PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
APRIL 4, 1996

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, April 4, 1996.

AGENDA

Tour of City Hall (optional)
3:15 p.m.

Closed Session

4:00 p.m. Litigation

Work Session

4:40 p.m. Council comments and questions
Review of regular meeting
5:00 p.m. Golf fees
5:30 p.m. Sandstone Cove annexation
5:50 p.m. Gateway tree project

Regular Meeting

6:00 p.m.

I **ROLL CALL**

II **PUBLIC INPUT**

III **COMMUNICATIONS FROM COUNCIL AND STAFF**

IV **MINUTES OF MEETING OF MARCH 28, 1996**

V **PUBLIC HEARINGS**

1. Resolution adopting revised golf fees and repealing Resolution No. 28-94 in its entirety for Leisure Services including Racquet Club, Golf, Library, Cemetery, Parks, and City facilities for Park City, Utah

2. Land Management Code amendment for outdoor display - **(motion to continue to May 2, 1996)**

3. Continuation of Sandstone Cove annexation petition, approximately 80.13 acres located east of SR224 and northwest of Ridgeview and Mountain Ridge Subdivisions - Jack Johnson Company/Black Diamond Partners

VI **CONSENT AGENDA**

Award of contracts in the amount of $19,899 to Porter Lane Nursery and in the amount of $2,192 to Progressive Plants for bid base trees; and award of contract in the amount of $69,995 to Brookline Farms (and possibly the School District contractor) for the installation of site improvements for the Gateway Tree planting

VII NEW BUSINESS

1. Resolution adopting revised golf fees and repealing Resolution No. 28-94 in its entirety for Leisure Services including Racquet Club, Golf, Library, Cemetery, Parks, and City facilities for Park City, Utah

2. Appeal of Planning Commission approval of February 28, 1996 of the Sweeney Town Run Large Scale MPD

VII ADJOURNMENT

Posted: 4/1/96

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
APRIL 4, 1996

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

Pace Erickson, Parks and Golf Superintendent; Bob Johnston, Leisure Services Director; Greg Cunningham, Golf Professional; Tom Bakaly, Finance Manager; Nora Seltenrich, Special Projects Manager

1. **Council questions/comments.** Shauna Kerr reported that she received comments that although the valet parking resulted in more spaces, it created a circulation nightmare. This person also suggested that the Police Department render an independent assessment of valet parking.

Chuck Klingenstein noted that a contractor was under the impression that the elimination of the collection of school impact fees occurred because the legislature identified some other source of funding for education. He hoped that adequate correct information is available before the public meetings. Mr. Klingenstein discussed scheduling office hours for the Council on Mondays, Wednesdays and Fridays. Paul Sincock discussed the importance of having a meeting and convention space included in the Ski Area's expansion project. The City Manager responded that Myles Rademan met with the Ski Area's staff and the Mayor met with them today on the same issue. The Mayor reported that there are several developers interested, but it is his understanding that the numbers do not pencil for a convention facility without major subsidies. The Ski Area is concerned about the bed base and the convention center is secondary. Mr. Sincock felt it would be beneficial to hold a joint meeting within a month with the Planning Commission to discuss the projects under review. He distributed grant information and what other communities allocate to the arts.

Roger Harlan discussed the value of on-site visits to better understand projects, specifically Flagstaff. Discussion ensued regarding the validation problems associated with the valet parking. Shauna Kerr expressed interest in being reappointed to the Utah League Policy Committee.

2. **Review of regular meeting.**

Golf fees. Pace Erickson explained that the golf course was purchased from the Ski Area in 1979 and until 1985, the golf course operated with an approximate $500,000 subsidy. He addressed the cost recovery approach which is primarily supported with golf fees. Other fees include cart rentals, passes, pro shop sales, and range revenues. Mr. Erickson discussed projecting expenditures for projects from 1996 to 2005. One of the biggest items is pro shop improvements at $1.5 million, of which $1 million is allocated for a parking structure, if necessary. In response to a question from the Mayor, Mr. Erickson noted that the $100,000 allocated for cleaning the ponds is a result of the equipment required and there was discussion about the Ski Area participating in this project because of its interest in expanded ski making capabilities. Mr. Erickson discussed the $250,000 expenditure for installation of a cart path which would surround the golf course. He explained the days carts aren't allowed on the course, and the wear and tear on the course because of carts. He added that a large portion of the cart path will be completed by 1998 and $20,000 a year is budgeted to maintain the investment made. He explained that the City does not own the 14th green and is currently leasing it from the Armstrong Family. There was discussion about the differences between capital improvements and maintenance. Roger Harlan brought up his concern that the pro shop could compete with retail businesses, but Mr. Erickson pointed out that there would not be enough space in the pro shop to establish that kind of competing enterprise. Mr. Johnston explained the buying power of discount golf stores and that the pro shop is more of a service for golfers. There was discussion about the rental rate of the new pro shop if the City does not purchase the shop. Mr. Erickson noted that the plan also provides for a 20% contingency in the event there is a revenue shortfall or a natural disaster, not covered by insurance.

Golf Pro Greg Cunningham noted that 63% of total revenues come from non-residents and 37% from local play and felt that this trend will continue. He continued that Park City's local fees were comparable to other municipal courses, but the non-resident fees are considerably higher. He discussed the decline in senior golfers from the Sunbelt areas.

Tom Bakaly discussed the formulation of the fiscal plan and pointed out that it will be revisited every couple of years. He added that fees have not been increased in three years so the increase this year will be 12%; it is suggested that subsequent years average 4.5% for non-residents and 3.5% for residents. Hugh Daniels and Shauna Kerr were supportive of a long-range ten year plan. Ms. Kerr felt that the fee increase projections were in line. With regard to youth programs, Bob Johnston discussed his on-going meetings with the high school kids and will report back to Council. Chuck Klingenstein relayed that he has received comments about raising the visitor fees even higher to maintain lower local fees. Bob Johnston noted that losing visitor play has been discussed by the golf committee and the Parks, Recreation and Beautification Board and pointed out that non-resident revenue is very critical and fragile. Greg Cunningham explained that non-residents are not just out-of-state or Salt Lake players, but include County patrons. Paul Sincock felt that Park City's rates are very reasonable for a resort community. Mr. Cunningham discussed the golf rates in Sun Valley and Jackson Hole which are substantially higher.

Bidding cross-county services was discussed and Bob Johnston explained that there will be a review committee for RFPs, and emphasized that White Pine Touring has been involved in the process. The reconfiguration of the course because of the construction of the hotel was discussed which would affect the driving range, No. 1 tee, and No. 9 green. Tim Lepage, resident, understood that fees need to be increased but stressed the great amenity the golf course is to the hotel developer. Mr. Lepage felt that the patrons of the hotel should pay a substantially higher fee, and that the City is in a good negotiating situation to protect the interests of its citizens. Bob Johnston emphasized that there is no pre-arrangement with the developer regarding hotel play.

Sandstone Cove annexation. See staff report and regular meeting minutes.

Gateway tree project. See staff report and regular meeting minutes. Replacement of trees was discussed as was the funding of the project.

Prepared by Janet M. Scott

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
APRIL 4, 1996

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, April 4, 1996. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Tom Bakaly, Finance Manager; Nora Seltenrich, Special Projects Manager; Kirsten Whetstone, Planner; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

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

III COMMUNICATIONS FROM COUNCIL AND STAFF

Impact Fee Task Force - Toby Ross asked that a Councilmember volunteer to serve on this committee which will be composed of an elected official, the City Attorney, and a staff person. The first meeting is April 24; Paul Sincock's nomination was accepted by Council.

IV MINUTES OF MEETING OF MARCH 28, 1996

Shauna Kerr, "I move approval of the Minutes of the meeting of March 28, 1996". Hugh Daniels seconded. Motion carried unanimously.

V PUBLIC HEARINGS

1. Resolution adopting revised golf fees and repealing Resolution No. 28-94 in its entirety for Leisure Services including Racquet Club, Golf, Library, Cemetery, Parks, and City facilities for Park City, Utah - See staff report and work session notes. Finance Manager Tom Bakaly advised that what Council has before it is a ten year fiscal plan and a recommendation to increase golf fees. The plan projects revenues and expenditures and budgets for capital projects. The golf community was involved and supported capital projects including cart path and pro shop improvements, and moving tees with the construction of the golf course hotel. There has not been a fee increase for three years resulting in a 12% increase this first year and an average 4% increase over the next nine years (4.5% increase for non-residents; 3.5% for locals). Mr. Bakaly explained that 49% of the golfers are non-residents, and pay 63% of the revenues. This proposal has been accepted by both the golf committee and Parks, Recreation and Beautification Board. This plan will be monitored and brought back to Council if there needs to be a change. With no comments or questions from the Council, the Mayor opened the floor.

