

PARK CITY COUNCIL MEETING

SUMMIT COUNTY, UTAH

MARCH 28, 2002

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, March 28, 2002.

AGENDA

Work Session

4:15 p.m. Council questions/comments

4:45 p.m. [Olympic update](#)

5:45 p.m. Break

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV [WORK SESSION NOTES OF MEETING OF MARCH 7, 2002](#)

V NEW BUSINESS

1. [Award of construction contract to DRD Paving in the amount of \\$98,505 for 2002 Main Street Improvements Project](#)
2. [Appeal of a Planning Commission decision of October 24, 2001, denying a Conditional Use Permit for a gate across Sunny Slopes Drive in the Gleneagles Subdivision - Gleneagles Association](#)

VI ADJOURNMENT

Posted: 03/25/02

See parkcity2002.org

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

PARK CITY COUNCIL TENTATIVE MEETING SCHEDULE

March 2002

28 Jim gone

April 2002

4 Jim gone

11 No meeting

18 LMC - work session

Ordinance - April Mountain Subdivision subdivision Phase 1 - KW

Ordinance - 835 Norfolk plat amendment - JW

Ordinance - 777 Park Avenue Coalition West Subdivision - KW

25 Continuation of hearing - Amendments to Land Management Code - Phase 2: Comprehensive and substantive rewrite of Chapter 6, Zoning Administration and Enforcement; Chapter 8, Supplementary Regulations; Chapter 10, Master Planned Developments; Chapter 11, Master Planned Moderate Income Housing Developments; and Chapter 14, Child Care Regulations; additional provisions; to Chapter 1, General Provisions; and Chapter 15, Definitions

May 2002

2 Budget review

9 Budget review

16

23 Budget review

30

June 2002

7 Public hearing - budgets

Adoption of tentative budget

- 14 Fred gone
- Continuation of budget hearing
- 21 Continuation of budget hearing
- Adoption of final budget
- 28

Mine Road truck traffic

CIP review

Parks and Rec Board appointments

Council mini-retreat

PARK CITY WORK SESSION NOTES

SUMMIT COUNTY, UTAH

MARCH 7, 2002

Present: Mayor Dana Williams; Council members Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones

Toby Ross, City Manager; Alison Butz, Special Events Manager; Gary Hill, Analyst; and Mark Harrington, City Attorney

Planning Commission candidates: Jim Barth, John Colligan, Bob Powers, Meg Ryan, Brian Strait, and Diane Zimney; Park Meadows residents: Michael Belfort, Tom Billings, Greg Schirf, Mark Meakins, and Amil Carraso; Diane Mellen, Aerie resident; Bob Terrango, Government Relations Coordinator
Envision Utah

1. Council questions/comments. Kay Calvert and Peg Bodell reported on the School Board meeting. Candace Erickson remarked on the presence of staff at all hours and through all types of weather during the Olympics. She received many compliments about the City's role in the Games. The Snyderville Basin Planning Commission and Park City Planning Commission will recommend sites for the proposed rink which the ice facility committee will consider. She continued that the Library Board will be recommending the purchase of new software. Jim Hier agreed with Ms. Erickson's comments about staff and added that he had guests the week after the Olympics who praised our bus drivers and our transportation system.

Bus drivers are the City's first line of contact for most of our guests. Mr. Jones agreed and added that he also received many compliments from people about the Games. He attended a meeting with the HMBA who confirmed its desire to continue Main Street improvements this summer. He discussed the work performed by CTEC, a citizens group, who contributed significantly to the production of a useful budget document which frames some issues that will be addressed in the upcoming retreat and budget process. Mr. Jones applauded the efforts of

Bill Brown who headed up the warming fires on Main Street; he felt Mr. Brown should be recognized. Peg Bodell reported on activities at the Museum during the Olympics and there was discussion about a homecoming for our Olympic athletes. She reported on the historic tour program and upcoming Jazz Festival. With regard to her concern about additional neighborhood impacts with Sunday screenings at the Jim Santy Auditorium, Alison Butz felt that parking is probably the only impact. She felt that it is mitigated with the availability of the Mawhinney parking lot across the street. Ms. Bodell noted that the neighborhood should still be polled.

The Mayor thanked employees and volunteers for their work during the Olympics and specifically thanked the Chief of Police. Everyone felt safe and Chief Evans carried a lot of responsibility throughout the Games. The Mayor's office received many positive letters and calls about the Olympics. He added that the police force did an amazing job with great decorum and relayed that he met with the 2010 bid committee from Korea. A compilation of Olympic stories from volunteers and employees is being formulated. People seemed to like Main Street closed as a pedestrian area for special events and this is a topic for future discussion. The City Manager agreed with Mayor Williams' comments and added that none of this would have been possible without the support of the City Council. He then presented the Mayor and City Council members with Olympic medallions.

