PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 22, 2012

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, March 22, 2012.

Closed Session
2:30 p.m. Property, personnel and litigation

Work Session
4:30 p.m. Council questions/comments
4:40 p.m. Legislative wrap-up
4:50 p.m. Quarterly goal reporting format - 2012 Council goals and desired outcomes P. 4 - 24
5:10 p.m. Event center update P. 25 - 32
5:30 p.m. Coalition of Mayors against Illegal Guns Resolution P. 33 - 37
5:50 p.m. Break

Regular Meeting
6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

IV VISIONING SESSION MINUTES OF FEBRUARY 3 AND 4, 2011; AND WORK SESSION AND REGULAR MEETING MINUTES OF MARCH 1, 2012 AND MARCH 8, 2012 P. 38 - 51

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

1. Consideration of a construction agreement for the Payday, Lucky John and Monitor Drive Culvert Replacement Project with Morgan Asphalt, Inc. in the amount of $65,953, in a form approved by the City Attorney P. 52 - 55

2. Consideration of a service provider agreement with Gateway Planning for the preparation of a form-based code and traffic analysis in the amount of $141,500, in a form approved by the City Attorney P. 56 - 66

VI NEW BUSINESS

1. Consideration of an Ordinance approving the First Amended Ridgepoint at Deer Valley Condominium Plat located at Ridgepoint Lane at Woodland Drive near Royal Street, Park City, Utah P. 67 - 84
   - (a) Public hearing
   - (b) Action

2. Consideration of an appeal of the Planning Commission's decision to approve the request from North Silver Lake LLC of an additional one-year extension of an approved Conditional Use Approval for a 54 unit development at North Silver Lake 2B - Appellant Lisa Wilson P. 85 - 91
   - (a) Presentation from staff
   - (b) Presentation from appellant
   - (c) Action

VII ADJOURNMENT

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

Posted: 03/19/12
See www.parkcity.org

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

March 2012

29 Annual open meetings law training - work
Open space easements – work
Wyatt Earp Walkability Project – work
Special events overhaul – work – TY
FTA grant contact – work – KC (20 min)
Resolution amending the Fee Resolution to establish special event fees and repealing and replacing Resolution No. 30-11 in its entirety
269 Daly Avenue plat amendment – ME
Quinns Junction Partnership Annexation – KW
920 Norfolk Avenue plat amendment – ME
543 Woodside Avenue plat amendment – ME
Authorize Staff to Execute a Grant Contract with the Federal Transit Administration in the amount of $1,875,000 for the construction of seasonal housing

April 2012

5 Quinns Water Treatment Plant ribbon cutting – 4 p.m.
Special events and temporary licensing regulations
Special assessment bonds for PC Heights – PR
Award of contract for audit services
Quinn's Junction Partnership Annexation – public hearing/continuance - KW

12 **No meeting – ULCT Conference**

19 Regular meeting – 5 p.m.
Park City 2030 Long Range Strategic Plan (1 hour)
Library business plan - work
7700 Marsac Avenue Subdivision - public hearing/action – ME
455 Park Avenue plat amendment – public hearing/action – FA
Quinn's Junction Partnership Annexation – public hearing/action – KW
Appeal of denial of CUP – 60 Sampson Avenue

26 **Dana gone**
Dumpster Days (20 min) - PE

May 2012

3 **Dana gone**
Introduction of budget
Recreation survey – work (1 hour)

10 **No meeting – Cindy gone**

17 Budget – work and public hearing
Sundance Festival Policy – study session

24 Budget – work and public hearing
Balanced Growth Study findings – work – (90 min)
Rocky Mountain Power substation – study session

31 Budget – work and public hearing

June 2012

7 Budget – work and public hearing
Bonanza Park Plan update

14 Budget – work and public hearing

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

28

Pending Items:

RDA Strategic Plan

Resolution establishing a strategic plan for City-owned property with development potential in Park City, Utah and repealing and replacing Resolution No. 22-05 in its entirety

Sustainability

City Council
Staff Report

Subject: Council Goals & Targets Reformatting
Author: Bret Howser & Phyllis Robinson
Department: Sustainability
Date: March 22, 2012
Type of Item: Administrative

Summary Recommendation: Staff recommends that the City Council review and approve the changes to the proposed layout to the vision, mission and goals posters for 2012, as well as the Council Goals & Targets for Action quarterly report.

Topic/Description: Strategic Planning

Background:
Staff presented a set of biennial strategic plans to City Council during its visioning session in February 2012. The biennial strategic plans are consistent with each of our Outcome Areas.

- Preservation of Park City Character
- World Class, Multi-Seasonal Resort Economy
- Effective Transportation
- Water and the Natural Environment
- Recreation and Open Space
- Regional Collaboration
- Open and Responsive Government
- Public Safety

On March 8, staff returned to Council with edits derived from discussion at Council Visioning, along with edited vision, mission and goals posters. Council suggested further edits, which staff has since made and which are presented in the attached documents for final Council approval. On April 19, 2012, Council will review and discuss the 2030 Plan efforts. Some of the items in this report may change as a result of those discussions, therefore they remain in draft form until that time.

Analysis:
The finalized vision, mission and goals posters are attached. The vision and mission posters were simplified and Council's comments/edits were incorporated. The goals posters are presented here for the first time, but are based on the final edits that Council suggested on March 8.

In addition to these posters, which will serve as guiding documents for Council and staff as well as a communication tool for the public, staff is proposing a new layout for the Council Goals & Targets for Action quarterly report. The new layout integrates the desired outcomes agreed upon for each Council goal, and filters targets for action under these desired outcomes according to the following outline:

I. Outcome Area (Council Goal)

a. Desired Outcomes
    i. Targets for Action
        1. Operating Plan
        2. Capital Plan
        3. Other Items

The targets for action on the report will include items specified in the Action Plan section of the Biennial Strategic Plans. However, it is understood that not all targets for action that will arise during a two year span are anticipated upfront, and therefore other targets for action may make their way onto the list at a later date either at staff's recommendation or Council's direction.

A draft of the reformatted report is attached. ***This is not an updated report***. It has merely been reformatted to include the desired outcomes and targets for action from the biennial plans. If Council agrees to the structure of the report, it will be sent to managers at the end of the quarter and an update will be brought to Council in April.

Department Review: This report was reviewed by Sustainability, the City Attorney and the City Manager**.**

Recommendation: Staff recommends that the City Council review and approve the changes to the proposed layout to the vision, mission and goals posters for 2012, as well as the Council Goals & Targets for Action report.

Attachments:
A – Park City Vision
C – Park City Mission
B – Park City Council Goals & Desired Outcomes
D – Proposed Council Goals & Targets for Action Quarterly Report

COMMUNITY IDEALS

RESPECT & CONSERVE THE NATURAL ENVIRONMENT

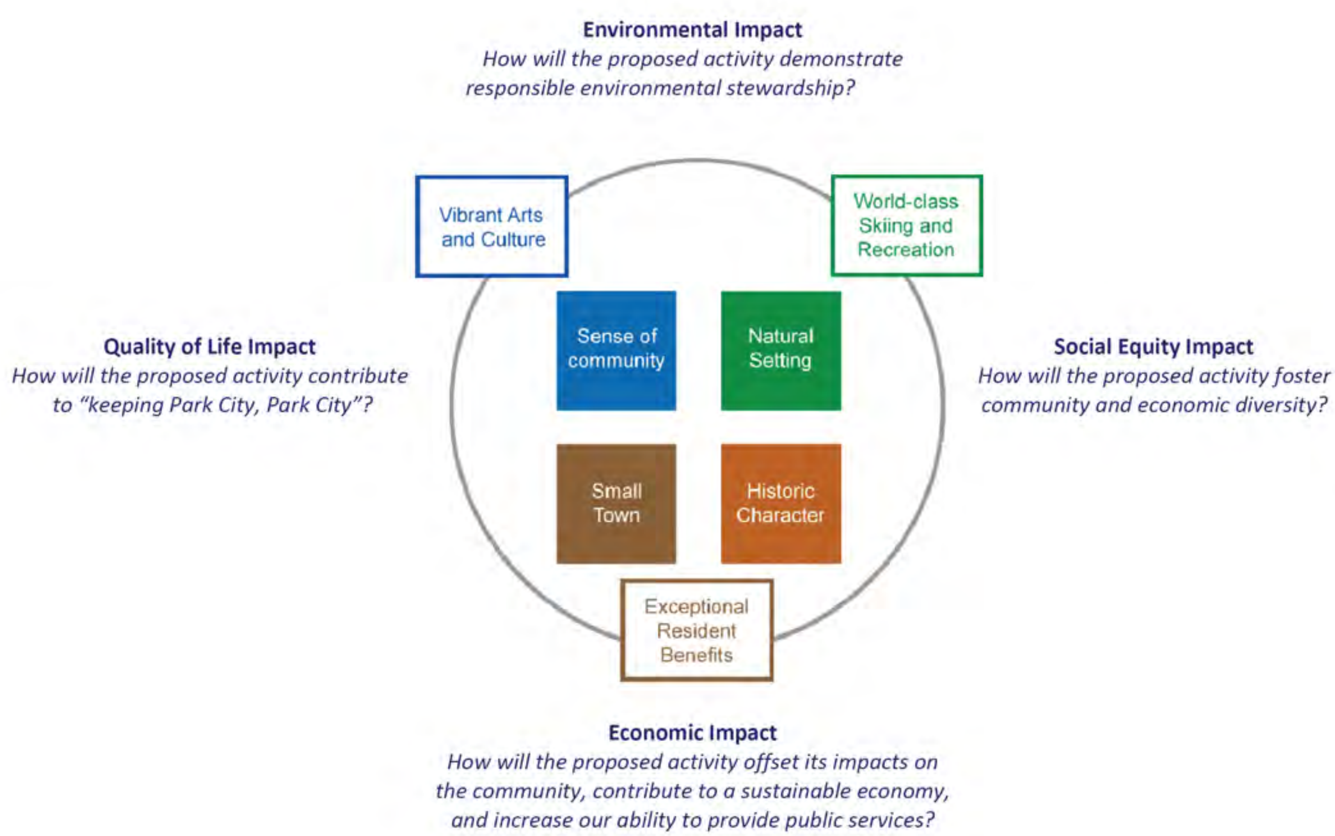
PROMOTE BALANCED, MANAGED & SUSTAINABLE GROWTH

PRESERVE A STRONG SENSE OF PLACE, CHARACTER & HERITAGE

FOSTER A STRONG SENSE OF COMMUNITY VITALITY & VIBRANCY

SUPPORT & PROMOTE DIVERSITY IN PEOPLE, HOUSING & AFFORDABILITY

ADVANCE A THRIVING, DIVERSE & SUSTAINABLE ECONOMIC BASE



Mission Park City

THROUGH HIGH QUALITY SERVICE TO OUR COMMUNITY & GUESTS WE WILL PROVIDE A MEMORABLE & UNIQUE EXPERIENCE WHILE PRESERVING & ENRICHING PARK CITY'S HERITAGE, DIVERSITY & ENVIRONMENT

Philosophy

"The Best Led & Managed Resort Town in America"

Own it!