Mitchell Edwards, new resident, stated that he owns and operates golf courses across the country and is moving his company to Park City. He added that a golf course should provide a great outdoor recreation opportunity to local residents at an affordable price, should attract people outside the community, and should make a lot of money for the City. He wasn't sure that all three goals were being met by the fiscal plan and suggested that the course be run by a professional management company or lease the course. He added that a municipality often does not have the purchasing power or the sophistication to really use the technology available today. He felt that the City should be making 30%, not 10% on revenues.

With no further comments or questions, the public hearing was closed.

2. Land Management Code amendment for outdoor display - **(motion to continue to May 2, 1996)** - Shauna Kerr, "I move to continue the Land Management Code amendment public hearing to our meeting of May 2, 1996". Roger Harlan seconded. Motion carried unanimously.

3. Continuation of Sandstone Cove annexation petition, approximately 80.13 acres located east of SR224 and northwest of Ridgeview and Mountain Ridge Subdivisions - Jack Johnson Company/Black Diamond Partners - Nora Seltenrich explained that the Sandstone Cove area is about 80 acres and there are four additional small parcels which have to be annexed at the same time so they don't become an island, which would be contrary to state code. The Planning Commission reviewed and approved a MPD for an 18 lot subdivision and forwarded a positive recommendation to Council on the annexation and zoning. The zoning would be 18 acres in the Estate Zone and the balance of the property would be zoned Recreation Open Space. The annexation includes over 30 acres of dedicated property from the ridge line to SR224. The area is currently in the county and is zoned critical sensitive lands or one unit per 40 acres, applying to the entire piece proposed to be annexed at this time.

Ms. Seltenrich reiterated that there are four additional parcels which are to be annexed and all of the property owners have been notified of this public hearing. There is a one acre parcel owned by D. A. Osguthorpe and SR224 crosses a section of the area; a .15 acre parcel owned by Mountain Fuel where a substation is located; a .314 acre parcel owned by the Sandstone Cove applicants; and a .387 acre parcel owned by UDOT. The Council is not being asked to take action tonight but to take public input. The Planning Commission will be reviewing the preliminary and final plat which includes house sizes, exterior lighting, limits of disturbance, and sodded areas.

Ms. Seltenrich explained to the Mayor that the Planning Commission will be looking at this plat in a work session and would not formally consider it until Council acts on the annexation. It was anticipated that Council would act on this annexation this week. Ms. Seltenrich explained to Joram Lichtenstein that 18 units are proposed for 80 acres. Steve Osguthorpe stated that it appears that their parcel would be annexed so he had no input.

With no further comments or questions, the public hearing was closed.

VI CONSENT AGENDA

Award of contracts in the amount of $19,899 to Porter Lane Nursery and in the amount of $2,192 to Progressive Plants for bid base trees; and award of contract in the amount of $69,995 to Brookline Farms (and possibly the School District contractor) for the installation of site improvements for the Gateway Tree planting - Hugh Daniels, "I move approval of the award of contracts in the amount of $19,899 to Porter Lane Nursery and in the amount of $2,192 to Progressive Plants for bid base trees; and award of contract in the amount of $69,995 to Brookline Farms (and possibly the School District contractor) for the installation of site improvements for the Gateway Tree planting". Chuck Klingenstein seconded. Paul Sincock stated that there is about a

$12,000 shortfall but the City has the funds in the Capital Improvements Fund. Further donations are expected, and in order that the project not be delayed, stated that he will vote in favor. Shauna Kerr encouraged the fund-raising group to continue its efforts. Motion carried unanimously.

VII NEW BUSINESS

1. Resolution adopting revised golf fees and repealing Resolution No. 28-94 in its entirety for Leisure Services including Racquet Club, Golf, Library, Cemetery, Parks, and City facilities for Park City, Utah - Chuck Klingenstein encouraged Tim Lepage to participate on the golf committee and Mitchell Edwards to contact Toby Ross. Hugh Daniels, "I move to pass a resolution adopting revised golf fees and repealing Resolution No. 28-94 in its entirety for Leisure Services including Racquet Club, Golf, Library, Cemetery, Parks, and City facilities for Park City, Utah". Paul Sincock seconded. Motion carried unanimously.

2. Appeal of Planning Commission approval of February 28, 1996 of the Sweeney Town Run Large Scale MPD - The Mayor stated that two appeals have been received; one from the applicant who complains that the Planning Commission did not provide enough latitude to develop as he would like and other from a group of nine citizens who complain that the Planning Commission's decision granted the applicant too much latitude. The Council has also expressed a desire to explore issues relating to the Planning Commission's decision and the proposed development. At the Council's request, the two appealing parties have agreed to begin the appeal in a somewhat unconventional and informal process. As such, the meeting will focus on the big picture and should not get bogged down in technical arguments. The parties have agreed in bringing the Council up to speed in a lengthy process that has received a great deal of work and attention at the Planning Commission level. The Mayor continued that the Council will hear from staff and the appellants and will allow staff and the appellants to field questions from the Council. Because this is an appeal, there will be no opportunity for the public to testify tonight.

Kirsten Whetstone stated that the meeting is intended to provide a introduction to the project, its history and an explanation of the Planning Commission's action which lead to the current approval. In 1986, the City Council and Planning Commission approved the original Sweeney MPD and she explained its location by illustration of a map and an aerial photograph. The original master plan is composed of single family development parcels, and four main development parcels including Creole Gulch, Town Lift Mid-Station, Coalition West and Coalition East. There are a total of 125 acres and 109 acres of open space. In 1987, the plan was amended to include a ski run extension and there were unit equivalent transfers. Creole Gulch has 177 unit equivalents (161.5 hotel/condominium and 15.5 of support commercial). The Town Lift Mid-Station site has 35.5 unit equivalents of hotel condominium and 3.5 of support commercial for a total of 39. The Coalition West site has 16 unit equivalents which were all residential. The Coalition East site has four unit equivalents.

Ms. Whetstone continued that in September 1991, the Council approved the Town Lift Concept Plan, the area between Deer Valley Drive and Park Avenue, and there was a partnership between McIntosh Mill and Quitting Time (Sweeney) which merged the Coalition East and West and other parcels in the area. This was technically not an MPD, but rather a concept plan for general planning purposes. This project included the extension of Main Street and an extension of the ski run down to Park Avenue. Because the City Council did not approve the ski run, the partnership and plan dissolved. In 1992, McIntosh Mill received an approval for a large scale master plan for its property, referred to as the Summit Watch. This is under construction and each building is coming in as a small scale master plan. In December of 1992, the applicant, Quitting Time proceeded to obtain small scale master plan development approval for the Coalition East parcel also called the Sweeney Town Lift small scale MPD.

Ms. Whetstone explained that in March 1995, the applicant applied for revisions to the 1986/87 overall Sweeney large scale master plan. These revisions affected the Coalition East and West parcels. The applicant was asking to close Woodside Avenue between extended 7th Street and 8th Street, to add the extension of 7th Street, to build a 40 foot wide skier bridge over Park Avenue, and to add snow-making and grooming from Woodside to the skier plaza. There was a decrease in density from 16 unit equivalents to 10.75. The sixth item requested was to add 1,600 square feet of commercial space under the bridge on the Coalition East. There was a special improvement district proposed for financing and maintaining the bridge. The Park City Ski Area would maintain the run and the bridge in the winter; the City the balance of the time.

There were twelve work sessions held by the Planning Commission from May 1995 to January 1996 and four public hearings held in July, September, and November of 1995 and January 1996. Ms. Whetstone relayed that all of the meetings were lengthy and a lot of public input was rendered in support and opposition. There was a conceptual meeting with the Planning Commission regarding spreading density to accommodate streets and single family lots with some of the more dense area reserved. The Planning Commission concluded that those potential revisions to the Creole and Mid-Station sites were directly related to the current request for the Coalition East and West. She discussed the public snow-making demonstration in December for the neighborhood.

