 Main Street	9’ x 20’	1.0	$550	$2,880
501 on Main (Zona Rosa)	501 Main Street	10’ x 17’	1.0	$550	$2,880
Main Street Pizza &	530 Main Street	9’ x 31’-2”	1.56	$858	$4,493

Noodle					
Bandits' Grill & Bar	440 Main Street	9' x 23'	1.15	$632.50	$3,312
Bangkok Thai on Main	605 Main Street	9' x 38'	1.90	$1,045	$5,472
The Eating Establishment	317 Main Street	9' x 21'-10½"	1.09	$599.50	$3,150
Shabu	442 Main Street	9' x 23'	1.15	$632.50	$3,312
Flanagan's	438 Main Street	9' x 22'-8"	1.13	$621.50	$3,254
		Totals:	**11.53**	**$6,341.50**	**$29,963**

Staff has prepared a draft lease template that would be executed with each applicant prior to approving any Outdoor Dining on City Streets (Exhibit A). Staff has also prepared updated operational restrictions (Exhibit B) according to previous Council's direction. Staff recommends that the nine (9) businesses that entered into the lease agreements last year enter into the attached leased as allowed for in the term provision of the lease (stated above) instead of amending those leases so that all the leases for the on street dining are the same. All leases will expire October 30, 2012.

On March 29, 2012 staff presented to City Council an analysis of the street dining program fee. Kent Cashel, Transit and Transportation Manager, indicated that based on a two year average paid parking meter collection (actual revenue) the City made a total of $1,126 der during the six (6) month period per parking space (20'). See Exhibit C March 29, 2012 work session staff report. During this work session discussion staff recommended increasing the fee charged in 2011 of $300 per space (20') to $550. In essence, this would be an increase from 10% of potential revenue to 19% of potential revenue (or 49% of actual revenue).

Administrative CUP

Although Council is only considering whether to lease the right-of-way and does evaluate the criteria of the Administrative CUP, Staff made a determination that applicants' request meets the proposed operational restrictions as well as the following standards for an outdoor dining Administrative CUP as described in LMC § 15-2.6-12.

The Administrative CUP does not have an expiration date, and runs with the land, or until City Council provides direction to not allow use of City-streets for outdoor dining. Currently, all the restaurants using the program have been granted Administrative Conditional Use Permits. The original lease agreement expires at the end of the 2012 season. At that point staff requests to analyze the effects of the three (3) year Street Dining on Main program and possibly consider extending the program for another term.

Department Review:

The Building, Planning, Engineering, and Special Events Departments have review the street dining request and have drafted the language on the draft lease and operational restrictions.

Alternatives:

A. Approve:

Provide direction to approve the Outdoor Dining on City streets; and approve the lease for street dining for restaurants as presented; or

B. Deny:

Provide direction to deny the Outdoor Dining on Main Street request; or

C. Modify:

Provide direction to continue Outdoor Dining on Main Street, but modify the lease language or operational restrictions and then provide direction to approve the lease(s) as amended; or

D. Continue the Item:

Continue the hearing for more information or discussion.

Recommendation:

Consider amendment/renewal of leases and approving new leases of City property/right-of-way for several restaurants located on Main Street, so that they can have on street dining on City property/right-of-way.

Exhibits

Exhibit A – Updated “Redlined” 2012 Lease Agreements
Exhibit B – Operational Restrictions
Exhibit C – March 29, 2012 work session staff report
Exhibit D – Minutes from March 29, 2012 City Council Work Session

Exhibit A

STREET DINING ON MAIN
OUTDOOR DINING LEASE

This LEASE AGREEMENT is made and executed this ____day of _________, 2012, 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, 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 ~~three hundred dollars ($300)~~ five hundred fifty dollars ($550) per parking space of a linear length of twenty feet (20'). 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, 2012 and shall terminate on October 30, 2012 ~~The term shall automatically renew each year for a total of two (2) years terminating on October 30, 2012~~ unless terminated earlier as provided herein. The Property may only be utilized for a six (6) month period commencing on May 1st and terminating on October 30th 2012 except for the period of the Arts Fest (the first Friday, Saturday and Sunday of August). ~~An annual review by the City Council, with input from the Planning Department will be conducted by April 1st of each year~~. ~~City Council may terminate or change the terms of this lease at that time.~~ Additional term restrictions are attached hereto and incorporated herein by this reference in Attachment 1 (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 Property shall not conflict with any previously existing Master Festival License (MFL) recipients on Main Street, specifically the Arts Fest (Kimball Arts Center). The Kimball Arts Center has been leased exclusive use of Main Street during the first Friday, Saturday and Sunday of August. The Property must be vacated (i.e. removal of decks) no later than 10 a.m. MT of the first Thursday of August for the duration of Arts Fest (including set-up and breakdown) unless the Kimball Arts Center consents in writing to allow Tenant's use of the Property. If the outdoor dining structure is not removed as required, the Landlord will remove the structure at Tenant's cost.