RESPONSIBILITY is a "before the fact" mindset of personal ownership and commitment to a result

Act on it!

SELF-EMPOWERMENT is taking action and appropriate risk in order to ensure the achievement of the result

Answer for it!

ACCOUNTABILITY is a personal willingness to answer for outcomes produced

Every member of the **Park City Municipal Team** contributes to the success of accomplishing Council Goals and excellence in operations through: teamwork, innovation, continuous improvement, data-based decision making, clear processes, relationship and communication.

Core Values

Communication ● Respect

Quality & Excellence ● Fun & Humor ● Honesty & Integrity

2012 Council Goals
Under Construction

Preservation of Park City Character

Diverse population and social fabric

Connected, knowledgeable and engaged citizens

Vibrant community gathering spaces and places

Physically and socially connected neighborhoods

Preserved and celebrated history and protected National Historic District

Vibrant arts and culture offerings for community and visitors

Protected pristine natural settings

World Class Multi-Seasonal Resort Economy

Proactive partnerships with major landowners in redevelopment efforts

Extended Lower Park Avenue redevelopment area

Balance between tourism and local economies

Diverse, populated event calendar

Unique and locally owned businesses

Effective Transportation System

Effective, well-maintained, multi-modal transportation network

Well-utilized, environmentally sensitive, efficient and effective public transit

Integrated community transportation and walkability plan

Convenient parking management system balanced with promotion of alternative transportation options

2012 City Council Goals

Under Construction

Water and Natural Environment

Regional water solutions

Enhanced water quality, customer confidence/service and conservation

Adequate and reliable infrastructure and financial stability

Effective storm water management

Increased utilization of renewable energy

Reduced municipal and community carbon footprints

Economically feasible soil disposal options

Recreation, Open Space and Trails

Accessible, affordable and premier community recreation facilities and opportunities

Park City brand preserved beautification of parks and preservation of open space

Responsive and respectful internment services

Effective and safe vehicle and pedestrian transportation

Enhanced environmental stewardship

Natural resources preserved to promote recreational opportunities

Healthy, active community

Year round destination recreation locations

2012 City Council Goals

Under Construction

Regional Collaborations & Partnerships

Attractive to investment from agencies

Ever-prepared community

Effective regional water network

Protected resources

Beautiful, unique mountain town

Beautiful, unique mountain town

Participant on the world stage

Respected and admired globally

Open and Responsive Government

Fiscally and legally sound

Engaged, capable workforce

Flexible and nimble to adjust quickly to changing environments

Secure, maintained and preserved city assets

Connected with our citizens with a shared vision for the future

Public Safety

Citizens knowledgeable about actions they can take to keep themselves and their families safe

Quality of life maintained through reducing or preventing crime

Enhanced public safety services and crime prevention education

Effective and efficient deployment of resources

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

Goal 1 Preservation of Park City Character

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Diverse Population & Social Fabric				
1. Complete 5-yr housing plan including a finance program to assist low-income homebuyers				
● Affordable Housing Demand Study and Resolution Update	Apr-11	**Apr-12**	**In Progress**	**Awaiting more detailed Census data in order to complete Housing Needs Study before updating resolution.**
2. Implement Senior Strategic Plan				
● Implement senior housing plan for City-owned property on LPA	**Oct-11**		In Progress	
3. Facilitate Work for Advisory Committee for Latino Affairs				
2. Connected, Knowledgeable and Engaged Citizens				
1. Enhance library's technology resources				
2. Identify programs utiliztng technology for citizen engagement				
3. Reconfigure Library & Education Center based on approved comprehensive plan for building contingent upon Council funding decision				
3. Vibrant community gathering spaces and places				
1. Complete Main Street plazas and streetscape projects contingent upon Council funding decision				
● HPCA Infrastructure Committee Study (includes streetscape and attractions)				
- Pocket Park/Historical Wall Renovation	Jun-11	**Jun-12**	**Pending**	Project scope pending policy input - Historic Park City Alliance & Council
(a) Historic Wall Stabilization and daylight	Nov-11	**Oct-12**	**In Progress**	**Scope and preliminary cost estimates being generated.**
● Last Phase of Downtown Improvements (streetscape, sidewalks, pedestrian connections, etc.)	Ongoing	**Jun-12**	Ongoing	**Staff currently conducting interviews to hire consultant to prioritize projects with cost estimates and integrate into FY13 budget process.**
● Town Plaza/Swede Alley	Oct-12		Pending	**Moved into HPCA Project Study.**
2. Examine abiltiy to create event venue, convention area, and permanent Sundance area	Dec-11	**Dec-12**	In Progress	**City and Chamber to pursue feasibility analysis, using takeholder to identify needs, goals and components.**
4. Physically and socially connected neighborhoods				
1. Rewrite General Plan with neighborhood focus				
● Data collection, analysis, meetings with Planning Commission and City Council, recommendations and complete plan preparation	Apr-12	**Jul-12**	In Progress	**The Planning Staff has incorporated a neighborhood approach to the Plan and has been actively involved in the Joint CC/PC meetings. With the expedited BOPA Neighborhood Plan, the proposed Genearl Plan timeline would move to July 2012.**
● Planning Department to work with the Planning Commission to better define Old Town Neighborhoods	Dec-11	**Apr-12**	**In Progress**	**To be included in General Plan**
● Tie Lower Park Avenue / Bonanza Park Redevelopment concepts into General Plan	Jun-11	**Jul-12**	**In Progress**	**To be included in General Plan**
2. Adopt plans for Bonanza Park, form-based code & transportation connectivty				
● General Plan Future Land Use Element - Area Plan for Bonanza Park				
(a) Planning Commission	Dec-11	**Jan-12**	**In Progress**	**BOPA plan will be complete and ready for PC/CC discussion in January.**
(b) City Council	Jan-12	**Jan-12**	**In Progress**	**BOPA plan will be complete and ready to PC/CC discussion in January.**
● Identify transportation corridors as part of General Plan Transportation Element	May-11	**Jul-12**	In Progress	**Transportation Element of General Plan to be created using information in master plan. New deadline established due to BOPA. Grid layout for BOPA draft area plan complete.**
● Examine ability for new anchor tenant	Jul-11	**Dec-12**	In Progress	**Exploring options.**
● Concept planning and Bonanza park functional priorities - talk to power company	Dec-11	**Dec-12**	In Progress	**BOPA substation to move to Lower Ironhorse area, pending cost impacts (if higher) to be approved by Council. Station will fit at new locattion. Working with RMP to migtigate road/access issues. Anticipate cost disussions in February 2012.**

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
5. Preserved and celebrated History and protected National Historic District				
1. Complete National Historic District inventory and National Register analysis				
2. Complete Historic Park City/Main Street Plan while retaining historic designation				
● Assessment of National Historic District - Main Street Designation	Jun-11	**Jun-12**	**In Progress**	**Project scope/contract approved - research and analysis underway. Preservation Solutions finalized document. Planning is recommending that Preservation Solutions move forward with a thorough study.**
3. Planning Department to work with HPB to clarify their role and Joint Meeting with Council	Feb-11	**Apr-12**	In Progress	At request of City Council, Planning held joint CC/HPB meeting. HPB and Planning working to implement recommendations. **HPB Visioning was held in October and staff is preparing information for a joint meeting in early 2012.**
4. LMC Amendments for Sustainability	Apr-11	**Apr-12**	In Progress	**Planning is working through LMC amendments relative to architecture. The timeline to work with Sustainability in late 2011 was not possible; however, after late-2011 General Plan work, early 2012 LMC amendments should be complete.**
5. Clean up miscellaneous Historic Preservation Issues	Jun-11	**Apr-12**	**Ongoing**	**Completed Historic Preservation issues update and miscellaneous studies complete. Design Guidelines to be updated in Spring 2012.**
6. Vibrant arts and culture offerings for community and visitors				
No targets for action currently identified in Biennial Strategic Plan. Some related action items may exist in other Outcome Areas.				
7. Protected pristine natural setting				
No targets for action currently identified in Biennial Strategic Plan. Some related action items may exist in other Outcome Areas.				

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

Goal 2 World Class, Multi-Seasonal/Resort Community

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Status
1. Proactive Partnerships with Major Landowners in Redevelopment Efforts				
1. Implementation of BOPA Area Plans				
2. Implementation of LPA Area Plans				
● Identify potential components and tax increment	Apr-11	**Oct-11**	In Progress	Projects identified. Identifying tax increment.
● Implementation				
(a) City Property & adjacent private property . Finalize project scope, ID budget, move into Construction Drawings.	**Mar-12**		**Pending**	**Community Center, various housing and connectivity goals. Hire design team to facilitate public input process to finalize scope; begin construction drawings. Intend to begin projects in summer 2013.**
(b) PCMR	Ongoing	**Feb-12**	Ongoing	**Identifying transit scope for parking lot redevelopment and initial financial pro forma. Conduct housing authority update.**
(c) Other private property within RDA	Ongoing		Ongoing	
3. HPCA/Main Street Projects				
● Infrastructure Committee recommendations (see Goal #1) Prioritization	Jun-11	**Jun-12**	In Progress	**Presentation of final HPCA infrastructure plan in FY13 budget process.**
2. Extend the Lower Park Avenue RDA				
1. Letter of Intent with PCMR for Parking Project				
2. Taxing Entity Committee Resolution for Extension				
3. Balance Tourism & Local Quality of Life				
1. Secure Sundance Agreement thru 2028 (Address MLK Conflict)				
2. Partiipate in Ski Resort Interconnect Concept Plan				
3. Dan's to Jan's Implementation				
4. Wi-Fi Network Infrastructure				
5. Public Art				
● Art in Public Places Implementation	Ongoing		Ongoing	Working on Strategic Plan goals and priorities
● Recreation Center Public Art	Oct-11	**Jun-12**	Pending	**PAAB reviewing RFQ process.**
● Increase Public Art Funding				
4. Further Populate Event Calendar				
1. Take More Facilitative Role in Events				
● Event Overhaul Discussion				
- Event Fees, revenues and costs	Feb-11	**Jun-12**	In Progress	**Follow up on gifting and temporary licensing in Spring 2012**
- Criteria to Close Main Street	Feb-11	**Jun-12**	In Progress	" "
- Update Municipal Code	Feb-11	**Jun-12**	In Progress	" "
● Event Overhaul Implementation	Mar-11	**Jun-12**	Ongoing	
5. Unique & Locally Owned Businesses				
1. Institute Direct Business Recruitment Program				
2. Define & Test City's Role in High Altitude Destination				
3. Woodward Facility				