In February 1996, the Planning Commission approved revisions to the large scale master plan development with modifications. The Commission approved the ski run from Woodside to Main Street, crossing Park Avenue with a 40 foot wide bridge. The applicant proposed a bridge design that would require abutments in the City right-of-way. The Commission approval doesn't allow the bridge supports within the right-of-way, and the applicant is required to obtain encroachment permits and execute agreements to retain the liability associated with the bridge. The Planning Commission established snow-making standards which apply from the mid-station to the skier plaza, mainly dealing with noise. The concept of extending 7th Street was approved between Park and Woodside Avenues and it recommended the closure of Woodside Avenue to allow the ski run. However, the Commission recommended against vacating the street in its entirety. Ms. Whetstone pointed out that Council may accept or reject the Commission's recommendation. Completion of sidewalks or pedestrian ways are all conditions of small MPD approvals for individual buildings or structures. She continued that the Planning Commission decreased the density, as requested, from 16 units to 10.75 units allowing the 1,600 square feet of commercial in this area under the bridge on the Coalition East site. The Commission approved commercial uses along Park Avenue along the ground floor with the remaining designated as residential. It approved building heights of the underlying zones and did not endorse any particular design, character or form. Ms. Whetstone added that the ski run would serve as open space for a park in the summer and ownership and maintenance would be determined by a conditional use permit required for the ski run. The Commission did not review any proposal for the special improvement district and expressed no opinion. It emphasized that all parking would have to meet the Land Management Code requirements but allowed up to three shared parking spaces between two parcels. Employee housing must be addressed before small scale MPD approval. A staging plan is required and there are HDC reviews that must occur before any construction commences. For the benefit of Roger Harlan, Ms. Whetstone reiterated that the affordable housing component would be a condition and would meet all ordinance provisions currently in force. With no further comments from Council, the Mayor requested appellant Pat Sweeney's comments.

Mr. Sweeney stressed that he applied for very specific things which are all interrelated and his main objection to the Planning Commission's approval is the lack of specificity which was needed to accommodate the project. He was not asking for more latitude. There is a disagreement with the staff as to whether or not he has commercial approval and referred to the three unit equivalent transfer that was part of the 1986/87 approval which amended the master plan and changed some residential units to commercial unit equivalents. He believes there are 16 unit equivalents zoned HRC MPD allowing commercial uses on the ground floor on the Park Avenue half. He felt that the plan submitted is better than the approval -- it's better for the community. Mr. Sweeney indicated that he has studied this for seven years and this is the best solution and worth appealing. The idea is to create a greenbelt which goes from Main Street to Treasure Mountain and this is not achievable anywhere else in Old Town; part of it can be a park and serve as a safe access for skiers and pedestrians.

Appellant Mary Wintzer stated that she would have liked to know the rules of the hearing at an earlier time. On behalf of the citizen appeal, she complained that they haven't seen the "big picture" and there has been a failure to communicate since 1991, more specifically listening to citizens and answering valid questions. She read a letter to the Planning Commission written in 1991, outlining the lack of responding to citizen concerns, and preserving the integrity of Old Town. She emphasized that somehow the citizens' message has not been listened to and possibly the developers have been given a different message. She read a transcript of Mr. Mahoney's comments from a radio show she did with David Belz and Chris Eisenberg of KPCW regarding the Depot Area construction. Mr. Mahoney called in and indicated that his $30 million development in the area was based on the Town Lift coming to Main Street and referred to the elevations of the buildings based on the lift, and the ski experience which has been in the works for ten years. Chris Eisenberg then asked Mr. Mahoney if he was putting the "cart before the horse" by designing the project with a bridge that has not yet been approved. Mr. Mahoney then responded that he understood that the plan was acceptable to the people and he was encouraged to go forward. Ms. Wintzer reiterated that there is a failure to communicate and the decision needs to be based on a conscious choice. She continued that on September 13, 1995, citizens disagreed with the decision of the Planning Commission with regard to the amendment to the MPD for the Creole Gulch parcel to reduce it to three stories but put 44 houses connected by three more 40 foot ski bridges. This was advertised as Treasure Hill and there was no mention of the Town Run or the Sweeney names and the meeting went unnoticed because it was not properly noticed. Again, this is failure to communicate. She felt that the Commission's decision was based on "what would be worse". She would like to expand on the appeal issues but will follow the rules.

Appellant Marianne Cone stated that as an artist she can visualize well and Park City is a unique little town with wonderful buildings. Its charm is disappearing as the West is getting over-populated, but there is still a chance to hold on to it. When a project is this size and consequence, there needs to be consideration of what it is going to look like as a whole and how it fits into town. She sympathized with Mr. Sweeney since this is late in the process, but this needs to be planned all together -- first there was one bridge and now the citizens are hearing that there will be five bridges.

The Mayor asked if the Planning Commission considered the development on the west side of Park Avenue without a bridge with regard to a pedestrian and traffic standpoint. Pat Sweeney stated that it was discussed at great length and showed a model of the master plan that was approved. It basically includes three or two buildings on Park Avenue with a partial gap for the ski lift and on Woodside there would be two buildings that would probably be tri-plexes. The Mayor asked if there was a way to produce a model without a bridge; Mr. Sweeney indicated that David Belz has a model of the area. Paul Sincock asked for clarification on the plans for Croele Gulch and Mr. Sweeney indicated that there are two plans. One is the approved plan and because of the concentration of density would involve some tall buildings. The approval involves a certain amount of acres and open space with height zones and a further study is required. Mr. Sweeney clarified that Planning Commissioner Alison Child asked him earlier in the process to look at what this scheme below would need on a hillside up above. He then developed a second plan which involves trying to adopt the historic texture of the residential district which is 44 small homes. Kirsten Whetstone interjected that the planning staff performed a detailed analysis of the plan and determined that a lot of grading would be required and there were other technical engineering issues and the Planning Commission reviewed this at a work session. In response to a question from Shauna Kerr, Mr. Sweeney answered that the roads totaled 3,000 linear feet. He clarified that this plan decreased the density by about 33% in terms of the gross square footage of buildings and decreased the heights from a maximum of 95 feet in some places to a maximum of 35 feet with some ability to "over-excavate" where it wouldn't be visible. He tried to create a pattern of homes that would be somewhere in the 2,000 square foot to 3,000 square foot range and felt that the height and massing are more important than the size. This would be a new 44 lot neighborhood similar to the south end of Old Town with a road coming off of Empire Avenue and winding into the Gulch with some cul-de-sacs in places. Up on a plateau on the Sweeney property would be a denser development with the 35 foot height limit that would be HRC type development, reminiscent of the larger mining buildings. Mr. Sweeney added that this was an approach that deviated from the current approval which is a more dense and higher development and involves putting the road where the current ski run is located with switchbacks, necessitating the elimination of the mid-station and requiring the ski run to go all the way down to the bottom. There were bad reviews from the Chief Building Official and City Engineer dealing with the length of the road and the cost of delivery of City services to residential homes. Paul Sincock asked if the neighborhood would tie into the Quitting Time ski run. Through illustration of a rendering, Mr. Sweeney described the current ski runs which could accommodate the area. With regard to being prohibited from building the bridge in the abutment of the road, Mr. Sweeney explained that there is a big difference between eight feet and six feet. The extra space would allow an arcade which would create a friendlier atmosphere as opposed to a "freeway" bridge and the reason for wanting more area is aesthetic, costs less, and can be phased better. Mr. Sincock pointed out that the ski bridges in Deer Valley are owned and maintained by the resort, and the City is indemnified and asked Mr. Sweeney if he would be willing to accept maintenance and liability. Mr. Sweeney responded that he is not willing to take on that responsibility and felt that it is a public amenity. He added that Deer Valley installed the bridges to accommodate more development and this bridge would result in less development. The project would be providing a park; his family would be willing to participate in its fair share. Mr. Sweeney stated that his family is willing to give up $500,000 worth of density and put in another $100,000 of extra structure to accommodate a ski run and participate in a special improvement district which would finance the maintenance. Shauna Kerr asked if the Council couldn't support a special improvement district, if there was an alternative. Mr. Sweeney strongly felt that if the ground is to be a public park, that it should be maintained by the City. If the City doesn't want to do that, it shouldn't be a park. Mr. Sweeney stated that an option would be a limited special improvement district with his participation, other larger property owners, and the Ski Area. Mr. Sweeney stressed the importance of the support of the City for the greenbelt area. He noted that he has a draft of the operation of the assessment district and commercial properties would be assessed threefold. It would be based on valuation and also resort residential would carry a higher proportion of the cost. Ms. Kerr felt that this information would be helpful for Council. Mr. Sincock stated that he has a copy of the report and suggested that the commercial buildings be included and the residential properties excluded. Mr. Sweeney responded that he could run the numbers on different alternatives but felt that there is a summertime benefit to the neighborhood and the City in terms of open space and a benefit to the permanent residents where the ski traffic is routed down to Main Street and a benefit for permanent residents who don't want to drive to the Ski Area. In response to a question from Roger Harlan, Mr. Sweeney explained that there were specifications for the run and the bridge that the Ski Area felt strongly about in consideration of quality and safety. He explained that the slope coming down is about a 30% grade to a 4% area which would slow down skiers, the bridge area is about 8% to the maze area which is 1.5%. This is based on fairly common standards in the ski industry. Doug Clyde, agent for the Ski Area, stated that they approached Mr. Sweeney and indicated that they needed 40 feet of width on the bridge. That 40 feet actually became 35 feet because of the abutments, and this is somewhat below their comfort level. Mr. Clyde continued that they look for comparables and hired a consultant who indicated that this is probably an adequate width, although there is concern about fast speeds from the mid-station. Mr. Clyde stated that this is the minimum width that the Ski Area can accept as this is a run with a mix of skill levels and there needs to be enough width for people to pass and to stop. Paul Sincock pointed out that there isn't a problem prior to the proposed bridge location and Mr. Clyde disagreed. The Mayor asked for information on other bridge dimensions in Deer Valley and Vail. Mr. Clyde noted that Lions Head in Vail will be doubled from its 29 foot width, and the widest bridge in Deer Valley is 110 feet. Ms. Kerr stated that she would like the tunnel width as there are a varied mix of skiers and cited other bridges in Deer Valley where the width would be helpful in consideration of the grade of the slope. Mr. Clyde discussed the design of Lions Head and the fact that it is manned all of the time which would not be practical in this instance.