4. 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. The street dining decks shall be utilized for street dining that will serve lunch and dinner seven days a week for the duration of the lease period. Additional operational restrictions which must be complied with as part of the conditions of this lease are attached hereto and incorporated herein in Attachment 1. Park City makes no representations regarding the premises and Tenant accepts the premises "as is."

5. 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.

6. 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.

7. 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.

8. 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' 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.

9. 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.

10. PROFESSIONAL PERFORMANCE. Tenant agrees to perform services under this contract at the highest professional standards, and to the satisfaction of Park City.

11. APPLICABLE LAW. This Agreement shall be governed by the laws of the state of Utah.

12. 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:
____
Date:

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

____
Dana Williams, Mayor

Attest:

____

Janet M. Scott, City Recorder

Approved as to form:

____
City Attorney’s Office

Exhibit B

Attachment 1
Street Dining Operation 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"). 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.

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). 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.

City Council Staff Report

Subject: Street Dining on Main Parking Fee and request by HPCA for 15 additional free parking days
Author: Francisco Astorga, Planner and Kent Cashel, Transit and Transportation manager
Department: Planning & Transportation
Date: March 29, 2012
Type of Item: Work Session - Administrative

Summary Recommendations:
Staff recommends that City Council increase permit fees dining decks from $300 to $550 to cover roughly fifty percent (50%) of forgone parking revenues. Staff requests that Council authorize for 2012:

1. Dining Deck fees of $550 per 20' space.
2. 15 additional free parking days requested by Historic Park City Alliance (HPCA)

Topic/Description:
Street Dining on Main program fee and free parking days

Background:
The Street Dining on Main program started in 2010 with three (3) built dining decks. During this initial year City Council waived all fees associated with the leased spaces. It was also determined then, that the program would be set up as a three (3) year pilot program with an annual review.

In 2011 the City Council authorized a total of nine (9) dining decks. In order to promote street activity during the summer season, the City Council during their April 2011 meetings, directed Staff to charge a fee for using the street right-of-way and waive a portion of the maximum parking fee for a special use to $300 per parking space, twenty feet (20') in length, based on a linear calculation. The maximum fee for special use of public parking on Main Street is a daily rate of sixteen dollars ($16) per space, a maximum of $2,880 for the six (6) month period per space (the decks are permitted from May 1st thru October 30th).

On March 8th 2012, the City Council requested Staff to return with an estimate of the foregone parking revenues created by the Street Dining on Main program.

Analysis:
The table below contains the Main Street parking fee collections for the six (6) month period that dining decks are permitted on the street. Staff utilized 2010-2011 collections for this impact estimate as Council authorized an increase in parking fees in

2010 (from $1.00 per hour to $1.50 per hour) and the two (2) year average best reflects collections under the new rate structure.

Two Year Average Paid Parking Meter Collections

	2010	2011	Average
May	$ 35,922	$ 24,463	$ 30,192
June	$ 28,165	$ 31,327	$ 29,746
July	$ 43,386	$ 46,425	$ 44,906
August	$ 40,475	$ 40,645	$ 40,560
September	$ 35,242	$ 31,637	$ 33,440
October	$ 30,421	$ 28,411	$ 29,416
Average Collection During Six Mos Period			$ 208,259
20' Spaces in Paid Parking Program			185
6 Month Average per 20' space			$ 1,126
Pilot Program Dining Deck Fees for 20' space			$ 300
Estimate of Foregone Revenue Per 20' Space			($826)

Staff requested Council authorize up to (12) dining decks in 2012. Only nine (9) were ultimately erected in 2011. Based upon historical collection rates and a $300 per 20' space fee the forgone revenue impact of this request to the City's Transportation Fund is $9,912 ($826 X 12).