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

Goal 3 Effective Transportation System

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Effective, Well Maintained Multi-Modal Transportation Network				
1. Expanded Pedestrian Path Snow Removal				
2. Smart Wayfinding Signs				
3. Empire Ave Reconstructions: 2012				
4. Deer Valley Drive Reconstruction: 2013				
5. Royal Street Reconstruction: 2014				
6. Traffic Control Sign Replacement				
7. Interconnect Plan				
8. Update Strategic Plan to include pedestrian-bicycle and transit modes - Pending General Plan Update	**Jun-12**	**Jul-12**	Pending	**Pending General Plan Transportation Element Update**
9. Complete Highway 224 Strategic Plan	Mar-11	**May-12**	In Progress	**Request for Proposal for Engineering firm to assist with plan preparation released. Infuse PCMR transit/parking lot RDA project into overall planning (JW).**
10. SR-248 Project - Implement Park & Ride Roll-Out				
● Park and Ride	Jun-11	**Sep-11**	In Progress	**Park and Ride operations plan is element of Short Range Transit Development Plan.**
● Complete Envirionmental Work for Corridor	Aug-11	**Jun-12**	In Progress	**Working with UDOT to define scope & requirements. Seeking to secure study funding. Funding delayed by lack of congressional appropriations for 2010 and 2011.**
● Engineering Design of Strategic Plan Improvements	Feb-12		Pending	Delayed due to lack of federal environmental study funding. Revised target date dependent on congressional funding action.
● Secure Funding for Strategic Plan Improvements	Mar-12		Pending	Delayed due to lack of federal environmental study funding. Revised target date dependent on congressional funding action.
● Complete Environmental Study for Richardson Flat Road Intersection	Jan-11	**Jun-12**	In Progress	**Working cooperatively with UDOT on soils sampling study to determine extent of tainted soils to be handled and protocol for those soils.**
● Construct Richardson Flat Road Intersection Improvements	**Aug-12**		**In Progress**	**Pursuing required construction permits through UDOT, Army Corps of Engineers and USEPA. Working cooperatively with UDOT on soils sampling study to determine extent of tained soils to be handled and protocol for those soils.**
● Construct Improvements	Oct-12		Pending	Delayed due to lack of federal environmental study funding. Revised target date dependent on congressional funding action. **Phase 1 island removal complete.**
2. Well Utilized, Enivronementally Sensitive, Efficient & Effective Public Transit System				
1. Kamas & Heber Transit Service				
2. Iron Horse Expansion				
● Construction Complete	Dec-11		In Progress	**Construction substantially complete. Punch list items complete by January 2012.**
● Landscaping Complete	**Jul-12**		**In Progress**	**Awaiting Spring weather.**
3. Enhance Transit Marketing	Annual		Ongoing	
4. Implement employee vanpool incentive program	Annual		Ongoing	Program implemented. One van operational.
5. Regional/Rural Transporation Issues - COG	Ongoing		Ongoing	**Staff will present prioritized regional project list to COG to aid in determining funding decisions by August 2012.**

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
3. Parking Management System that Balances Demand for Convenient Options while Still Promoting Use of Alternative Modes of Transportation				
1. Conduct Main Street/Swede Alley Circulation Study	**Nov-11**		In Progress	**HPCA has expressed its interest in completing a circulation study, including exploration of taxi staging area. Staff gathering data on numbers and patterns of Main Street taxis, hotel shuttles and buses.**
2. Taxi Drop-off/Pick-up	Oct-11	**Jun-12**	Pending	**Awaiting completion of circulation study to be conducted winter '11-12**
4. Community Transportation & Walkability Plan				
1. SR 224 Corridor Walkability - 2014				

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

Goal 4 Water and Natural Environment

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Secure Regional Water Solutions				
1. Pursue Water Importation Options				
2. Determine a preferred project with Weber Basin and Bureau of Reclamation				
3. Summit County, Snyderville Basin Water Reclamation District Cooperation Discussions/Stream Flow Enhancements	Annual		Ongoing	
4. JSSD Water Discussions	Annual		Ongoing	
5. Regional water supply system - due diligence study	**Summer 2012**		**In Progress**	**Staff is a party of a non-binding due diligence study that will look at solutions to satisfy all of the Basin's water needs into build out. The study will include evaluating each party's assets and needs. Other parties include Weber Basin Water Conservancy District, Mountain Regional Special Service District, Summit Water, Snyderville Basin Water Reclamation District, and Park City.**
2. Water Quality, Customer Confidence/Service, and Conservation				
1. Sampling Plan				
2. Blending and Source Management Program				
3. UPDES Related Facilities				
4. Water Quality Program Development	**Ongoing**	**TBD**	**In Progress**	**The Water Department hired a Water Quality Program Manager under a two-year special employment contract to implement the recommendations listed in action item 1. The Manager's scope will also include Quinn's WTP lab design, piloting treatment options for antimony removal, treatment options for metals removal to conform to the UPDES for surface water, and other project management for work relating to water quality. End goal is to create a defined and robust water quality program that will be integrated into water operations. Estimated time to develop is 1.5-2 years due to extensive scope, sampling, and change in operations once Quinn's WTP comes online.**
5. Public Involvement and Education	**Ongoing**		**In Progress**	**As a part of the Water Quality Program development and in addition to the public notification for the QJWTP, staff is working with Sustainability on improving the Water Deaprtment's public involvement and education plan.**

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
3. Adequate & Reliable Infrastructure & Financial Stability				
1. Quinn's Treatment Plant - Under Construction	Dec-11		In Progress	Scheduled completion in early 2012. **Staff is working with the Sustainability Department on a public notification system that will inform residents that the new source will be introduced to the system in the coming months. The core message will be that residents may notice differences in their water including taste, smell, temperature and hardness. These changes are aesthetic in nature and do not indicate a problem with the water quality. Staff will also organize tours of the facility with Council, HOA's, and the entire public in separate events.**
2. McLeod Creek Intake Start Up				
3. Pipeline Projects, Raw & Potable				
● Judge Water Line				
(a) NPDES Permit	Early 2012	**TBD**	Pending	**The Utah Division of Water is reviewing the permit application and expects to provide a draft Judge discharge permit for Park City review in mid-January 2012.**
(b) Judge delivery system to Quinn's Water Treatment Plant construction	Mar-12		Pending	See EA comments below.
(c) Determine Scope and Timing for **water line** Design and Construction (Evalulating alternatives due to antimony level increases)	Aug-12	**Dec-12**	Pending	**Draft EA w/EPA since 2010. The NEPA process has experienced further delays as the EPA continues to give input including looking at the cumulative effects of the water line and Prospector Drain and how these impact the Silver Maple Claims Wetlands. Staff has also experienced delays in this process while coordinating with the mine company and the BLM to gain access to their property for environmental investigations. EPA has given the City other punch list of items that still need to be addressed but staff is waiting until all issues are resolved to reissue the EP. Final design and construction cannot begin until a FONSI has been issued. Original plan was to bid in 2011 and start construction of pipeline in 2011. Schedule drepends on EPA's issuance of FONSI. STAG grant extended to December 2012. The City is also adding an additional alternative alignment from the Judge Tunnel portal to JSSD's WTP via the Ontario Shaft and Drain Tunnel. This process includes an engineering study to estimate the effort and cost to construct this option. This process has also been delayed while the City and JSSD execute a non-binding LOI that includes sharing the cost of the study.**
4. Implement Replacement and Renewal Projects				
5. Integrated Water Solutions				
4. Storm Water Management				
1.Storm Water Infrastructure repair and replacement				
2.FEMA Mapping of Flood Plains				
5. Increased Utilization of Renewable Energy				
1. Solar Feasibility Study for PCMC and Micro-Hydro Power Research	**Aug-11**	**Feb-12**	**In Progress**	**Utilizing grant funding, staff was able to assess the potential for additional solar PV panels on City-owned buildings. Results were presented to City Council during the 2011 mid-year update. PCMC has grant funding to support solar panels on the Public Works building and is currently researching this with the intention to release a RFP if the building checks out. Staff is less formally assessing options for micro-hydro electricity generation in PCMC's water system.**

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
6. Reduced Municipal & Community Carbon Footprints				
1. Participate with County Health Dept in Air Quality Study				
2. Environmental Heroes Awards	Ongoing		Ongoing	Awarded periodically. Website has form for public submissions/nominations.
3. Update to Environmental Strategic Plan	Ongoing		Bi-Annual	**Completed August 2010; 2011 mid-year update to Council completed.**
4. Launch internal revolving loan fund and finance CO_2 emissions reduction projects at the City	Ongoing		In Progress	Council approved fund on July 29, 2010. **The initial project will be piloting idle-reduction technology for a small number of Police vehicles. This project is underway with two pilot vehicles that received anti-idling retrofits in late 2011. A third vehicle may be piloted prior to making a decision on wehther to extend the**
5. WAVE Project/Electric Trolley in partnership with USU	**Aug-11**	**Feb-12**	In Progress	**On June 9 Council provided staff feedback to continue to work with USU's Energy Dynamics Lab on this project. Scope may change to include a fleet vehicle, rather than the trolley, for initial phase. Staff will return to Council for direction once project details are more clear.**
6. Develop and Implement community CO_2 emission and water consumption reduction program in conjunction with partners - community outreach or rebate program for residential and Green Businesses program for commercial properties	Mar-11	**Mar-12**	In Progress	**The Low Carbon Diet Program community carbon reduction program publicly launched, along with webpage, in June 2011. Staff has helped initiate 5-6 local Low Carbon teams and over 100 workbooks have been distributed. The program continues to build momentum and will run through year-end 2012. A Green Business program will be reassessed once resources free up and/or grant assistance is awarded.**
7. Economically Feasible Soil Disposal Options				
1. Define a long-term, economical solution for munipal and community mine waste disposal (Soils Repository)	Sep-11	**Feb-12**	In Progress	Working with EPA & UPCM/Talisker to define terms of a multi-party agreement to build a second repository.
2. Soil Ordinance Administration	Ongoing		Ongoing	**Five properties were issued Certificates of Compliance this past summer/fall. One property was relandscaped and sampled to evaluate if it was still in compliance after landscaping. Three additional properties were sampled in late fall and will require additional capping in the spring to achieve compliance. Four properties were sampled to assist with evaluating soil disposal options.**
3. Permits for Judge, Spiro and Prospector Drain	Jan-12		In Progress	**Permit applications submitted to Utah Division of Water Quality on schedule on July 27, 2011. Discussions continue.**
4. Further develop relationships with state and federal regulators	Ongoing		Ongoing	
5. Mine hazard mitigation ordinance	Ongoing		Ongoing	**Reminder letters were sent to property owners within the Mine Hazard Mitigation Area in October. These mailings inform property owners of their obligations under the ordinance and provide the necessary forms to meet the December 1, 2012 deadline. Received several evaluation forms from property owners.**
8. Other				
1. Solid Waste				
● Work with County Solid Waste Team to represent the City's interest in disucssion of future recycling & solid waste solutions	Jul-12		In Progress	**Foster and Poulson participated in a solid waste update meeting with the County in December. Working to schedule a follow-up meeting with County and liaisons. County planning to issue new RFP in January/February timeframe.**
● Support HPCA Recycling Program Efforts (recycling contract completed)	Ongoing		In Progress	Poulson representing City on HPCA's Solid Waste & Recycling Task Force
● Discussion on recycling facility relocation	Dec-12		In Progress	**City/County/Recycle Utah relocation planning meeting held as planned in September. Discussions continue with Summit County and Recycle Utah.**