Chuck Klingenstein stated that the Ski Area has performed a master plan with its expansion and felt that the Town Run must fit in somehow. He asked its relation to traffic, circulation, and parking. Doug Clyde responded that master plan information was recently reviewed by the Planning Commission, but there are no specifics about the runs because the bridge is uncertain. Mr. Klingenstein expressed his difficulty in seeing how this all works, as he doesn't know the ownership of property or the future plans. Doug Clyde felt that the Town Run is fairly simple in that there are x number of beds developed there and the Ski Area is looking for x number of capacity from the lift. It is the goal to get better utilization of runs, if possible.

The Mayor asked that the applicant follow-up on bridge information in Deer Valley, and Mr. Sweeney added that Mammoth has a 60 foot bridge and there is one at Whistler which is 54 feet. The bridge at Snowbird measures inside from rail to rail at 32 feet. Mary Wintzer stated that in order for the 44 homes to go in, the bridge must be built, and the mid-station has to be eliminated. If the bridge isn't built, then those 44 homes are affected and other runs can't be brought down. She stressed that we have to look at the big picture to determine if that is what we want, and all of that information needs to be disclosed.

Eleanor Griffin, resident, stated that she asked about a traffic impact study that was performed four years ago where a seasonal bridge was discussed because of concerns about emergency access. She asked about this in January and is still waiting for an answer, and felt that there should be a major study on traffic and parking.

Hugh Daniels stated the importance of being brought up-to-date on the project in a broad way tonight and that the appeal will get more detailed as it progresses. He added that it is Council's intention to move on this in a timely fashion and hoped that the appeal would be concluded within three to six meetings. Hugh Daniels, "I move to continue the appeal hearing to the next City Council meeting (April 18, 1996)". Paul Sincock seconded. Motion carried unanimously.

VII ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 4 p.m. Members in attendance were Mayor Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Mark Harrington, Assistant City Attorney; and Jodi Hoffman, City Attorney. Shauna Kerr , "I move to close the meeting to discuss litigation". Hugh Daniels seconded. Motion carried unanimously.

The meeting opened at approximately 5 p.m.

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

Prepared by Janet M. Scott

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Janet M. Scott, Deputy City Recorder

PARK CITY
1884

DATE: March 27, 1996
AUTHOR: Pace Erickson
DEPARTMENT: Leisure Services
TITLE: Golf Fees Revision and Fiscal Plan
TYPE OF ITEM: Departmental Operations

SUMMARY RECOMMENDATIONS:
Hold a public hearing on the Leisure Services resolution increasing golf fees, based on the 1996-2006 fiscal analysis. Staff recommends adoption of the resolution.

DESCRIPTION:

A. Topic.
Fees for use of the golf course need to be raised periodically to insure program quality and to operate the golf course in a sound financial fashion. Staff has prepared a detailed fiscal analysis which can be referenced.

B. Background.
Since the golf course was purchased in 1979, it has been the intent to operate the golf course at a 100% cost recovery strategy. From 1979 to 1985 the golf fund required a subsidy from the general fund of approximately $500,000.00.

Beginning in 1985, the golf course was completely supportive. Included in the golf budget are; 1) operations and maintenance, 2) capital improvements, 3) debt service.

It has also been the goal of the City Council to build up a reserve fund for the enterprise funds within the organization. Staff feels it is possible to continue in that direction.

Because the golf course is a popular recreational facility for residents and tourists, we have been operating at full capacity for about 8 years. Unfortunately, revenue from additional users is impossible. Adjustments in fees is the only increased source for additional revenue.

C. Analysis.
Approval of the proposed fee increase would allow us to continue operating the golf course in a healthy fashion. It would also allow for the development of an operations and maintenance reserve and capital improvement fund.

The philosophy of these reserve funds are to provide funds to cover:
1) any revenue shortfalls
2) an emergency or disaster
3) any expenditures in excess of revenues
4) to provide working capital to finance expenditures from the end of the golf season until other revenues are collected
5) the development of a long-range capital improvement program

In general the proposed resident fees are in line with what other golf courses are charging for golf user fees. There are a few philosophical differences such as weekend rates and sales tax conversions, but our fee structure remains in line.

Non-local or (visitor) rates are generally non-existent in other parts of Utah. Without non-resident play, fees for residents would need to be much greater in order to operate the golf course in the standard in which it is now.

The golf staff has worked hard to meet the council's mandate of at least 50% local play. As more and more people move to and live in Park City, the percentages will change. This will actually cause revenues to fall even with more play.

Please see the proposed fiscal plan for further back up and analysis.

C. Department Review.
The Leisure Services, and Administrative Services Department have reviewed this proposal. A golf committee comprised of members of the golf community reviewed the plan on March 18, 1996. They agreed with the plan with a few changes which have been incorporated into the plan.

On March 20, 1996, the Parks, Recreation and Beautification Board reviewed the fee structure proposal with a positive recommendation for approval.

ALTERNATIVES:
A. Approve the golf fee structure.
B. Deny the golf fee structure.
C. Continue the item for further discussion and input.

SIGNIFICANT IMPACTS:
The proposed fee increase would raise both resident and non-resident golf rates by 12%.

CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION:
The golf course has been operating in the black since 1985. If golf fees are not periodically raised the financial viability of the golf course could be sacrificed requiring general fund subsidy. It has been the goal of the City Council to operate in a proactive manner rather than a reactive one. Staff feels it is possible to continue to meet the City Councils goals and objectives regarding the operation of the Park City Golf Course.

RECOMMENDATION:
Staff recommends approval of the fee resolution.

PARK CITY 1884

MEMO

TO: Park City City Council

FROM: George Hull, Chairperson
Parks, Recreation, Beautification Advisory Board

DATE: March 25, 1996

RE: Golf Course Fiscal Plan

At their regularly scheduled meeting on March 20, 1996, the Parks, Recreation, Beautification Advisory Board reviewed the Golf Course Fiscal Plan. All Board members were in attendance. Staff included Greg Cunningham, Pace Erickson, Tom Bakaly, Bob Johnston and Denise Payne.