2. **Legislative update.** Gary Hill distributed a list of bills that had the potential of affecting Park City. He specifically discussed SB 30 which increases the amount of state liquor enforcement monies allocated to cities and counties. For Park City, this represents an increase of roughly \$12,000 a year. He briefly reviewed HB 216, transfer of development rights, which did not pass. The Mayor thanked Mr. Hill for his work at the legislature.

3. **Planning Commission interviews.** The City Council then interviewed six applicants for three positions on the Planning Commission:

Jim Barth

John Colligan

Bob Powers

Meg Ryan

Brian Strait

Diane Zimney

4. **Public input.** The Mayor invited the public to comment on any matter of City business.

Safety on Park Meadows streets. Resident Michael Belfort referred to a petition distributed to Council addressing the intersection at Evening Star, Lucky John and Meadows Drive, and the intersection at Lakeview Way and Meadows Drive. Speeding is a major problem as is disregarding stop signs and he suggested the City install speed bumps and some traffic deviation to bring down speeds. It is his opinion that there are many repeat offenders in the area and suggested more police presence during certain periods of the day. There is a median in the area that could be widened as another measure to curtail speeding.

Tom Billings, 2405 Meadows Drive, stated that he understood that the newer speed bumps are not as noisy and have been quite successful in Sugar House. He criticized the snow plow driver for not stopping at the stop signs. He also pointed out the benefits of the extended bus service in the area during the Olympics which should be considered on a permanent basis.

Greg Schirf, Meadows Drive resident, felt that the open straight strip of pavement is an invitation to speed and described an incident last summer that could have resulted in a fatality. He urged the installation of speed bumps and increased enforcement for speeding and failure to stop at stop signs.

Mark Meakins, 1700 Lucky John Drive, stated that he lives adjacent to the schools and there are dangers for kids walking in the street. He felt strongly that more tickets should be written and there should be an effort to educate motorists to stop for pedestrians. *"A slower pace, a better place"* has gone by the wayside and someone is going to be killed.

Candace Erickson stated that last year there was an experimental median installed on Holiday Ranch Road to slow down motorists traveling from SR224, which was successful. She appreciated the testimony as it can be considered in next week's Council retreat where traffic calming will be discussed. She added that Chief Evans has been very responsive to speeding concerns.

Eric DeHaan discussed our experience with the broader designed speed humps which are not as abrupt. He pointed out that there is an administrative policy in place on traffic calming so responses for residents are consistent. He suggested that this policy be reviewed and accepted by newly seated Council and that adjacent neighborhoods have input on aspects of a plan. There was discussion about installing more signs but that motorists often ignore them and that highlighting striping may be more effective. Jim Hier agreed with trying a median, like the one on Holiday Ranch; it would be a good solution together with speed bumps and signage. It is very tempting to speed in this area, because of the design of the road, and some type of traffic calming effort would be helpful. Peg Bodell stated that the Council frequently hears this concern from the community and a City-wide action plan or marketing campaign to make people aware of the problems should be considered. Kay Calvert believed that a combination of options could be used but there needs to be more enforcement. Peg Bodell pointed out that providing additional enforcement represents a cost to the Police Department which needs to be supported by Council.

Amil Carraso discussed being equipped with a speed gun and publishing speeding license plates in the paper. The Mayor stated that staff is working on the Neighborhood Traffic Management Program which involves citizen participation. The draft outlines criteria for traffic calming and he urged the public to participate. With regard to the

tone of the letter from the residents, Mayor Williams felt it was somewhat confrontational and didn't need to be, as safety is a high priority of every member of the Council. Fred Jones agreed that this is City-wide problem and stated that he is convinced there are viable solutions, but not without citizen support. The City can install traffic calming and provide more enforcement, but attitudes in the community can only be changed by the citizens. He believes this Council will step up efforts, but can't solve problems on its own.

Greg Schirf suggested that fines be increased in this area, like Olympic parking violations, and Chief Evans explained that the City has authority over parking but not speed limits. There was discussion about setting bails with the court and an allegation that the City buses speed.