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

Goal 5 Recreation, Open Space and Trails

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Provide accessibility to premier recreational activities/facilities to the local community at an affordable cost				
1. Evaluate mintenance staff for Park City Sports Complex				
2. Increase staff to accommodate increased use of facilities				
3. Increase Aquatic programs to 12 months				
4. Purchase new golf cars				
5. Shower renovation at Ice Arena				
6. Concourse repairs at Quinn's				
7. Purchase additional fitness equipment				
8. Public/Private Rec Facility RFP				
2. Preserve the Park City brand through beautification of City parks and open space				
1. Open Space Management Plan				
2. Osguthorpe Improvement				
3. Osguthorpe Conservation Easement	Feb-12		Ongoing	**Working with Summit Land Conservancy, Round Valley Bench Auction**
4. Kimball and new Round Valley Conservation Easement	Jul-11	**Oct-12**	In Progress	**County and City staff will discuss with Council the proposed easement on Kimball Junction PRI property, owned jointly by the City and County in early 2012.**
5. Gambel Oak & White Acre Conservation Easement	Jul-11	**Oct-12**	Pending	**Staff will ask Council to have a policy disucssionon easements in early 2012.**
6. Additional easement monitoring on new acquisitions	Ongoing		In Progress	**Staff will ask Council to have a policy discussion on easements in early 2012.**
7. Property Management Matrix	Nov-12		In progress	**Sharepoint database with applicable documentation and information per acquisition and property management (deed restrictions/bond language).**
8. Open space partnership with County	Ongoing		Ongoing	**Staff continues to participate in bi-weekly BOSAC meetings. Summit Land Conservancy has made additional funding request to BOSAC for Osguthorpe.**
9. Recommendation on amended Summit County Leash Law Ordinance	Jan-11	**Apr-12**	In Progress	**County combined with "bigger picture" of kennels. Legal Department working with County's legal department.**
3. Responsive and respectful internment services				
1. Inventory and capacity plan for City cemetery				
2. Construct Memorial Wall at cemetery				

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
4. Effective and safe vehicle and pedestrian transportation				
1. Trailhead Parking Phase III - as sites are available	Ongoing		Ongoing	
2. Coordinate new connections by development/TMP CIP	Ongoing		Ongoing	
3. Flagstaff Trails reconstruction	Ongoing		**In progress**	**Talisker has approved trail plan and construction is currently underway on several of the trails. Trail head and maintenance obligations remain as part of the Flagstaff Agreement.**
5. Trails Webpage	Ongoing		Ongoing	
6. Citywide Pedestrian/Street Lighting guidelines consistent with General Plan, Trails Master Plan and WALC	Apr-11	**Oct-11**	Pending	**Coordinating with Transportation Master Plan and General Plan Update. Looking to implement lighting along Deer Valley Drive from Roundabout to Stew Pot as part of the Deer Valley Drive reconstruction project slated for 2012.**
9. April Mountain Trails & Recreation Plan	Nov-11		In Progress	Access road has been improved
10. Evaluate and Improve backcountry trail signage	Ongoing		Ongoing	**Staff is working with Mountain Trails, Resorts and Basin Recreation on community-wide signage and waypoint system**
11. Osguthorpe Summer Trail	Aug-12		**Ongoing**	**Planning for trail connection Spring 2012**
12. Trail Event Policy/Fees	Jan-12		**In progress**	**Fees/deposits for Trail Events. Part of events overhaul.**
13. Hard surface of Silver Quinn Trails				
14. Walkability Implementation				
● Phase I				
(a) Bonanza Tunnel				
(b) SR-248 Tunnel				
- School Campus ped/Connectivity Improvements Construction (SR248)Construction	Aug-11	**Aug-12**	Pending	**Study completed. Discussion with School Board planned.**
(c) Traffic Calming Improvements				
- Monitor Drive - Island	Oct-11	**Aug-12**	Pending	**Initial measures of striping and installation of driver feedback sign have resulted in significant calming of traffic. Staff will continue to monitor through opening of racquet club and revisit them if deemed necessary.**
- Wyatt Earp - Entry Feature / Island	Oct-11	**Oct-12**	In progress	**RFP submittals received December 14. Design firm contract January 2012.**
● Phase II				
(a) SR 224 Corridor Study	Jul-12		In progress	Phase I study underway. Deliverable June 2012
(b) Identify PCMR transit and transportation needs	Jul-12			
(c) Implementation Plan for WALC projects	Jul-13			
5. Environmental Stewardship				
1. Purchase hybrid greens mowers				
2. Install high efficiency irrigation systems				
6. Preserve natural resources to promote recreational opportunities				
No targets for action currently identified in Biennial Strategic Plan. Some related action items may exist in other Outcome Areas.				
7. Healthy active community				
1. Develop and implement community wellness program				

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
8. Develop Park City as a year round destination recreation location				
No targets for action currently identified in Biennial Strategic Plan. Some related action items may exist in other Outcome Areas.				

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

Goal 6 Regional Collaboration and Partnerships

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status
1. A City that other agencies invest in			
1. Kamas & Heber Commuter Service			
● Equipment for Commuter Services			
2. Library Reciprocal Borrowing for Summit County Students			
3. Council of Governments Participation			
4. Maintain relationship with MIDA and monitor progress on project			
2. A community that is ever prepared			
1. Interagency Relationships			
2. Public Safety			
● Information Sharing			
● Special Event Staffing to Reduce Overtime Costs			
● Police/Sheriff's Spillman records Management Data Merge			
3. A City part of a regional water network			
No targets for action currently identified in Biennial Strategic Plan. Some related action items may exist in other Outcome Areas.			
4. A City that protects its resources			
1. Assess recycling service levels			
● Recycle Center			
2. Engage community, in partnership with Summit County and other groups (non-profit, HMBA, Chamber, School District) in reducing water consumption and carbon emissions			
5. A beautiful unique mountain town			
1. Work with Wasatch County re SR-224 and public versus private access			
2. Noxious weed coordination and enforcement on private property			
6. A town that plays on the world stage			
No targets for action currently identified in Biennial Strategic Plan. Some related action items may exist in other Outcome Areas.			
7. A City respected and admired globally			
1. Mayor/Council/Staff learn & lead			
2. Council of Governments Participation			
3. ULCT Continued Participation			

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

Goal 7 Open and Responsive Government to the Community

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Fiscally & Legally Sound				
1. Reduced paperwork and mailing costs through direct paperless billing and payroll				
2. Specialized Software Acquisition for Budgeting for Outcomes				
2. Engaged, Capable Workforce				
1. Enhace centralized HR training program				
2. Specialized Software Acquisition for Performance Reviews				
3. Identify training needs and develop implementation plan for staff, elected and appointed officials				
3. Flexible and Nimble to Adjust Quickly to Changing Environments				
1. Develop mid-range and long-term Information Technnology Strategic Deployment and Management Plan				
4. Security, Maintenance and Preservation of City Assets				
1. Invest in backup, storage & recovery				
2. New vehicle for Building Maintenance				
5. Connected with Our Citizens with a Shared Vision for the Future				
1. Connect, collaborate and create with community in persona and virtually				
2. Streaming media software				
3. Enhance mobile technology and related traiing to enhance citizen access and communication				
4. Community Visioning Plan	**Ongoing**		**Ongoing**	**Community Visioning and development of portfolio approach incorporated into joint City Council/Planning Commission meetings.**
5. ICMA Resort Consortium	Fall 2011	**Dec-12**	In Progress	**CAST and Council presentation on benchmarks complete. National Citizen Survey tie-in with existing 8 mountain towns in CAST possible. Need to lobby other towns to join us on comparisons between mountain towns. Will make pitch again at January CAST meeting in Steamboat.**

2012 Park City Council Goals & Targets for Action (January - March 2012)				
Goal 8 Public Safety				
Target for Action / Actions / Staff Coordinator	**Initial Target Date**	**Revised Target Date**	**Status**	**Comments**
1. Preparedness: Actions citizens can take to keep themselves and their families safe				
1. Maintain and expand as able our current Comprehensive Emergency Management Plan				
2. Specific team training for distinct Emergency Support Functions (ESF)				
3. Begin a funding plan for acquiring a Mobile Command Post (MCP)				
2. Prevention: How to prevent or reduce crime and maintain quality of life				
1. Implement City building security recommendations				
3. Education: Delivery of public safety services, prevention of crime and build mutually beneficial relationships				
No targets for action currently identified in Biennial Strategic Plan. Some related action items may exist in other Outcome Areas.				
4. Response: Deployment of resources efficiently and effectively				
No targets for action currently identified in Biennial Strategic Plan. Some related action items may exist in other Outcome Areas.				

City Council
Staff Report

Subject: Event Center Feasibility Study
Author: Bret Howser, Budget Officer
Department: Economy
Date: March 22, 2012
Type of Item: Information/Discussion

Summary Recommendations:
Based on the conclusions of the Event Center Feasibility Study conducted by Conventions, Sports & Leisure (CSL), the Sustainability Team recommends that PCMC not pursue new a publicly financed event center in the near term.

Topic/Description:
Event Center Feasibility Study

Background:
The City has long considered the potential economic enhancement to the community represented by the addition of an event center. To date, the private market has not provided this product in Park City, filling instead demand for smaller meeting space in conjunction with hotel/nightly rental product. Speculation has existed that an event center could draw new visitors to Park City that currently don't have their needs met, and this may help to round out the shoulder seasons. To the end of studying the veracity of these assumptions, the City recently commissioned a study of the feasibility of such an event center.

Conventions, Sports & Leisure (CSL) was contracted by the Joint Venture of the City and Chamber to carry out a feasibility study, which was completed in Fall 2011 (attached). The study was conducted in two phases and focused on the local market conditions, market demand, building program and development issues, financial operating characteristics, and economic impact.

Analysis:

In evaluating the strengths and weaknesses of local market conditions, CSL notes the advantages of Park City's resort economy which make it a desirable destination (world-class skiing, proximity to SLC and Airport, concentration of visitor amenities, Main Street, events, abundant accommodations, etc.). However, an analysis of the weaknesses notes that Park City's major strengths are not necessarily what traditional convention groups are looking for (ie: they want their convention attendees in the convention, not on the slopes). Additionally, the concentration of hotel locations around resorts rather than the downtown core, combined with the perception of transportation issues and limited excess capacity in prime seasons, create a challenging environment for the convention traveler.