Staff reviewed the fiscal plan with Board members and a discussion followed regarding fees, tee times and availability. The Parks, Recreation Beautification Advisory unanimously voted to make a positive recommendation to City Council for the fee increases with a review of the plan in two years. The Golf Course subcommittee will continue to hold meetings with staff and community members to keep the Board updated.

Resolution No. __-96

A RESOLUTION ADOPTING REVISED GOLF FEES AND REPEALING RESOLUTION NO. 28-94 IN ITS ENTIRETY FOR LEISURE SERVICES INCLUDING RACQUET CLUB, GOLF, LIBRARY, CEMETERY, PARKS, AND CITY FACILITIES FOR PARK CITY, UTAH

WHEREAS, it is necessary for the City Council to amend fee resolutions from time to time, to reflect current policies and philosophies regarding the increased costs of performing services and providing programs and other public benefits; and

WHEREAS, the City Council finds it in the best interest of the public to project golf fees on a revenue plan;

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

SECTION 1. PURPOSE AND PHILOSOPHY. Leisure Services Administration, the Park Department and the Library are divisions of Leisure Services supported primarily by tax dollars through the City's General Fund. The Recreation Department, Racquet Club and Golf Course have been established as enterprise funds and should be primarily supported by revenues other than taxes. This policy applies to Recreation/Racquet Club and Golf Course Enterprise funds.

The purpose of this resolution is to establish a level of operations and maintenance cost recovery for programs, activities and facilities, and direction for establishing fees and charges for the use of and/or participation in the programs, activities and facilities offered by the Recreation Department, Racquet Club and Golf Course.

It is the intent of the City to offer its Leisure Services programs, activities and facilities to the entire community. To help offset the cost of providing these services, and since the primary beneficiaries of these services are users, it is appropriate to charge fees that are adequate to fund operation of the facility in line with other like programs.

SECTION 2. COST RECOVERY. It is the intent of the City to recover 80% of the operations and maintenance expenses incurred by the Recreation Department and the Racquet Club and 100% of the operations and maintenance expenses incurred by the Golf Course through sources of revenue other than taxes. User fees should not be considered the only source for accomplishing this objective. Revenues may also include:

A. Increases in program participation.
B. Fees charged for non-recreational use of facilities (conventions/special events)
C. Rental income
D. New programs or activities
E. Private sponsorship of programs or activities
F. Public agency grants or contributions.

SECTION 3. ESTABLISHING USER FEES. Fees shall be set at a level which ensures program quality and meets the objectives of the City Council.

A. **Resident Discount**. Those people whose primary residence is within the City limits; are currently paying property tax within Park City; or are holding a valid Park City business license and leasing or renting office space within Park City are entitled to obtain a recreation card. In most circumstances those who qualify for a recreation card will pay lower fees. Those who don't qualify for a recreation card may, for an annual fee, participate in select programs or activities at the resident discount rate for Racquet Club and recreation programs only.

B. **Recreation Program Fees**. The Recreation Department, the Racquet Club and the Golf Course offer a variety of organized programs and activities. Due to the fluctuations in the number of participants and frequent changes in circumstances, program fees are established on a program-by-program basis by dividing the number of projected participants by the estimated program costs. Fees are then published in the Leisure Services quarterly brochure. In most cases, fees will be kept commensurate with fees charged by others providing like service.

C. **Fees for Non-Recreational Activities at the Racquet Club Facility**. The fees charged for non-recreational or special event use will be competitive with the marketplace providing the fees cover a minimum of: a) the costs involved in the production of the event; and b) recovery of lost revenue.

The Racquet Club facility is principally for recreation. Non-recreation activities usually will be charged up to fifty percent (50%) more than the minimum. No fee waivers for non-recreational or special event use will be permitted. However, the City Council may authorize the City to pay all or a portion of the fee in accordance with the master festival ordinance provisions.

D. **Fee Increases**. Recommendations for fee increases may be made on an annual basis. The City will pursue frequent small increases as opposed to infrequent large ones. Staff will be required to provide an annual review and analysis of the financial posture of the Recreation Fund and Golf Course Fund along with justification for any recommended increase. When establishing fees, the City will consider rates charged by other public and private providers as well as the ability of the users to pay.

To establish and maintain the Council's objective of 80% cost recovery, the City Manager will have the authority to annually increase fees up to $.50 or 10%, whichever is greater. Any requested increase over that amount will require Council action.

Fee increases will take place only if they are necessary to achieve the City Council's objective and maintain program quality, and only with the authorization of the City Manager or the City Council.

E. **Discounting Fees**. The Leisure Services Director may, at his discretion, discount fees when:

1. Offering special promotions designed to increase use.
2. Trying to fill non-prime time.
3. Introducing new programs or activities.
4. Playing conditions are below standard due to weather or facility disrepair.

F. **Fee Waivers**. The City intends that no resident under 18 years old or over age 65 be denied the use of any program, activity or facility for reasons of financial hardship. The Leisure Services Director may, at his discretion, waive all or a portion of a fee, or may arrange offsetting volunteer work for anyone demonstrating an inability to pay for services.

SECTION 4. REVISED ESTABLISHED FEES AND CHARGES.

A. **Annual City Resident Recreation Card**

$ 5.50 First card per family
5.50 Each card thereafter
5.50 Per card renewal fee

B. **Annual County Resident Recreation Card**

$200.00 First card per family
5.50 Each card thereafter

D. **Racquet Club Fees**

Punch Card Admission. For ease of administration and convenience to users, a punch card system has been established for Racquet Club programs and activities. Tennis court time and drop-in use may be purchased in advance and used when needed. The purchase of a punch card may result in a savings off the regular rate.

Tennis Court Fees. Tennis court fees will now be charged on a per-person rate basis for play as follows:

Hourly Court Fees

	Indoor		Outdoor	
	Singles	Doubles	Singles	Dubles
Per-Person Charges:				
Resident discount rate	$ 7.00	$ 3.50	$ 3.00	$ 1.50
Regular rate	14.00	7.00	6.00	3.00
Full Court Charges:				
Resident discount rate	$14.00		$ 6.00	
Regular rate	28.00		12.00	

Drop-in Fees. Drop-in activities may include use of any or all facility amenities, except tennis.

Resident discount rate	$3.50
12 and under	2.00
Regular rate	$6.75
12 and under	4.00

E. **Golf Fees**:

The Park City Municipal Golf Course is an 18 hole course and 6,743 yards in length. The fees listed below are established fees, however they may be altered for certain types of tournament play. To receive a resident discount, the recreation card (which must have a City resident designation) must be presented to the golf starter. Season passes are available only to those who possess a locals card. Playing conditions on the course may vary due to weather constraints, particularly early and late in the season. The Golf Pro may, at his discretion, discount the established fees in order to encourage use of the course when playing conditions are less than optimum.

High Season- Memorial Day through September
Off-Season- Pre-Memorial Day, October and November

18 Holes

High Season	$ ~~24.00~~ 29.00

Off Season	~~18.00~~ 22.50
Resident Discount Rate (anytime)	~~14.00~~17.00
9 Holes	
High Season	$ ~~12.00~~ 14.50
Off Season	~~9.00~~ 11.25
Resident Discount Rate (anytime)	~~7.00~~8.50

Punch Pass

10- 18 hole rounds	~~$185.00~~$225.00
Senior	~~175.00~~ 215.00

Season Passes:

Local	$~~420.00~~ 504.00
Resident Junior	~~210.00~~ 250.00
Resident Senior	~~210.00~~ 250.00

Power Cart Fees:

18 Holes	$ ~~18.00~~ 22.50
9 Holes	~~10.00~~ 13.50
Range Season Pass	$~~125.00~~ 140.00

F. **Library Fees**:

The Park City Library Board routinely reviews fee options and recommends changes. Library services are free for residents and property owners. Persons staying in town for three months or less, may apply for a temporary card by rendering a $10 refundable deposit.

Non-resident fees:

Year-round family	$75.00 per year
Temporary individual	$20.00 plus $10 refundable deposit for three month card
Student	$25.00 per year

Group use cards:

Business/organization	$100.00 per year
Non-profit organization	50.00 per year

G. **Cemetery Fees**:

Anyone owning property, currently residing, or having resided in Park City for a period of more than ten years consecutively, is eligible to purchase cemetery property or may be buried in the Park City Cemetery. There are a limited number of lots available for individuals not meeting the eligibility requirements set forth in

Resolution No. 11-93. These will be sold on a first-come, first-served basis.