In addition to the above parking fee waivers, Staff has received a request from the HPCA for the following 15 additional free parking days in 2012, which are in addition to those free days already granted in 2010 and 2011:

- Spring Locals Thursdays (May 3-June 29) 9 additional days
- Fall Locals Thursday's (Sept 6 – Nov 22) 1 additional day
- Free Holiday Parking (Nov 23-Dec 21) 5 additional days

The benefits of free parking days include improved public relations with Main Street merchants, marketing for free parking days…all of which leads to economic vitality. The table below details the total free parking days that the HPCA requested and were granted including 2010, 2011and the 15 additional days the HPCA is requesting for 2012:

(See table next page)

HPCA Requested Free Parking Days	Free Days			Additional Free Days Requested	Incremental 2012 Forgone Revenue	Total Forgone Revenue
	2010	2011	2012			
Spring Locals Thursdays (May 3rd - June 29th)	0	0	9	9	$ 8,836	$ 8,836
Fall Locals Thursdays (Sept 6 - Nov 22)	0	11	12	1	$ 580	$ 10,574
Free Holiday Parking (Nov 23-Dec 21)	24	24	29	5	$ 3,609	$ 19,797
Totals	24	35	50	15	$ 13,025	$ 39,207

Foregone revenue for the additional 2012 days and total foregone revenue for all free days was calculated using two (2) year average daily revenue figures (by month) displayed in the table below.

Meter Revenue			
Month	2010-2011 2 Year Monthly Average	Days In Month	Average Daily Meter Revenue
July	$ 44,906	31	$ 1,449
August	$ 40,560	31	$ 1,308
September	$ 33,440	30	$ 1,115
October	$ 29,416	31	$ 949
November	$ 17,401	30	$ 580
December	$ 22,375	31	$ 722
January	$ 44,792	31	$ 1,445
February	$ 42,256	28	$ 1,509
March	$ 45,881	31	$ 1,480
April	$ 24,312	30	$ 810
May	$ 30,192	31	$ 974
June	$ 29,746	30	$ 992

Staff is supportive of the HPCA request for additional days but is also keenly aware of Council's previous directive, which started in 2003, that program revenues should cover program costs. The table below presents year to date financial results and a forecast through June 30th, 2012:

(See table next page)

Parking Operation Financial Results	FY 2012 YTD	FY 2012 Forecast (Thru June 30)
Revenues		
Parking Fines	$ 93,301	$ 110,895
Parking Permits	$ 96,466	$ 102,354
In Car Meters	$ 6,964	$ 11,136
Token Sales	$ 1,901	$ 2,495
Meter Revenue	$ 281,521	$ 416,717
Impound Fees	$ 440	$ 440
Total Revenues	**$ 480,593**	**$644,037**
Expenses		
Personnel	$ 120,484	$ 174,032
Materials Supplies Services	$ 51,632	$ 74,580
Utilities	$ 3,332	$ 4,813
Contract Services	$ 126,063	$ 182,091
Interfund Transfer	$ 32,072	$ 32,072
Capital Equipment Replacement Fund	$ 44,333	$ 44,333
Contribution to Park Silly Market	$ 40,000	$ 40,000
Contribution to HPCA	$ 40,000	$ 40,000
Contribution to Enhanced Parking\Transit Marketing	$ 40,000	$ 40,000
Total Expenses	**$ 497,916**	**$631,921**
Estimated Net Income		**$ 12,116**

The above forecast for FY 2012 is very similar to the actual results achieved for FY 2011. This forecast indicates $12,116 in net income. HPCA's request for additional days will reduce meter revenues an estimated $13,512 (12 x $1,126), resulting in a $1,396 ($13,512 - $12,116) net loss on parking operations.

Staff believes a reasonable approach to solving the forecasted revenue shortfall is to increase permit fees for dining decks from $300 to $550 ($550 represents 49% of forgone parking revenues). Staff thinks this level of City subsidy:

- Provides strong support for program participants,
- preserves City resources that can be applied to other parking programs that benefit the street, and
- allows the parking program to generate sufficient revenue to cover expenses.

This additional $250 per 20' space will generate approximately $3,000 in additional revenues for the parking operation (based upon 12 - 20' spaces). These additional funds will enable the Main Street parking operations to cover expenses while still supporting robust dining deck permit subsidies and free parking day programs requested by the HPCA.