Also, the Park City private market seems to be largely accommodating the existing convention demand with ballroom and meeting space in existing hotel/resort products. These have proven sufficient for the small-sized convention/conference business that is the most natural fit for resort communities. This is supported by the fact that a vast majority of ski destinations do not have large, publicly-funded event venues. CSL concludes that incremental demand would be "slightly lower than the average other community considering a project of this nature."

They add a recommendation that if a project were to be attempted, Park City would do well to consider niche segments of events, focusing on shoulder seasons and events compatible with Park City's existing economy (such as sports tournaments, Sundance expansion, etc.) and developing a synergy with ongoing redevelopment efforts.

Based on these market conditions and estimated demand, CSL recommends a 60,000 square foot multipurpose hall and 10,000 square feet of breakout meeting space, with support/storage space as necessary.

Two scenarios are provided for funding such a facility. 1) Public sector funded and owned, with adjacent hotel that defrays some operating costs and increases the feasibility of the model. 2) Public sector funded and owned, no adjacent hotel. Both options are expected to require an annual public subsidy of $451,000 and $550,000 respectively. Estimates of annual net new economic output (direct and indirect) to Park City for the two scenarios are $22.2M and $19.9M respectively.

The recently completed BOPA Neighborhood Plan considers the possible inclusion of an event center in the area to add to economic diversification and foster economic development for residents. While the plan included the facility outlined in the CSL study as a potential economic and neighborhood fit, the fact that the most feasible model would require publically financed nightly rental product creates a mismatch with the overall area plan, which discourages nightly rental in the area and seeks to achieve a vibrant live/work neighborhood.

<u>Explanation of Staff Recommendation</u>
Based on the conclusions of the Event Center Feasibility Study conducted by Conventions, Sports & Leisure (CSL), the Sustainability Team recommends that PCMC not pursue a new publicly financed event center in the near term. This recommendation is based on the current market conditions, demand, and opportunities, which are circumstances that could change over time and may necessitate reevaluation at some point in the future (particularly as previously unconsidered potential locations become available).

Staff's primary concern lies in the fact that the most feasible model suggested in the study includes a new, at least partially publically financed, hotel product to accompany the event center in BOPA. Staff does not feel, based on the recently adopted BOPA Neighborhood Plan, that hotel product is a proper fit in a mixed use area which emphasizes local economy and livability. Additionally, publically subsidized nightly rental product would unfairly compete with existing private sector business without providing a compelling direct public benefit, which staff believes is contrary to the City's economic development strategic plan.

Moving Forward

Staff believes that under the right circumstances and in the right location an event center may someday be feasible and appropriate for the City. In particular, staff feels that if a public/private partnership opportunity were to arise, either within BOPA or another area, the opportunity should certainly be reevaluated. In particular, any opportunities that would have the event attendees in closer proximity to lodging, restaurant, retail, and other amenities without having to stray far from the event itself should receive particular focus.

Department Review:

Sustainability, Planning, City Manager, Legal

Significant Impacts:

This item is for discussion. There is no Council action required.

Consequences of not taking the recommended action:

This item is for discussion. There is no Council action required.

Recommendation:

Based on the conclusions of the Event Center Feasibility Study conducted by Conventions, Sports & Leisure (CSL), the Sustainability Team recommends that PCMC not pursue a publicly financed event center in the near term.

Attachments:

A – CSL Event Center Feasibility Study Executive Summary

FEASIBILITY STUDY OF A POTENTIAL NEW MULTI-USE EVENTS CENTER IN PARK CITY
- Executive Summary -

In the Spring of 2011, Conventions, Sports and Leisure International (CSL) was engaged by the Park City Chamber of Commerce and Visitors Bureau (Chamber) and the City of Park City (City) to conduct a two-phased feasibility study concerning a proposed new Multi-Use Events Center in Park City. This executive summary outlines the key findings associated with the study. The full report documentation should be reviewed in its entirety to gain an understanding of the study's methods, limitations and implications.

Introduction

As envisioned, a new Multi-use Events Center in Park City would act as an economic and hotel room night generator, and community resource, for hosting a variety of event types. Park City has a variety meeting and event facility spaces, but most are relatively small spaces contained in resort and hotel properties. Initial thinking associated with the facility concept involved the public sector development of a large, flexible, flat floor-oriented event venue. The Center would be expected to host exhibit-type events (such as tradeshows and public/consumer shows), along with youth sports tournaments, certain conventions, meetings, festivals, and special events.

An important goal of the potential Events Center would be to both attract non-local events to Park City during off-peak seasonal periods and those that presently cannot be accommodated by existing local facilities (due to facility size, type/cost of space and availability), providing new visitation and related economic impact in the local area.

Phase One of the study was completed in late summer of 2011 and included the following primary research and analysis components:

1. Site visit and in-person interviews with key local stakeholders and others involved with Park City's event and visitor industry.
2. Analysis of local market conditions.
3. Analysis of competitive and comparable event facilities.
4. Telephone surveys (of planners representing a wide variety of event types).
5. Market demand analysis.
6. Market viability conclusions.

At the end of August 2011, a presentation outlining the research, analysis and findings associated with Phase One of the study was presented to various stakeholders in Park City.

Subsequently, CSL was asked to proceed with a selected set of additional analysis tasks, comprising a Phase Two effort. These included:

1. Evaluation of building program and facility scenarios.
2. Utilization analysis.
3. Analysis of estimated financial operating characteristics.
4. Economic impact analysis.

Local Market Conditions

The demographic and socioeconomic characteristics of a local market are important components in assessing the potential success of a possible new Events Center. The strength of a market in terms of its ability to attract events and attendees, and generate revenues, is predicated, somewhat, on the size of the regional market area population and its demographic makeup, as well as the level of competition within the regional area. Further, a community's hospitality infrastructure in terms of hotels (inventory, type, rate and availability), restaurants, entertainment and other such factors contribute heavily to the ability to attract non-local events.

Strengths of the local Park City market as they relate to the development and potential operating success of a new Events Center include:

- Internationally-recognized tourist destination with world-class skiing, outdoors sports and recreation, and strong name recognition.
- Convenient driving proximity to Salt Lake City and Salt Lake City International Airport.
- Tourist destination with a high concentration of visitor amenities such as hotels, restaurants, retail, recreation/leisure opportunities and entertainment.
- Highly-developed, free municipal bus system.
- Strong, vibrant Main Street.
- Sundance Film Festival.
- Diverse mix of hotel properties—from luxury/resort to limited service.
- Strong history of major events, festivals and other special events.
- Mature and sophisticated destination marketing efforts (via CVB/Chamber, resorts and other organizations).

Some of Park City's weaknesses as they relate to the development and potential operating success of an Events Center include:

- Low city resident population.
- High hotel costs and limited excess capacity in prime seasons.
- Perception of overall high cost nature of destination.
- Perception of challenging transportation issues near downtown.
- Low corporate base and high concentration of small companies.
- While a world-class skiing destination, interest by traditional convention groups in including skiing as a part of the event varies by group.
- Most of largest, full-service hotel properties are not located near the downtown core and Main Street.
- Large amount of competitive event facilities in Utah.

Market Demand

A wide variety of research and analysis tools were used to reach market demand conclusions for a potential new Events Center in Park City. In addition to extensive research into competitive and comparable facilities and host communities, CSL conducted in-person and telephone surveys with planners and producers of potential events (from local, state, regional and national perspectives), including the following:

1. In-person interviews of local groups and individuals:
    a. Chamber and Convention and Visitors Bureau staff
    b. City officials
    c. Business & economic development leaders
    d. Visitor industry representatives
    e. Local event producers and event facility managers
2. Follow-up telephone interviews.
3. Telephone survey of 50 national organizers of conventions, tradeshows, meetings and other events from Destination Marketing Organization International's MINT Database.
4. Telephone survey of 20 state and regional association event organizers.
5. Telephone survey of consumer/public show, indoor amateur sports tournament organizers and other potential users of flat floor event space representing nearly 100 annual events.

A summary of key findings associated with this market research and analysis includes the following:

- Park City is a highly-regarded destination in the visitor industry.
- Like all world-class resort destinations, a sophisticated set of luxury hotel/resort products have been developed—most include a modest level of upscale ballroom and meeting space.
- The vast majority of the premier ski destinations in the country do not have large, flat floor event venues which are led by the public sector.
- Resorts and hotels (private sector) normally are able to accommodate the small-sized convention/conference/meeting business that is the most natural fit for communities like Park City.
- The events that represent the "incremental event potential" in Park City (i.e., considering what the existing hotels and sports/recreation facilities currently accommodate) would be expected to be slightly lower than the average other community considering a project of this nature.
- However, there are important aspects that should be considered when weighing "feasibility", including:
    - Improving Sundance Film Festival's ability to grow in Park City.
    - A niche segment of events that highly-demand Park City.
    - Any event activity that could be attracted during the shoulder seasons that would represent new hotel room nights and incremental economic impact.

- The potential attraction of local and non-local sports tournaments.
- Redevelopment synergy and opportunities with The Yard, the Park City Ice Arena or another potential site.

Building Program and Development Issues

Based on the previous analyses undertaken, key aspects of the most appropriate facility program for a potential Events Center in Park City are presented below.

- Multipurpose hall:
  - 60,000 square feet of subdividable, column-free, concrete floor space
  - Minimum of 35-foot ceiling heights (to lowest beam)
  - Utility floor grids, independent loading versus public access, climate control
- Breakout meeting space:
  - Up to 10,000 square feet of breakout meeting space
  - Lower ceiling heights, subdividable, carpeted
  - Could serve office space purposes (i.e., for Sundance administration, etc.)
- Sufficient pre-function, support and storage space.
- Assumption of purchase of six 120-foot by 80-foot portable hardwood floor courts (allowing for six full size basketball courts and 12 full-size volleyball courts), plus other necessary equipment (retractable bleachers, court-separating netting, scoreboards, etc.).
- While much of the event space will be flexible, basic and multipurpose in nature, exterior design and aesthetics much match "Park City" quality levels.

Financial Operations

Based on discussions with the Chamber and City, the following two facility model scenarios have been assumed for additional analysis:

<u>SCENARIO 1: Stand-alone Events Center (nearby hotel)</u>

- Public sector-funded and owned facility
- Headquarters hotel assumed to be located adjacent or within close walking distance (i.e., within approx. 3 city-blocks)—not within practical walking distance of Main Street
- No physical or operational relationship with hotel
- Annual operating subsidy responsibility of public sector

<u>SCENARIO 2: Stand-alone Events Center (nearby hotel does not exist)</u>

- Public sector-funded and owned facility
- No headquarters hotel located within practical walking distance—not within practical walking distance of Main Street
- Annual operating subsidy responsibility of public sector

While not studied specifically in Phase Two, an alternate scenario could involve a public/private partnership with one of the existing resorts or hotels within Park City or the immediate area. It is likely that this scenario would involve the public sector funding the physical facility product construction adjacent to or attached to the lodging property, and the resort or hotel would manage the Events Center under contract with the public sector owner. In some cases throughout the country, the private sector lodging partner is willing to operate the event space at its own risk or gain—while, in other cases, the operating burden of a large structure like this still requires operating subsidy support by the public sector. Additional analysis would have to be completed to better evaluate the potential financial and funding implications of this alternate model.