	Eligible Resident Fees	Non-Resident Fees
Single adult grave	$300	$600
Single infant grave	150	300
Opening and closing adult grave	270	370
Opening and closing infant grave	150	225
Removal of adult from one grave to another within cemetery	600	600
Removal of infant from one grave to another within cemetery	400	400
Removal of adult for interment outside cemetery	300	300
Removal of infant for interment outside cemetery	150	150
Schil for flower beds/grave	N/A	N/A
Additional charge for after hour burials including Saturdays, holidays, weekends	200	300
Interment of cremated remains	70	140
Monument grave marker maintenance	100	100

Cemetery Fee Waivers. Any or all of the fees associated with the operation of the Park City Cemetery may be waived by the Cemetery Sexton. Grave sites, located in the "veterans section" for Park City veterans, firemen and police officers will be provided free of charge, as well as fees for cemetery services. Family members wishing to be buried in this section of the cemetery will be charged for lots and services.

H. **Park Pavilion Rental Fees**:

It is not mandatory that a fee be paid for the use of a park pavilion. However, those persons having reserved a pavilion and paid the reservation fee shall have the exclusive use to use that pavilion over others. Reservation fees for park pavilion use are as follows:

City Park Pavilions

Regular Rate:

Monday-Thursday	$ 70.00	Full Day
	40.00	Half Day
Friday-Sunday	140.00	Full Day
	80.00	Half Day

Resident Discount:

Any day	$ 35.00 Full Day	
	20.00 Half Day	

Rotary Park pavilion

Regular Rate	$ 50.00 Full Day
	30.00 Half Day
Resident Discount	$ 30.00 Full Day
	15.00 Half Day

I. **Miners Hospital Community Center Fees**: This facility is located at 1354 Park Avenue. Reservation fees for use of the Miners Hospital Community Center are as follows:

Function/Use	**Park City** Resident/Group Non-Profit	**Snyderville Basin** Resident/Group Non-Profit	Non-Resident Commercial
Single level:			
Hourly:			
First/additional	$15/$10	$20/$12.50	$25/$15
Half day*	40	50	60
Whole day**	75	90	110
Entire building:			
Two hrs. minimum	60	70	110
Half day*	100	125	175
Whole Day**	125	150	200
Special events (weddings, receptions, etc.)***	300	375	450

Cancellation Policies for entire building reservations:

For two hour reservations, a $25 handling fee will be charged for cancellations received less than one week prior to rental.

For half-day reservations, a $50 handling fee will be charged for cancellations received less than two weeks prior to rental.

For whole day reservations, a $75 handling fee will be charged for cancellations received less than two weeks prior to rental.

Notes:

*a damage/cleaning deposit is required on all half-day rentals, refundable if facility is left in satisfactory condition; full payment for all fees for hourly or half-day facility use is due one week prior to date of use, unless otherwise arranged with the

Facility Coordinator; a ~~$25~~ damage/cleaning deposit is required to remain with the City for ongoing hourly use, refundable at the time the facility is no longer being used($50 or equal to weekly/single use rate, if higher).

**a $50 damage/cleaning deposit is required on all whole day rentals, refundable if the facility is left in satisfactory condition; full payment of all fees is due two weeks prior to the facility rental.

***a ~~$100~~300 damage/cleaning deposit is required on all special events rentals, $~~75~~275 is refundable if the facility is left in satisfactory condition; full payment of all fees for special events is due 30 days prior to the date of the event.

Snyderville Basin Resident is defined as a resident or business that is located within the boundaries of the Park City School District and Park City Fire Service District.

Commercial is defined as any use of the facility wherein participants are charged fees for profit.

J. **Park City Library and Education Center Auditorium Rental Rates**. This facility is located at 1255 Park Avenue. The rates for this facility are as follows:

Number of Patrons	5 Hours (or less)	Per Day	Refundable Deposit
Fewer than 50	$ 50	$ 100	$ 100
50 - 100	75	150	150
100 - 150	150	300	300
150 - 250	250	500	500
More than 250	500	1,000	1,000

Notes:

1. Advance reservations and standard lease agreement required, tenants included.

2. Events without admission or fee or non-profit groups are eligible for 50% rate reduction.

3. Tenants of the Park City Library and Education Center are eligible or a 50% rate reduction.

4. Multi-day events (more than three days) are eligible for a 20% rate reduction.

5. Special parking arrangements may be required for events for more than 250 participants and guests.

6. All rates are subject to change without notice.

7. All fees are to be paid in advance.

8. Only one rate reduction may apply to any group or user (the largest allowable reduction will apply).

9. City reserves the right to change fees, especially in the case of commercial enterprises.

10. These rates apply to Auditorium rental only, rental rates for film equipment are calculated separately.

SECTION 5. REPEALER. This Resolution setting forth fees, replaces and repeals any previous resolution with regard to Leisure Services or Recreation Fees, inconsistent herewith.

SECTION 6. EFFECTIVE DATE. This Resolution becomes effective upon adoption.

PASSED AND ADOPTED this _____ day of April, 1996.

PARK CITY MUNICIPAL CORPORATION

____
Mayor Bradley A. Olch

Attest:

____
Janet M. Scott
Deputy City Recorder

Approved as to form:

____
Mark D. Harrington
Assistant City Attorney

COUNCIL AGENDA REPORT

DATE: April 1, 1996
DEPARTMENT: Community Development Department
AUTHOR: Nora L. Seltenrich
TITLE: Sandstone Cove Annexation and Zoning Map Amendment
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Conduct public hearing.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS:

Applicant:	Jack Johnson Company/Black Diamond Partners
Location:	East of Highway 224 and northwest of Ridgeview and Mountain Ridge Subdivisions
Zoning:	Not zoned in the City Zoned Critical/Sensitive Area in Summit County Proposed Zoning of ROS and Estate
Adjacent Land Uses:	Open space, single family residential
Date of Application:	July 8, 1994
Project Planner:	Nora Seltenrich

B. Background.

Since this annexation and MPD request was submitted in July 1994, the applicant and staff have worked to identify and address technical and conceptual issues. In response to input from the staff and Planning Commission, the applicant has revised the plan several times. The original application was for 50 units and included a culdesac on the west side of the property, visible from U224. At this time, the Staff recommended to the Planning Commission that the Annexation Petition be considered premature based upon the adopted Annexation Policy Declaration. On May 9, 1995, the applicant submitted a revised plan which the Planning Commission discussed in July. This plan eliminated all lots on the west side of the property, facing U224. At that time, the Planning Commission felt that the plan had merit but lacked a satisfactory secondary access. The Commission directed the applicant and staff to work on resolving the issue of emergency access prior to further discussion on the request. The applicant and Chief Building Official/Fire Marshall have agreed on a Fire Prevention and Protection Plan.

The current revised proposal includes 18 large single family lots and eliminates the culdesac on the west side of the property, facing U224. The parcels are very large. Although the original site plan indicated that the entire 80 acres would be in private ownership as part of individual parcels, the applicant is willing to dedicate the property on the west side of the property (facing U224) to the City or other appropriate entity. A site plan is attached for your review.

The staff has met many times to discuss the project and there have been several work sessions with the Planning Commission. The applicant is requesting two things; Annexation into the City and zoning consideration to increase density over what is currently allowed in the County (1 unit per 40 acres allowing 2 dwellings on the 80.13 acres). This area is currently in tier 2 and is zoned critical/sensitive area. In order for this to develop in the County, a land use amendment would have to be granted as well as a modification to the tiering system. The current Comprehensive Plan for Park City does not designate a land use for this area.

The applicant received conditional MPD and Sketch Plan approval from the Planning Commission and the Commission forwarded positive recommendation on the Annexation and Zone Change to the City Council.

The annexation also includes 3 small pieces of property on the corner of Meadows Drive and U224. One is where the Mountain Fuel gas pressure regulator is located. The second is a small parcel owned by D.A. Osguthorpe and the third is a small parcel owned by the owners of the Sandstone Cove properties. At staff's request, the applicant modified the annexation plat to include these parcels so that the Sandstone Cove does not create an island of unincorporated land. Staff recommends that these parcels be zoned Recreation Open Space (ROS). Staff sent notice of the amended annexation plat to each of the property owners listed above and recommends that the Council hold a final public hearing on this matter to allow these property owners, and any others, an opportunity to speak prior to annexation.