Gambel Oak Parcel. Diane Mellen, Aerie resident, understood that a portion of the Gambel Oak parcel was being considered by the military for a hotel and as a part of the lease with the BLM there are certain requirements the City must meet in order to keep the parcel. She expressed concern about our trail system as the City wasn't able to obtain the April Mountain parcel. The parking requirement at Gambel Oak has not been satisfied by the City. The City Attorney explained that the lease may have been terminated through federal legislative measures which overrides the City's lease with BLM. This is being aggressively monitored and in the meantime staff is negotiating with the BLM with a revised site plan that contemplates a more formal access and parking area, but approval has not been rendered. This would also be contingent upon access which has just been received as part of the April Mountain development. Ms. Mellen thanked Mark Harrington for his explanation as she didn't want the City to lose this recreational opportunity.

Envision Utah. Bob Terrango explained that Envision Utah is visiting cities and counties throughout the Greater Wasatch Area to familiarize newly elected officials with programs and the tool box training sessions. He distributed a schedule of workshops and encouraged staff to attend. He commented on a new chapter dealing with street design and public safety which is pertinent to this evening's discussion. There is no charge for the work

shops where reference materials are provided. He continued that Envision Utah has an in-house planning staff which is available to communities for support services, including reviewing development proposals and ordinances. A Wasatch Back demonstration project is contemplated. Envision Utah is also willing to conduct special work shops with boards and commissions. Mayor Williams indicated that Council received information on the work shops last week, which has been shared with staff.

Prepared by Janet M. Scott

March 25, 2002

MEMORANDUM

TO: Toby Ross
City Manager

FROM: F.M. Bell
Olympic Services Director

SUBJECT: Olympic Update and Overview

We have arranged to have several community leaders come to the Council meeting on Thursday the 28th to discuss our recent Olympic participation. This discussion coincides with the recent expression of interest by the City Council in building on our Olympic successes. One goal of Thursday's discussion is to begin working with the Council and community leaders on where we go from here in both public and economic policy objectives, and what information might be helpful to the Council and staff in better defining the Council's action agenda for the future.

The discussion will include Bill Malone from the Chamber, Colin Hilton from SLOC (he has some interesting statistics from our local venues), and representatives from Main Street and the lodging community. Since we are still several weeks away from having a definitive budget reconciliation, a specific conversation on the budget will have to wait. However, I think the information presented on Thursday will help the Council develop a comprehensive view of our Olympic participation that will fit nicely with the forthcoming budget discussion.

I expect this conversation could take 45 minutes to an hour. There should be plenty of opportunity for the council to interact with the panel on both short and long term Olympic legacy ideas that could be added to those legacy projects already completed or identified.

Some of those ideas might include how our Olympic experience might contribute to the development of regional planning and services, development of a multi-seasonal approach to our resort environment, capitalizing on our Olympic media exposure, what the Olympics taught us about Old Town, transit and pedestrianization, and celebrating our heritage as an Olympic community.

DATE: 3/28/02
DEPARTMENT: CDD/OCMB
AUTHOR: Matt Twombly
TITLE: Main Street Improvements 2002
TYPE OF ITEM: Award of Construction Contract

SUMMARY RECOMMENDATION:

Staff requests authorization to proceed with the construction of the Main Street Improvements 2002 Project consistent with prior Council direction. Staff recommends that Council award the construction contract to DRD Paving in the amount of Ninety Eight-Thousand Five Hundred and Five Dollars (\$98,505.00).

DESCRIPTION

A. **Topic** Award of the construction contract to DRD Paving in the amount of Ninety Eight-Thousand Five Hundred and Five Dollars (\$98,505.00) and proceed with the construction of the Main Street Improvements 2002 Project.

B. **Background** This project reflects the recommendations from the Downtown Action Plan adopted in 1998 and the Historic Main Street Business Alliance. The Old Town Transit Center, Miner's Park reconstruction with the Main Street Bulb-outs and the Swede Alley Trash Compactor Building are all improvements made under the plan.

Steve Schuller of Mountain Works (the designer), and City staff have met with the Main Street Merchants directly impacted by the project and the Main Street Business Alliance representatives. The project is supported by the Main Street Merchants and Business Alliance in the goal to make Main Street more pedestrian "friendly" .

C. **Analysis** The request for bids was legally noticed in the Park Record on March 9, 2002, in the Salt Lake Tribune on March 9, 2002, and at the Intermountain Contractor on March 11, 2002. There were three bids for the project and the bids were opened and read

aloud on March 20, 2002. The bid for \$98,505 by DRD Paving is approximately \$50,000 below the Engineers estimate. The next low bid was by Thiede Construction in the amount of \$117,900 and then Sutherland Landscaping in the amount of \$178,000. DRD Paving was awarded the bid for the Miner's Park including the bulb-outs on each side of Main Street which is quite similar to this project. The workmanship and performance of the construction by DRD Paving was at "Park City Standards".