Event, utilization, attendance and occupancy estimates were developed for the aforementioned two facility scenarios, over the initial five years of facility operation (with Year 5 representing an assumed "stabilization" of operations). The event profile under both scenarios includes a wide mix of event types, both non-local and local in nature. It is estimated that the facility's ability to attract certain non-local events will be greater under Scenario 1 (facility located near an appropriate headquarters lodging property), and overall utilization and occupancy will be slightly lower under Scenario 2.

The vast majority of "stand-alone", large event facility projects of this nature generate an operating deficit annually. Normally, the reason why communities and their municipal governments invest in these projects relates to the incremental economic impact they can generate for the local community (through added visitation and thereby new hotel room nights, new spending, and new tax dollars generated).

Based on the financial operating analysis completed, it is estimated that a new Events Center in Park City will annually generate a financial operating deficit of approximately $451,000 (upon stabilization of operations, in 2011 dollars). Under Scenario 2, the annual operating deficit is estimated to approximate $550,000. These figures do not include construction debt service payments, nor depreciate or capital repair/replacement reserve funding.

Economic Impacts

The effects of attracting new events and visitors to the Park City area could impact numerous industries and enhance economic activity throughout the community. Primary visitor industries, including resorts/hotels, restaurants, retail, local transportation, and related industries can benefit directly from a potential new Center, particularly during off-peak seasonal periods. Indirect effects can benefit various local and regional support industries, including the wholesale, distribution, manufacturing, and other industries.

In conducting the economic impact analysis, only spending associated with non-local event facility attendees were considered. For instance, if a Park City resident attends or participates in an event or activity in the new Events Center, no spending from their in-facility or out-of-facility activities were considered (as it is considered "displaced spending", or spending that otherwise would have been likely to occur locally for other goods or services).

The estimated total annual net new output (direct, indirect and induced spending by non-local events center attendees, exhibitors, participants and spectators) for events under Scenario 1 totals approximately $22.2 million and nearly $19.9 million under Scenario 2 (both upon stabilization of operations, in 2011 dollars).

City Council
Staff Report

Subject:	**Possible Resolution Against Illegal Guns**
Author:	**Wade Carpenter, Chief of Police**
	Diane Foster, Interim Assistant City Manager
Departments:	**Public Safety & Executive**
Date:	**March 22, 2012**
Type of Item:	**Work session**

Summary Recommendations:
Review the staff report and request from Mayor Bloomberg's office and provide staff with a recommendation to bring the resolution back to Council at a future meeting for consideration and possible approval.

Background
In February, New York Mayor Michael Bloomberg sent to Park City Mayor Dana Williams a request that he join the coalition of Mayors Against Illegal Guns. To date, Mayors from over 600 US cities have joined the coalition.

Analysis
This resolution is specifically targeted at eliminating *illegal* guns. The resolution does not attack lawful gun ownership. In fact, according to the Coalition co-chairs Boston Mayor Menino and New York Mayor Bloomberg: "We support the Second Amendment and the rights of citizens to own guns. We recognize that the vast majority of gun dealers and gun owners carefully follow the law."

The resolution reads as follows:

Statement of Principles

At the coalition's first summit, an initial group of 15 mayors met at Gracie Mansion in New York City to discuss strategies for stopping the flow of illegal guns into America's cities. Those mayors, along with every mayor who has since joined the Mayors Against Illegal Guns coalition, signed the following statement of principles.

Whereas: 30,000 Americans across the country are killed every year as a result of gun violence, destroying families and communities in big cities and small towns; and

Whereas: As Mayors, we are duty-bound to do everything in our power to protect our residents, especially our children, from harm and there is no greater threat to public safety than the threat of illegal guns;

Now, therefore, we resolve to work together to find innovative new ways to advance the following principles:

- Punish - to the maximum extent of the law - criminals who possess, use, and traffic in illegal guns.
- Target and hold accountable irresponsible gun dealers who break the law by knowingly selling guns to straw purchasers.
- Oppose all federal efforts to restrict cities' right to access, use, and share trace data that is so essential to effective enforcement, or to interfere with the ability of the Bureau of Alcohol, Tobacco, and Firearms to combat illegal gun trafficking.
- Work to develop and use technologies that aid in the detection and tracing of illegal guns.
- Support all local state and federal legislation that targets illegal guns; coordinate legislative, enforcement, and litigation strategies; and share information and best practices.
- Invite other cities to join us in this new national effort.

Park City's Chief of Police Wade Carpenter has reviewed the aforementioned Statement of Principles and provided the following input:

> "I have reviewed the documentation provided in reference to the Mayors Against Illegal Guns Coalition. From what I have read the Statement of Principles are in line with the goals and objectives of law enforcement both federally and locally. The primary focus is to punish criminals who possess, use, and traffic illegal guns. As you may be aware, many illegal guns originated in the U.S. and have found their way over our neighboring boarders. Unfortunately, today's drug and human traffickers are also tied into illegal gun trade. I applaud the efforts of Mayors Against Illegal Guns who support all local, state, and federal legislation that targets illegal guns."

Additionally, according to Chief Carpenter, the last shooting in Park City with a stolen gun occurred in 2010.

Department Review:
This staff report has been reviewed by the Public Safety, Executive and Legal Departments.

Significant Impacts: As this is a resolution, it does not have legal or financial impact. However, Council should consider the principles as commitments. Staff anticipates that these commitments can be met with existing staff resources without a need for significant re-prioritization.

Additionally, despite the clear statement that this resolution targets only illegal guns, some may still perceive Park City as anti-gun ownership. This is not an outcome that Council can control.

Summary Recommendations:

Review the staff report and request from Mayor Bloomberg's office and provide staff with a recommendation to bring the resolution back to Council at a future meeting for consideration and possible approval.

About the Coalition

Message from the Co-Chairs

As mayors, our highest responsibility is to enforce the law and to protect the people we serve. One of the most difficult challenges we face in meeting this responsibility is preventing criminals from illegally obtaining guns and using them. The issue of illegal guns is not conservative or liberal; it is an issue of law and order -- and life or death.

We support the Second Amendment and the rights of citizens to own guns. We recognize that the vast majority of gun dealers and gun owners carefully follow the law. And we know that a policy that is appropriate for a small town in one region of the country is not necessarily appropriate for a big city in another region of the country.

But what binds us together is a determination to fight crime, and a belief that we can do more to stop criminals from getting guns while also protecting the rights of citizens to freely own them. We have seen how the polarizing rhetoric of gun politics on all sides only obscures the tragic reality we see every day on our streets: violent criminals with easy access to illegal guns.

We are honored that more than 600 mayors from big cities and small towns from across the country have joined the coalition of Mayors Against Illegal Guns, and we welcome other mayors to stand with us. We are committed to working with our fellow mayors to share best practices, develop innovative policies, and support legislation at the national, state, and local levels that will help law enforcement target illegal guns.

Each mayor in this coalition has signed a statement of principles committing us to this fight. While we will each have different strategies for pursuing those principles, we all agree on the goal: protecting the rights of Americans to own guns, while fighting to keep criminals from possessing guns illegally.

We welcome further contributions to this Web site from our members and we hope it will be a comprehensive resource for each of us as we move forward together to make all cities safer.

Sincerely,

TERROR GAP

GAO Accountability * Integrity * Reliability

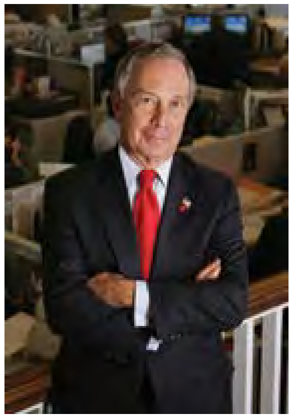
See the new GAO report that shows terrorism suspects were able to buy guns 1,119 times since 2004

8 OF 9

MEMBERS

FULL COALITION

- Dearborn, MI
- Decatur, GA
- Deerfield Beach, FL
- Deferiet, NY
- Delanson, NY
- Delaware City, DE
- Denver, CO
- Depew, NY
- Des Moines, IA
- Des Moines, WA
- Detroit, MI
- Dewey Beach, DE
- Doral, FL
- Dormont, PA
- Doylestown, OH
- Doylestown, PA
- Dryden, NY
- Dubuque, IA
- Duluth, MN
- Duquesne, PA



Mayor Michael R. Bloomberg
New York, NY

Mayor Thomas M. Menino
Boston, MA

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 3 AND 4, 2011

NOTE: These are summary minutes. A transcript was prepared due to the number of GRAMA requests following the sessions and is available for review.

February 3, 2011

I ROLL CALL

Mayor Dana Williams called the annual City Council Visioning Session to order at approximately 8:30 a.m. at the Lloyd D. Evans, Jr., Conference Room at the Park City Police Facility on Thursday, February 3, 2011. Members in attendance were Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; and Michael Kovacs, Assistant City Manager.

II CLOSED SESSION

Liza Simpson, "<u>I move to close the meeting to discuss property and personnel</u>". Joe Kernan seconded. <u>Motion carried unanimously</u>. The meeting opened at approximately 11:30 p.m. Candace Erickson, "<u>I move to open the meeting</u>". Liza Simpson seconded. <u>Motion unanimously carried</u>.

III Visioning, Planning & Implementation: A Case Study: Bonanza Park – Planning Commission Included

Planning Director Thomas Eddington Jr.; Planning Commission members Mick Savage, Charlie Wintzer, Dick Peek and Brooke Hontz; Jack Thomas, Jack Thomas Architects; and Matt Rifkin, traffic consultant, participated in the presentation and discussion with Council.

Thomas Eddington provided an overview of the Planning Department's approach to the General Plan, and explained the case study on Bonanza Park was tied to a number of elements: TDRs, density in general, design guidelines, transportation, and entry corridor. Staff also incorporated Vision Park City as a foundation for the case study. Staff incorporated long-range planning, vision statements and community levers as they identified specific planning directives for BOPA. He reviewed specific 2010 Council Goals that pertain to BOPA: recreation, open space and trails; regional collaboration and partnerships; preservation of Park City character; world class, multi-seasonal resort community; effective transportation and quality and quantity of water. He explained a conceptual framework for the district which included a reoriented streets plan introducing a grid system; a new master planned neighborhood identify; easy access to the district; the rich development potential on the interior; and, creation of a transportation hub with connectors to other areas of the community.

Jack Thomas presented a massing model displaying multiple scenarios for development and Matt Rifkin discussed traffic flow in the Bonanza Park area.