C. Analysis

Fiscal Impact Analysis

The applicant submitted a fiscal impact analysis with the original submittal. A revised analysis was done for the current 18 lot proposal. The Council has received copies of the analysis.

Consistency with the Park City Annexation Policy Declaration
In December 1993, the City Council approved a revised Annexation Policy Declaration. This project meets some of the criteria for consideration of annexation in that policy and has followed the process outlined. The proposal is in conflict with other criteria of the policy, however. Section 7(k) of the Annexation Policy requires a comprehensive land use analysis of the annexation property as well as the surrounding area. This is to include an analysis of adjacent property in sufficient detail for the City to determine the long term impacts of the proposed annexation on adjacent properties. That has not been done, but is being done as a part of the General Plan revision which is not yet completed.

Section 8 of the Annexation Policy Declaration states that the City will not consider annexations that prematurely extend public utilities and services. This is to include adequacy of water. This section goes on to state that:

> "The City prefers projects which
> (a) expand the resort and/or tourist economy.
> (b) provide second home or rental residential projects with more than ten percent of the units for community based affordable housing and over 65% open space.
> (c) provide significant public open space and/or community facilities."

The applicant believes that the project will be primarily second homes, based upon analysis of other similarly situated projects. In addition, the developer is offering to dedicate a large piece of open space (about 31 acres) which is contiguous with other City owned property. Although the individual parcels are very large, building and disturbance will be limited to areas adjacent to the roadway.

General Plan Revision Process
The City is currently in the process of amending the General Plan. Key to this amendment is an evaluation of how and where Park City should grow. Although this proposal may be consistent with adjoining properties in character of development, it is not currently within the City Limits and the City has not determined when or if to serve it. The timing and form of development should be determined in the context of broader policy decisions.

Already some 700 parcels are within the City Limits of Park City which are not built upon. Many of these parcels are large and allow large homes to be developed. The discussions to date of the General Plan revision emphasizes annexation only when open space can be achieved. The discussions have also encouraged clustering development and avoidance of more "suburban" development.

Fire Safety and Emergency Access

The applicant is proposing a mitigation plan for Fire Prevention and Protection in lieu of providing improved secondary access. In summary, the plan includes:

- Exterior building materials shall be constructed of non combustible materials
- Exterior and interior fire sprinklers required
- Wood burning devices prohibited
- Defensible space required which would include a primary zone of twenty-five feet from the dwelling in which plant materials must be irrigated and a secondary zone of an additional fifty feet in which dead or unhealthy plant material must be cleared.
- Adequate fire flow will be provided for this project with added capacity to provide possible fireflow for the Mountain Top Subdivision.

The Fire Code requires two points of ingress and egress, with an exception for a cul de sac of 600 feet in length or less. The existing Mountain Top dead-end road already violates Park City's length standard, as does the adjacent cul-de-sac in the Quarry Mountain MPD. The Sandstone Cove extension is therefore a unique situation.

The Chief Building Official/Fire Marshall and the Park City Fire Protection District agree to this mitigation plan. The mitigation measures proposed and the improvement of the water capacity in the vicinity offsets the requirement for an improved secondary access in this case.

Amended Design Guidelines and C,C & R's have been provided. Adequate Design Guidelines and C,C&R's will be required as a part of the final plat for the subdivision. These guidelines are consistent with the fire mitigation measures proposed.

Water and Growth Inducing Impacts

The applicant is proposing to construct a 250,000 gallon tank which will be adequate to serve the culinary and fire protection needs of the Sandstone development. There is also excess capacity in the tank to provide fire protection to the Mountain Top Subdivision. The tank and appurtenances will be constructed by the developer to City standards, and will be dedicated to the City. In order for Mountain Top to utilize the excess capacity, the City would have to authorize hooking up to City facilities and utilization of City water. If such an agreement is reached, it may facilitate the development of existing undeveloped parcels in the Mountain Top Subdivision.

The applicant has agreed to donate water rights sufficient to serve the Sandstone Development. The applicant and the Public Works Director are currently discussing what that requirement is.

Visual Impact

During the initial review of this project, the applicant prepared a visual analysis. The parcels which were most visible from the significant vantage points have been eliminated. The site in which the building sites are to be located is a fairly flat "hollow" and is generally not visible from most locations in town. Some of the Planning Commissioners and all of the Council have toured the site.

Based upon input at the public hearing before the Planning Commission, the applicant and staff are reviewing the visual analysis to determine proposed home sizes based upon visibility of the building pads.

House Size

The applicants initially proposed the following maximum house sizes:

7500 sq ft on parcels less than one acre (8 parcels)
9000 sq ft on parcels one to three acres (4 parcels)
12000 sq ft on parcels over 3 acres (7 parcels)

The applicant has conducted a comparative analysis. That analysis results in the following revised proposal:

6000sq ft on parcels less than one acre
8000 sq ft on parcels one to two acres
10000 sq ft on parcels over 2 acres

Based upon input received from the Planning Commission at the last meeting, the staff and applicant are further reviewing the visual analysis and revised home sizes will be recommended concurrent with preliminary plat approval.

Private vs Public Road

The applicant has agreed that the road be public without gates. Snow removal will be the responsibility of the property owners until 50% of the subdivision is built out, as is the case with all new subdivisions in Park City.

Employee Housing

Since this is an annexation, there is an employee housing requirement of 1.8 units. The applicant is proposing that it pay a fee in lieu of construction of affordable housing in an amount consistent with current guidleines.

Sewer Alignment

The applicant is exploring aligning the sewer and other utilities to run through the Eagle Pointe Subdivision. The staff would prefer this alternative as it would likely result in less site disturbance. If this cannot be achieved, the Planning Commission will consider alternatives in a public forum.

Open Space
Since the property being offered for open space is contiguous to City Property and since it is considered critical from a visual standpoint since it is in the entry corridor, the staff would recommend that the property be conveyed to the City with appropriate restrictions on future development. In addition, a trail will be provided from an existing stub in the Mountain Ridge Subdivision.

Fencing
At the public hearing a neighboring property owner expressed concern about perimeter or lot fencing within Sandstone Cove. The applicant has proposed language in the CC&R's which prohibits fencing of the common boundary with the Mountain Ridge Subdivision without written consent of the adjacent property owner. There are also restrictions on the type of fencing which is permitted. Solid fences are not allowed. Generally, the City does not enforce CC&Rs. If the Council would like to prohibit perimeter or lot fencing, it could do so in one of two ways: through the annexation agreement or at the time of subdivision plat approval.

Exterior Lighting
In response to Council concerns, the applicant is proposing language in the CC&R's which prohibits silhouette lighting and which allows seasonal use of temporary lighting devices to illuminate trees, shrubs and holiday decorations for no more than forty consecutive days per year. Again, generally, the City does not enforce CC&Rs. If the Council would like to limit exterior lighting, it could do so in one of two ways: through the annexation agreement or at the time of subdivision plat approval.

D. Planning Commission Recommendation

The Planning Commission conditionally approved the MPD and Sketch Plat for Sandstone Cove and forwarded a positive recommendation to the City Council on the requested Annexation and Zoning Map Amendment based upon the following:

Findings of Fact:

1. A petition for annexation and application for MPD and Sketch Plat was submitted on July 8, 1994 for Sandstone Cove.

2. The subject property is within the Annexation Policy Declaration Boundary of Park City, is contiguous to the City's corporate boundary and is appropriate for development in the corporate boundary due to its proximity to and access through Park City.

3. There is net benefit to Park City in accepting this Annexation because it adds to the protection of the entry corridor by donating critical property along the entry corridor and adjacent to other City property to Park City.

4. The project proposes to build a water tank which will provide adequate water for

this subdivision as well as potentially providing adequate water for fire protection for the Mountain Top Subdivision. The Mountain Top Subdivision is currently not within the City Limits, but is immediately adjacent to it and does not contain adequate water for fire protection.

5. The project proposed extraordinary fire protection measures necessary due to the inability to provide two points of access. These include:

- Exterior building materials shall be constructed of non combustible materials

- Exterior and interior fire sprinklers required

- Wood burning devices prohibited

- Defensible space required which would include a primary zone of twenty-five feet from the dwelling in which plant materials must be irrigated and a secondary zone of an additional fifty feet in which dead or unhealthy plant material must be cleared.