The work will proceed approximately ten days after the award, upon the execution of the construction agreement drafted by the City Attorneys office and receipt of bonds and certificates of insurance. The project documents stipulate that the work in front of the Claimjumper shall be completed prior to the commencement of the rest of the project by May 10, 2002 due to the Claimjumper's use of their porch for outdoor dining. The remainder of the project shall be completed by June 21, 2002 allowing time before the 4th of July.

D. Department Review Community Development Department, Office of Capital Management and Budget, City Managers Office.

ALTERNATIVES

A. **Approve the Request** Award the construction contract to DRD Paving in the amount of Ninety Eight-Thousand Five Hundred and Five Dollars (\$98,505.00.)

B. **Modify the Request.**

C. **Deny the Request.**

D. **Continue the Item.**

SIGNIFICANT IMPACTS There is approximately a total of \$242,000 in the Downtown Revitalization Capital Improvement Account. The project entails the removal of two parking spaces in front of the Claimjumper Hotel, two parking spaces in front of the Bear Bench, and one parking space in front of the Treasure Mountain Inn. Construction will cause a temporary inconvenience to the adjacent property owners. Staff will provide the estimated lost revenue for each parking space per year at the Council Meeting.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION Main Street will remain in its current condition. The adopted recommendations of the Downtown Action Plan will not be implemented at this time.

RECOMMENDATION Staff recommends that the City Council award the construction contract to DRD Paving in the amount of Ninety Eight-Thousand Five Hundred and Five Dollars (\$98,505) and proceed with the construction of the Main Street Improvements 2002 Project.

DATE: March 28, 2002
DEPARTMENT: Planning
AUTHOR: Brooks T. Robinson
TITLE: Gleneagles Subdivision Gate - Conditional Use Permit
TYPE OF ITEM: Appeal of Planning Commission Denial

SUMMARY RECOMMENDATION: Hear applicants appeal of the denial of Conditional Use Permit for a gate at the northern end of the Gleneagles subdivision and consider staff's recommendation to uphold the Planning Commission decision.

DESCRIPTION

5. Topic

Project Name: Conditional Use Permit for an access control gate
Applicant: Gleneagles' Association
Applicant's Representative: Robert Dillon, Jim Roberts
Location: Sunny Slopes Drive, north end of Gleneagles subdivision
Zoning: Residential Development District (RD)
Adjacent Land Uses: Park Meadows Golf Course and Residential

6. Background

A public hearing was reopened during the regular Planning Commission meeting of September 12, 2001. After taking testimony, the Commission directed staff to prepare Findings for denial of the Conditional Use Permit (CUP) application. The Commission ratified the Findings of Fact and Conclusions of Law for denial of the CUP at their regular meeting of October 24, 2001. (Please see the Tab Section 2 for Staff Reports and Minutes: Gleneagles Gate)

The application is being reviewed under the provisions of the 46th Edition of the Park City Land Management Code (LMC). Chapter 1.13 of the LMC is the Conditional use Review Process and it states:

Although each zone district is an attempt to segregate predominant land uses within identified residential, commercial, resort lodging, and similar districts, there will be proposals that are generally compatible in land use with other permitted uses in the zone. If properly and carefully planned, these uses, which are different from the predominant use, or more intensive than permitted uses in the same zone, may become compatible and appropriate for the zone in question. For example, the location and nature of the proposed use, the character of surrounding development, the traffic capacities of adjacent and feeder streets, the

environmental factors such as drainage, erosion, and soil stability, all may dictate circumstances where a more intensive use may or may not be appropriate for the zone. The conditional use procedure is intended to provide greater flexibility in land uses while at the same time, preserving neighborhood characters and assuring compatibility between the conditional uses, the uses on adjoining properties, and the City at large. The Community Development Department will review all proposed conditional uses and may impose conditions of approval to preserve the character of the zone district, and to mitigate potential adverse effects of the conditional use. Where the City and applicant cannot devise conditions that satisfactorily mitigate the adverse effects of the conditional use, the City shall deny the conditional use permit.

Further, the Conditional Use Standards For Review are:

- (f) Standards for Review. The City shall not issue a conditional use permit unless the Community Development Department or Planning Commission finds that the application complies with all requirements of this Code; that the use will be compatible with surrounding structures in use, scale, mass and circulation; that the use is consistent with the Park City General Plan, as amended; and that the effects of any differences in use or scale have been mitigated through careful planning. The Department shall review each of the following items when considering a conditional use permit:
 - (1) size and location of the site;
 - (2) traffic considerations including capacity of the existing streets in the area;
 - (3) utility capacity;
 - (4) emergency vehicle access;
 - (5) location and amount of off-street parking;
 - (6) internal circulation system;
 - (7) fencing, screening, and landscaping to separate the use from adjoining uses;
 - (8) building mass, bulk, and orientation, and the location of buildings on the site; including orientation to buildings on adjoining lots;
 - (9) usable open space;
 - (10) signage and lighting;
 - (11) physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing;
 - (12) noise, vibration, odors, steam, or other mechanical factors that might affect people and property off site;
 - (13) control of delivery and service vehicles, loading and unloading zones, and screening of trash pick-up areas;
 - (14) expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies.