Council members discussed the conceptual development scenarios and expressed concern about the density as well as concerns whether there would be economic need for this in the future. Planning Commissioners commented on the opportunities to build less density in better form and believed it could be a tool for better design. The group discussed options of creating a more pedestrian friendly neighborhood area that included mixed uses to diversify the economy.

Creating an area for local residents and addresses affordable housing needs meets a community desire. Mr. Eddington commented that infrastructure could be put in and the area would develop around it.

The group discussed the process moving forward from this conversation into implementation once they determine what they want the area to look like. Options for controlling the growth include designating a redevelopment area, considering tax increment financing and looking at tax abatements for the kinds of development and use the City wants. The key policy question is determining to what degree the City wants to influence a plan for the area. There was no consensus on whether the area should be a TDR receiving zone. The group also briefly discussed the possibility of a conference/multi-functional facility in the Bonanza Park area. Council, Commission members and Staff concurred that the conversation would continue into the coming year and they would hold joint meetings to explore redevelopment in Bonanza Park.

IV Historic Preservation - HPB and Planning Commission Included

Planning Director Thomas Eddington discussed the evolution of historic preservation in Park City and discussed the Historic District Commission's role of reviewing noncompliant applications or applications denied by the Staff in the years between 1983 and 2002. In 2002, City Council renamed the Historic District Commission to the Historic Preservation Board and revised their role to serve as an appeal body. Within these timeframes, the Design Guidelines for the Historic District were adopted and later amended in 2009, along with Land Management Code regulations pertaining to the Historic District. In addition, Staff and Preservation Solutions updated the Historic Sites Inventory to include a second category of historic sites that were not "Landmark". The "significant" site list almost doubled the number of sites on the City's Historic Sites Inventory (HSI). The HSI sites are allowed a wider array of preservation solutions, which include panelization and reconstruction; however Staff strongly feels this tool should remain as a last alternative.

In December, Council discussed adding an independent review/assessment for proposed reconstruction projects which will add not only time but additional costs to be borne by the property owner that does not apply to new construction. Staff believes the new Design Guidelines and the Historic District Design review process provide a process that will result in best practices for historic preservation, but it will take some time to see the results of the changes that have been made over the past three years.

Mr. Eddington explained the HPB has expressed an interest in having a more proactive role with regard to preservation and developed an action plan for 2011 which would: promote adaptive reuse; award recognition for historic preservation accomplishments; participate in joint sessions with Planning Commission to discuss possible amendments to the Land Management Code and General Plan; enhance communication; create incentive programs; and review and take action on all appeals by the Planning Department; and be involved in assessments of the Main Street National Register Historic District.

Mr. Eddington encouraged further discussion of issues that were discussed at the recent Council meeting, including: relocation/reorientation, panelization and reconstruction; design review team improvements; HPB involvement in Design Review for CADs or reconstruction proposals. He stated Staff recommended that the City Council and HPB discuss opportunities for the HPB to serve as the review body for Certificates of Appropriateness for Demolition (CAD), as well as designation of HPB as the hearing body for future CADs, or consideration of designating at least one member to the hearing body.

Sarah Werbelow explained she was the first HBP member to participate in the design review process and it had provided her the opportunity to understand the very structured process and how the current guidelines are carefully utilized. She felt it was too soon to make a judgment of the impact on the historic district. She felt HPB involvement with anything pertaining to demolition/reconstruction was critical. HPB members concurred with Ms. Werbelow's assessment of the design review process and supported their involvement in demolitions and reconstructions, including panelization.

Council members concurred that having another set of eyes looking at reconstruction and demolition was important and favored involvement of the Historic Preservation Board. They were cautious about creating an atmosphere of excessive regulation and stressed the importance of specificity regarding restoration versus reconstruction before moving forward.

HPB members agreed that the HPB should be a proactive entity and also concurred that the design guidelines were intended to be a fluid document.

Roger Durst shared his experiences as an outsider living in the Salt Lake City Avenues, a portion of which is an historic district. He noted the current guidelines contained numerous items of valuation that are subjective and he stressed the importance of viewing remedies in context so that we salvage the historic essence of our community.

Jeff Love, resident, relayed his experience with the application process which had been very lengthy. He realized that every historic structure has unique circumstances, and felt there were areas that could be streamlined. He felt the new guidelines were working, and had swung too far in the other direction and were too subjective, leaving the interpretation open for neighbors to challenge projects. He felt there were inconsistencies between the design guidelines and the Land Management Code. The Mayor encouraged Mr. Love to arrange a meeting with him.

The Mayor clarified that Council and HPB members were comfortable moving forward with the action plan recommendations. City Attorney Harrington suggested that Staff return with detailed recommendations and Staff could move forward with Land Management Codes amendments for review and approval.

V Reception

Mayor and Council joined Management Team members and Board and Commission members at a social reception.

February 4, 2011

VI Review of 2010 Successes & New Programs for 2011

Phyllis Robinson presented "Year in Review" focusing on the City's accomplishments in 2010. A similar presentation will be updated with Council goals for 2011 and available for presentations to the community, service and business organizations. Information collected from the departments will also be used in the 2011 Citizens Guide.

VII Financial Update & Budgeting for Objectives

Jed Briggs, Budget Analyst, discussed proposed monthly budget updates to Council which will demonstrate the City's overall General Fund expenditures compared to General Fund revenues throughout the fiscal year. The group discussed the updated long-range financial projections contained in the FIAR.

Bret Howser, Budget Manager, reviewed Staff's recommendations included in the FIAR update and requested discussion and direction from Council. Recommendations included: (1) curtailing level of service increases by instituting a "New Mission, New Money" policy which would offset expenditure growth by reallocating money within existing budgets, or by associating revenue, i.e. user fees, etc. to the expenditure; (2) revisiting the 2002 OTIS study with a discussion about debt and debt service; and (3) a reevaluation of the City's revenue and taxation policy, which could involve instituting regular, small property tax increases to keep up with inflation.

Council members recommended that Staff return with discussions regarding the impact of different scenarios for property tax increases. They felt it was wise to have a plan in place for worst case scenario, and also believed it provided an opportunity to frame conversations with the community. City Manager Bakaly stressed that Park City had tried to balance its debt so that both current and future residents shared the burden of the cost.

In addition to discussing revenue and taxation, Council also discussed BFO prioritization and directed Staff to return with a discussion of potential changes to levels of service in several programs during the budget process. Those areas included historic preservation, transit service to Salt Lake, snow removal, carbon reduction, water emergencies, environmental clean-up, permitting and current planning, and venture fund.

VIII Council Issues – Position Paper Review & Discussion Prioritization

Water System Update – Thayne's
Water Manager Kathy Lundborg informed Council of action taken to identify the cause of the November 2010 water quality advisory in the Thaynes Canyon water service area which resulted in discolored water and increased levels of thallium, arsenic, manganese and mercury. The analysis resulted in the prevailing theory that a change in water source reduced the scaling potential of the water. Water from Thiriot Spring is more corrosive than Judge Tunnel and Spiro Tunnel water and caused the scale to dissolve. Staff has issued a Request for Proposal to procure services of a water chemistry expert to review data, recommend additional data and advise on year round operational strategies to avoid similar conditions in the future. Pipe replacement is a worst case scenario and Staff is looking into bringing in a new source of water which has different water chemistry. She added that the Rockport pipeline was compete to the treatment plant and they expect substantial completion into town by the end of 2012.

Environmental Sustainability Update and Night Sky Ordinance
Environmental Sustainability Manager and Administrator Diane Foster and Tyler Poulson briefly reviewed 2010 accomplishments and introduced initiatives planned for 2011 which include Low Carbon Diet Community Outreach, Green Businesses Program, leverage grant funding and internal Revolving Loan Fund, and DOE grant funding. All of these are currently in the Strategic Plan or Save Our Snow Task Force Action Plan.

Andy Beerman commended the City on its leadership in environmentalism and suggested the next stage would be to increase business and community participation. The City should not only continue to lead, but should consider being an active facilitator.

Ms. Foster presented possible programs and requested Council discussion to determine whether they are interested in additional details on any of them. Council requested that Staff pursue the voluntary green building program and a plastic bag ban. Council suggested consideration of a Renewable Energy Mitigation Program (REMP) in the future and noted they were not interested in creation of a new non-profit and research on funding source for home energy audits.

Dark Skies
Environmental Sustainability Manager Diane Foster led a discussion on the various types of lighting and lighting fixtures in Park City. Lighting issues involve the community at large, not just the City, and Council suggested that Staff return with discussions about fixtures and cost estimates for a comprehensive lighting plan involving a multi-year phased approach.

Organizational Development Overview
Kimberli Leier, Human Resources Manager, explained improvements made to the Employee Portal. Utilizing existing technology, Staff created an internal resource system to help employees understand who and what we are from the first day they are here.

Economic Strategic Plan and High Altitude Training
Economic Development Manager Jonathan Weidenhamer discussed the recommended amendments to the Economic Development Strategic Plan and Council concurred: completion of market analysis and carrying capacity study; continue to define City's role in redevelopment; enhanced involvement in monitoring commercial mix on Main Street, and continued efforts to overhaul regulation of special events. Staff sought direction regarding conducting a feasibly analysis on convention and/or multi-use event space related to redevelopment of Bonanza Park and High Altitude Destination at the Park City Ice Arena. Council was interested in feasibility analysis on convention and/or multi-use, and recreation wants and needs and taking a broad look at high altitude training.

Communication and Outreach
Communications and Public Affairs Manager Phyllis Robinson reviewed the City's current communication tools and reviewed the timeline for implementation of the strategies.

2011 Construction Project Update
City Engineer Matt Cassel reviewed construction projects scheduled for 2011 and discussed potential impacts.

IX Goal Refinement & Board/Commission Liaison Assignments
Council members selected liaison assignments for the upcoming year. They reviewed the Quarterly Status report and set goals for 2011.

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

Prepared by Sharon Bauman, Deputy City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
MARCH 1, 2012

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6:10 p.m. at the Marsac Municipal Building on Thursday, March 1, 2012. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Diane Foster, Interim Assistant City Manager; and Mark Harrington, City Attorney.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Council question/comments. Liza Simpson thanked the City and County trails teams for Park City's designation as the World's First Gold Ride Center and is looking forward to promoting this accomplishment for mountain biking. Cindy Matsumoto reported on the Chamber Board meeting where transit was discussed and the Historical Society Board meeting where an update on educational programs was presented. Andy Beerman relayed that the used household fixture program from remodeled properties has become a significant profit source for Recycle Utah. The Board is planning on its likely move in the future and has set aside funding. Alex Butwinski commented on Public Art Board projects including pianos and rotating sculptures and spoke about the written exchanges regarding the Marsac Building tree sculptures and public art in general. It was pointed out for the benefit of Cindy Matsumoto that a discussion on Sundance parking will be scheduled at a future work session. The City's RAP Tax application was discussed. Ms. Matsumoto asked about Council's input on the placement of the pianos, especially since the Art Board and staff have different recommendations. Diane Foster explained that this matter will return to Council before moving forward. Mayor Williams briefly discussed the Coalition of Mayors against illegal Guns effort which is scheduled on work session on March 22.