- Adequate fire flow will be provided for this project with added capacity to provide fireflow for the Mountain Top Subdivision.

6. The Planning Commission conducted a public hearing on December 10, 1995 and distributed written notice of the public hearing consistent with the Park City Land Management Code.

7. The site design is consistent with the Park City Land Management Code and Sensitive Lands Ordinance. The site is also consistent with the non-standard cul-de-sacs contained in Mountain Top subdivision and Quarry Mountain MPD.

8. Upon annexation, the developed portion of the property will be rezoned to Estate (E) and the portion of the property to be donated to the City shall be zoned Recreation Open Space (ROS).

Conclusions of Law:

1. The Sandstone Cove Master Planned Development, sketch plat and Annexation are consistent with the health, safety, welfare, and provide a benefit to Park City through the dedication and preservation of Open Space, providing in lieu fees for affordable housing, providing an important trail linkage and improving the adequacy of water for fire flow in the area.

2. The Annexation proposed meets the standards set forth in the Annexation Policy Declaration and UCA (Section 10-2-417).

Conditions of Approval:

1. The MPD and sketch plat approval will not become effective unless and until the Annexation for Sandstone Cove is approved by the City Council. The expiration of the MPD shall be timed from the date of City Council approval of the Annexation request.

2. The City Council shall review and approve the Annexation Agreement which covers, at a minimum, those items in the attached outline.

3. The Planning Commission shall be required to review and approve the preliminary and final plats for Sandstone Cove. The plats shall substantially conform to the MPD and Sketch Plat approval. Specifically, the approval will include the following:

-Home sizes which are consistent with adjacent developments and which take into consideration the visual impact of the building pads.

- Exact trail locations which provide a soft surface trail connecting Mountain Ridge Subdivision to Meadows Drive in the Eagle Pointe Subdivision. This trail shall be constructed concurrent with subdivision improvements.

-Architectural Guidelines and C,C&R's which are consistent with the MPD approval which shall address fire prevention measures approved by the Chief Building Official, limits on building location, limits on irrigable area, and design guidelines consistent with City standards.

4. The sanitary sewer connection for the project shall connect to the Eagle Pointe Subdivision. The staff shall review and approve the alignment so that it complies with the Sensitive Lands Ordinance by creating the least amount of visual impact and disturbance. If this alignment is not able to be achieved due to property ownership or other issues, any new alignment will be reviewed and approved by the Planning Commission and will be a matter of public hearing. Development of the parcel is contingent upon satisfactory alignment that mitigates visual and neighborhood impact to the satisfaction of the Staff and Planning Commission and that is acceptable to the Sewer District and City Engineer.

5. All Park City Municipal Corporation Standard Project Review Requirements shall apply.

6. The applicant shall be required to build a 250,000 gallon water tank, and all appurtenances, including but not limited to an above ground pump station, as required by and to specifications approved by the City Engineer.

Future Action:
On April 18, 1996, staff will present an Annexation Agreement, a Resolution Authorizing the Annexation Agreement and Annexing Sandstone Cove into the corporate limits of Park City, and an Ordinance amending the Zoning Map of Park City, all in conformity with the foregoing.

PARK CITY 1884

COUNCIL AGENDA REPORT

DATE: March 28,1996
DEPARTMENT: Public Affairs
AUTHOR: Jennifer Harrington
TOPIC: Park City Gateway Tree Planting Bid Awards
TYPE OF ACTION: Administrative

SUMMARY RECOMMENDATIONS: Award a contract in the amount of $19,899 to Porter Lane Nursery for the purchase of the Base Bid trees. Award a contract in the amount of $2192 to Progressive Plants for the purchase of Base Bid trees. Award a contract or contracts in the amount of up to $69,995.40 to Brookline Farms and possibly the School District Contractor for the installation of site improvements for the Gateway Tree Planting.

DESCRIPTION:

A. Topic. The Public Affairs Department staff has prepared construction and bidding documents for the Gateway Tree planting project located along the U-224 entry corridor. Two separate contracts were let for bid earlier this month; one for the purchase of trees and the other for the site improvements such as irrigation for the trees, topsoiling, and revegetation. TreeUtah, a private non-profit organization devoted to promoting and sponsoring the planting of trees, along with donors, such as Park City Ski Area, the Eccles Foundation, and the Huntsman family and numerous Park City residents have made donations to this project .

B. Background. Originally, representatives from the Park City Ski Area, the Eccles Foundation, and TreeUtah approached the City for assistance on a tree planting project. At the direction of the City Council the staff met with the Parks, Recreation, and Beautification Advisory Board to acquaint them with the project and to discuss preliminary design concepts. The staff also met with UDOT to prepare various cost analyses and design options. Since the creation of the Advisory Board sub-committee, we have finalized the concept design, refined the cost estimates and scope of work, prepared a plan of action, determined a schedule, selected a date for the community planting, prepared construction drawings and specifications for the contracted work involved, and opened bids for the contracted portions of the work. The Advisory Board sub-committee and TreeUtah have been working with various groups and organizations to obtain funds, prepare promotional materials, and solicit support. To date there are $81,536 in private donations, grants, and corporate donations committed to this project.

C. Analysis. Two contracts were let for bid on March 14th; one for the purchase of trees and the other for site improvements. Both bids had a Base Bid that included 147 trees and several

Alternates for the remaining 153 trees. During the bidding process the Park City School District came forward and offered to negotiate with their new Middle School contractor to deliver surplus topsoil from their site to our project. As a result of this offer, we issued an Addendum to the Site Improvements contract for an additional Alternate for School District supplied topsoil.

The Bid Opening for both contracts was held on March 28th. Four bids were submitted for the tree purchase contract: Western Garden Center (incomplete bid for $40,749.60), Porter Lane Nursery ($46,439), Progressive Plants ($52,729), and Melcher's Tree Farm (incomplete bid for $7759). The prices listed include both Base and Alternate Bid amounts. The lowest unit prices were generally contained in the Porter Lane Nursery bid. They do not have the clump form Mountain Ash trees we specified so they bid a substitution. Progressive Plants has the clump Mountain Ash we want at a lower unit price than Porter Lane. In general the unit prices from Western Garden Center were higher than Porter Lane's and Melcher's unit prices were lower than Porter Lane's but they could only supply two of the six species needed. I recommend we purchase the clump Mountain Ash from Progressive Plants and the remaining trees from Porter Lane.

The site improvements contract had two bidders: Brookline Farms ($69,995.40 Base Bid Total) and GEL, Inc ($97,456 Base Bid Total). In addition to several Alternates to plant additional trees if funds become available, the value of Brookline Farms Alternate for School District supplied topsoil reduced his Base Bid an additional $12,612.80 to bring the Base Bid total to $57,382.90. At the time of this writing, prices were not available for delivery of the School District topsoil to the project site. In talking with Brookline Farms they also made some suggestions for ways we may be able to reduce costs in the irrigation system design.

There is approximately $81,536 budget available for this project. All three contracts total $92,086.40. I recommend we continue to examine the topsoil and cost reduction options and that staff be authorized to enter into a contract with Brookline Farms for up to $69,995.40.

The Parks, Recreation, and Beautification Advisory Board and TreeUtah are continuing to raise funds for this project. If sufficient funds are not available for the Base Bid contracts, I recommend funds from the Resort Entryway CIP project be used.

D. **Department Review.** This project has been reviewed by the Staff Review team as well as receiving input from the Parks Department.

ALTERNATIVES: The City Council could direct the staff to hold off on awarding any contracts until the School District supplied topsoil and irrigation system design issues are resolved. This option would delay the plant suppliers and contractor from proceeding with ordering materials and proceeding with the work on a project that has a fairly tight time frame. The community tree planting is scheduled for June 8th and most of the irrigation system must be installed prior to that date.

RECOMMENDATION: Award a contract in the amount of $19,899 to Porter Lane Nursery for the purchase of the Base Bid trees. Award a contract in the amount of $2192 to Progressive Plants for the purchase of Base Bid trees. Award contracts in the amount of up to $68,995.40 to Brookline Farms and possibly the School District contractor for the installation of site improvements for the Gateway Tree Planting.