Staff recommends Council support the dining deck fee subsidies and free parking days for 2012 only, and strongly recommends these subsidy programs are revisited in early 2013.

The Planning Department initially recommended charging the same amount that was charged in 2011, $300 per space (20'). This fee is ten percent (10%) of the maximum fee that <u>can</u> be collected for a special use, and twenty-seven percent (27%) of the collected average of 2010 and 2011. Based upon Planning's work with Transportation Staff, Planning supports the increase from $300 to $550 (per 20'). In essence, this would be an increase from 10% of potential revenue to 19% of potential revenue (or 49% of actual revenue).

Department Review:
This report has been reviewed and commented on by City Manager's Office, City Attorney's Office, Public Works, Planning and Economic Development. All comments received have been incorporated into this report.

<u>Alternatives</u>

A. **Approve the Public Works Parking Division Recommendation.** Staff requests that Council authorize 2012 Dining Deck fees of $550 per 20' space and 15 additional free parking days as requested by HPCA per the Public Works Parking.

B. **Deny or Modify The Recommendation**. Council could deny or modify Staff's recommendation.

C. **Defer the item to a later date.** Council could defer the item to a later date this would likely impact the deck application process as applicants wait to see what Council's decision regarding fees will be.

D. **Do Nothing**. Council could choose to do nothing. This would have the same impact as Alternative C.

Significant Impacts:
Should Council choose to authorize Dining Deck permit fees at less than Staff's recommendation and also authorize HPCA's requested 15 additional free days, Staff believes it is likely the parking program will not generate sufficient revenue to cover its parking operations costs in FY 2012.

Additionally, Staff does not believe the current rate structure can provide for more than the current requested free days. Staff recommends Council revisit this level of free days in early 2013.

Recommendation:
Staff recommends that City Council increase permit fees dining decks from $300 to $550 to cover roughly fifty percent (50%) of forgone parking revenues.   Staff requests that Council authorize for 2012:

1. Dining Deck fees of $550 per 20' space.
2. 15 additional free parking days requested by Historic Park City Alliance (HPCA)

EXCERPT FROM MARCH 29, 2012
CITY COUNCIL WORK SESSION MINUTES

5. Main Street dining parking fee. Francisco Astorga explained that this discussion relates to the parking fee and the request from HPCA for 15 additional free parking days. Council requested that staff provide an analysis relating to the parking fee charged for the pilot Main Street dining program. In 2010, a total of three decks were installed and all fees were waived by Council and in 2011 nine decks were charged $300 per 20 linear feet. In order for the Transportation Department to break even on the parking program, it is recommended that the fee be increased from $300 to $550 per 20 linear feet for 2012.

Dick Peek understood that in 2010, the City agreed to 24 free days; 2011, 35 free days and 50 free days are requested for 2012 by the HPCA. He asked if the merchants experienced an actual boost in business on free parking days. Alison Butz explained the agreement between the Park Silly Sunday Market, HPCA and the City. When parking fees were increased on Main Street from $1 to $1.50, concessions were made regarding free parking. The HPCA tries to tie free parking with promotional efforts and she hoped that there will be an increase of sales on Main Street but admitted it is more of a *warm and fuzzy feeling.*

Ms. Simpson recognized that part of the reason for raising dining fees is to fund parking because the system should not operate in a deficit. Alex Butwinski felt the fees for dining were too low from the onset. Kent Cashel explained that the rate increase forecasted that revenues would be increased by $160,000 per year. Of that amount, $40,000 was to go to the PSSM, $40,000 contributed to the HPCA, $40,000 for enhanced parking and transit marketing for Main Street and $40,000 was left as a cushion for the City. He advised that the City is using the last $40,000 toward free parking days. The goal set for the parking program in 2003 was that it breaks even and he detailed calculations.

Andy Beerman felt this is a good compromise and agreed with staff's recommendation. He asked that next year, 2009 data be included to create a base line. Mr. Cashel explained that 2009 was left out because the increase in rates was not in effect and including it would have skewed the information. Cindy Matsumoto also supported the increase in dining fees and free parking days.

Kevin Valaika, Shabu, asked what will happen next year with regard to dining fees. If fees continue to increase, decks will be less attractive to business owners. Mayor Williams believed fees may be reviewed every year.

Prepared by Janet M. Scott, City Recorder