Based on the public hearings, the Planning Commission directed staff to prepare the following findings and conclusions for denial. The Commission reviewed the findings and conclusions and approved that they accurately reflect their decision.

Findings of Fact:

1. Gleneagles is located in the Residential Development (RD) zoning district.
2. A Conditional Use application for a gate was received and is reviewed under the provisions of the 46th Edition of the Land Management Code.
3. A gate interrupts existing circulation patterns.
4. Only residents of Gleneagles and, under agreement, Broken Spoke would have access southbound through the proposed gate. All vehicles will be able to exit northbound.
5. A Conditional Use permit requires circulation and traffic considerations. All non-permitted southbound traffic will be stopped at the gate and forced to use Meadows Drive and travel through Fairway Village.
6. Service and delivery vehicles for all homeowners within these three subdivisions must all enter through Fairway Village, increasing traffic on those roads.
7. Gleneagles does incur adverse traffic impacts resulting from the Senior PGA golf tournament. However, these impacts should be better mitigated through the Master Festival License for that temporary event rather than on a year-round permanent basis. Nothing herein shall prevent the Special Events department from temporarily gating the road in conjunction with the Senior PGA MFL or other large events at the Park Meadows Country Club.

Conclusions of Law:

1. The proposed gate does not comply with Section 1.13 of the 46th Edition of the Park City Land Management Code.
2. The proposed gate is not compatible with surrounding structures in use and circulation.
3. The effects of differences in use and circulation cannot be mitigated to preserve the character of the zone.

C. Appeal

On October 29, 2001 the City received a letter of appeal from the Gleneagles Association (Exhibit C). In their appeal, the Association cites two recent examples of gates as precedent, Iron Horse and Knoll Estates (Aster Lane). Two other gates are within Park City and were approved as part of a settlement agreement (Deer Crest) and a Master Plan Development (Bald Eagle). Please see the Tab Section for the Staff Reports and Minutes from the Iron Horse and Knoll Estates CUPs.

Iron Horse

The CUP for the gate at Iron Horse was a modification of the Conditions of Approval for the North Horse apartment project. Iron Horse Loop, not a public street, connects the parking areas of two different projects and is not a collector road. The connection between the parking lots was not for primary access to either project. During the initial discussion of the North Horse project, an emergency access gate was considered. At the recommendation of the City Engineer, Eric DeHaan, the wording for the Condition of Approval for the connection to Upper Iron Horse

should state “unobstructed access” rather than specify emergency access to cover day-to-day maintenance.

On October 21, 1998 the Planning Commission approved a Conditional Use Permit application for a gate for Iron Horse Loop. There was no opposition from the residents of Northhorse.

Aster Lane (Knoll Estates)

On October 27, 1999 the Planning Commission approved a gate at The Knoll Estates (Aster Lane). In their action, the Commission found that Aster Lane and Court are private cul-de-sac streets, within one-quarter mile walking distance of the Silver Lake area of Deer Valley. Also, the applicant presented evidence that the residential neighborhood is impacted by overflow parking from Deer Valley. One of the Conditions of Approval for this gate is that the gate is to “remain open except for holidays and weekends and other times in accordance with a time plan approved by the Community Development Department.” It is important to note that this gate is closed only to address problem periods of peak parking demand at Silver Lake and is generally open all other times of the year. No opposition was received from the surrounding neighborhood.

RECOMMENDATION: Hear applicants appeal of the denial of Conditional Use Permit for a gate at the northern end of the Gleneagles subdivision and consider staff’s recommendation to uphold the Planning Commission decision.

Exhibits available in City Recorder’s Office - 615-5007:

Exhibit A: Location Map

Exhibit B: Gate Elevation

Exhibit C: October 29, 2001, Appeal of Planning Commission Action

Tab Section 1: March 25, 2002, Gleneagles Appeal

Tab Section 2: Staff Reports and Minutes: Gleneagles Gate

Tab Section 3: Staff Reports and Minutes: Iron Horse Loop

Tab Section 4: Staff Reports and Minutes: Knoll Estates (Aster Lane)