2. Legislative update – Diane Foster explained that the open carry firearms revision bill is still problematic although it has been amended. It precludes public safety officials from having a discussion with someone with a rifle on Main Street, for instance. Open carry is currently legal in Utah but the way the law is written, precludes the discussion. The amendment now addresses this creating conflict with the law and the NRA has become involved. The Police Chiefs Association intends to present an amendment. HB104, local highway authority regulatory powers, deals with two topics anti-idling and the regulation of taxis based on age. The anti-idling portion precludes cities from enforcing idling on private property without written permission, which is less of a problem for Park City than Salt Lake. Currently, Park City provides that taxis be less than 10 years old unless they are ADA compliant, in which case they can be 15 years old. There is huge opposition, mainly because of Salt Lake's regulations which limit taxis to six years old or younger or 350,000 miles or less. She reported on billboard amendments. The GRAMA bill specifies that recordings of meetings be posted on the City's website or the state's website and this bill will likely move forward.

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

None.

IV WORK SESSION NOTES AND MINUTES OF FEBRUARY 2 AND FEBRUARY 16, 2012

Andy Beerman, "I move we approve the work session notes and minutes of February 2 and 16". Cindy Matsumoto seconded. Motion unanimously carried.

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

Discussion ensued on specific services provided by Ballard Sphar and those offered by Chapman Cutler and the fees charged for different types of bonds. Liza Simpson, "I move we approve the Consent Agenda". Alex Butwinski seconded. Motion unanimously carried.

1. Consideration of a Resolution approving an Automatic Aid Agreement with Summit County, in a form approved by the City Attorney – Approved.

2. Consideration to authorize staff to enter into a three year contract with Chapman and Cutler LLP for bond counsel services related to General Obligation and Water Bond issuances, in a form approved by the City Attorney – Approved.

3. Consideration to authorize staff to enter into a three year contract with Ballard Spahr LLP for bond counsel services related to Sales Tax Revenue and RDA Increment Bond issuance, in a form approved by the City Attorney – Approved.

VI ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 5 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Tom Daley, Deputy City Attorney; Joan Card, Environmental Regulatory Analyst; Diane Foster, Interim Assistant City Manager; Jim Blankenau, Environmental Regulatory Analyst; Jason Christensen, Environmental Regulatory Attorney; Thomas Eddington, Planning Manager; Katie Cattan, Planner; Nate Rockwood, Budget and Grants Analyst; Heinrich Deters, Trails Coordinator; Clint McAffee, Water Manager; and Mark Harrington, City Attorney. Liza Simpson, "I move to close the meeting to discuss property and litigation". Dick Peek seconded. Motion carried unanimously. The meeting opened at approximately 6:10 p.m. Liza Simpson, "I move to open the meeting". Andy Beerman seconded. Motion unanimously carried. The City Council again met in closed session after the adjournment of the regular meeting. Liza Simpson, "I move to close the meeting to discuss property and litigation". Alex Butwinski seconded. The meeting adjourned at approximately 7:15 p.m.

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

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
MARCH 8, 2012

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Diane Foster, Interim Assistant City Manager; Phyllis Robinson, Public Affairs Manager; Francisco Astorga, Planner; Max Paap, Special Events Manager; and Jon Weidenhamer, Economic Development Manager

Robin Marrouche, Katie Snyder and Chris Crowley, Kimball Art Center; Rick Anderson, HPCA

1. Council questions/comments. Liza Simpson reported on the Lodging Association meeting where Ski Butlers was recognized by the US Chamber as a Blue Ribbon Awardee. Little Feat will be performing on March 24 at the pond skimming event at The Canyons. She shared public input from a RAB meeting about creating an area for small dogs at the dog park. RAB is also supporting the memorial wall project. She thanked HR for its help with the Fire District on compensation and complained about the 10 o'clock whistle. Andy Beerman commented on the community recreation survey and the high use of the PC MARC. Dick Peek stated that the Board of Adjustment reviewed an application for a variance to build a single family dwelling on a lot 46 square feet shy of an Old Town lot, which was granted. Alex Butwinski suggested that members form a list of *study session* topics and suggested considering partnering with the University of Utah on planning projects. The Mayor welcomed KPCW reporter Lynn Weir and spoke about Les Maggots, a citizen group, who meets daily at Wasatch Bagels. He reported that John Yassi is retiring from the Mosquito Abatement District and he spoke about the recruitment process.

2. Legislative update. Diane Foster stated that this is the last day of the 2012 legislative session. She noted that the Governor has committed to cover removed funding from the DABC. On Monday the Chiefs of Police met with the firearms bill sponsor and the legislation has been amended so that officers can question an individual who is carrying, which is significant. She referred to HB104 which affects the City's anti-idling law and eliminates some regulations on taxis. The substitute bill has been softened but still affects Park City and anti-idling cannot be enforced on private property that is not publicly accessible. The City lost the 10 year old limitation on taxis but the ULCT has added a piece so that cities can inspect annually for condition of vehicle. The billboard amendments will be monitored because there is a substitute bill which is considered worse than other iterations and the primary concern is that the conversion to digital billboard is automatic, without conditions, so the Park Avenue billboard is eligible for automatic conversion without local control. Additionally, the billboard company can intentionally let a lease expire and it would become the city's responsibility to move the billboard to a location that the billboard company liked. If the billboard company does not agree with the location, the city is required to purchase the billboard. She stated that Park City was excluded as one of the entities involved in the resolution regarding the concept for interconnecting the seven resorts and the City is now included. The GRAMA bill passed the house and the senate. The transportation bill is back in the Senate.

3. Leadership ICMA. Diane Foster explained that ICMA provides a two year program for young executives who will help produce a strategic plan for Park City. The extent of the City's cost is covering travel expenses and a $5,000 stipend to ICMA. The idea is to create a 2030 Park City Strategic Plan that considers all of the information from Visioning, Council goals and the biennial plans. The work group was immersed in Park City on Monday, Tuesday and Wednesday and met stakeholders. All four participants will be meeting with Council on April 19 and it is hoped to have a draft plan in May.

4. 2012 Council goals and desired outcomes. Phyllis Robinson stated that this discussion is a follow-up to Visioning to confirm goals and biennial plans before they are finalized. Discussion ensued on scheduling a discussion on the future of the library and the building. Ms. Robinson guided members through the goals and targets and minor wording changes were made. The plan for the park and ride facility was discussed. Andy Beerman recalled support for identifying air quality as a priority which was added. Regional water action plan for solutions was added. Alex Butwinski stated that the Osguthorpe purchase is complete but it was pointed out that negotiated improvements have not been installed. Open space maintenance includes weed control. Regional water solutions were moved to long term issues and since the soil repository was listed twice it was decided to identify the project under capital. Ms. Robinson described the changes in the recreation/trails section regarding weed control and the cemetery and the action plan was refined. Osguthorpe *purchase* was changed to *improvements*. Dick Peek pointed out that golf course improvements have been approved. Staffing the PC MARC was changed to evaluating maintenance for the sports complex. The open space maintenance plan is listed in both action and long-term.

Ms. Robinson noted that recycling service levels and developing a tactical plan for interagency relations was added to regional collaboration. Maintaining a good relationship with the federal delegation was added to the long term plan. Diane Foster explained for the benefit of Alex Butwinski the addition of training for Council by attending conference, etc. Training on new technology was added to open and responsive government. The public safety biennial plan was added. Tom Bakaly spoke about members reviewing goals again for consistency in nomenclature and consolidating some of the priorities. This is a good start and will be a work in progress.

5. 2012 Kimball Art Center Arts Festival and debrief on Main Street deck dining. Francisco Astorga reported that there were no problems with the 2011 outdoor dining program which was considered a success. The program began in 2010 with three decks and grew to nine decks in 2011 but the Flanigan's deck was removed during the Art Festival because of a conflict with the operational plan. Staff is looking for policy direction from members on criteria and enforcement.

Max Paap explained his role in monitoring the City services contact with KAC which was signed in 2007 with a five year option for renewal which contemplated moving toward a three day festival. Every year there is the option of presenting a supplemental plan. For the most part, 2011 went very well with some changes to transit, the 9th Street entrance, and the decks. Staff will be working with KAC over the next several months to implement the same 2011 elements into this year's Festival. He elaborated on losing parking on Friday because of the dining decks and he spoke about contacting the School District about using its lots for Saturday and Sunday because PCMR fills up quickly.

Chris Crowley, Festival Director, explained that resort parking has been offered to KAC for free but not all of the parking is used because the resorts have things programmed for the weekend. He pointed out that Deer Valley has to have parking available for its concert series patrons and PCMR wants to preserve as much of its parking as possible for its programs. Ms. Matsumoto pointed out that the schools are not in session so their lots could be a good option. Mr. Crowley interjected that there are more large competing events than before and the parking KAC is utilizing is filling up hours earlier than in the past. Liza Simpson suggested activating the park and ride. Mr. Paap felt it could be an option but providing regular transit service to the park and ride lot would have to be discussed. Jon Weidenhamer felt confident that parking can be worked out and urged members to focus on policy.

In response to a question from Cindy Matsumoto, Francisco Astorga stated that the owners of all nine decks are interested this season and there have been no new applications to date, but there probably will be. It was explained that Flanigan's will need to remove its deck for the Art Festival again this year. The other eight decks are grandfathered and any new decks would have to be removed. Katie Snyder stated that eight decks pushes the operational plan to its max because booths were lost as well as sponsors who didn't like their new placement on the Street. Liza Simpson felt the KAC should always have veto power, but encouraged consideration of new locations that may work with the plan. Mr. Crowley clarified that KAC doesn't necessarily want veto power and will consider new deck locations but redrawing the street plan every year becomes a significant challenge. Andy Beerman referred working closely with the KAC in his former role on the HPCA and commended the KAC staff for their sensitivity and flexibility with the business community last year in arriving at a plan that works for everyone. KAC also worked with the restaurants to sell local food rather than bringing in outside vendors, opening earlier on Friday and staying open later on Saturday, and providing the locals Friday night. Ms. Marrouche noted that the Restaurant Association will partner with KAC this year.

Alex Butwinski recalled that members wanted to revisit deck fees, specifically the cost assessed for lost parking stalls. He relayed that a business owner asked if he could pay for a parking space in front of his business and not build a deck which was not supported by other members.

Ms. Simpson asked the dollar amount waived through the deck program and Francisco Astorga advised about $30,000. She noted that not all decks were removed at the end of the season by October 30 and urged staff to monitor the deadline.

Rick Anderson, HPCA, stated that the group would like up to 12 decks considered as a maximum for Main Street but support eight decks during the Arts Festival. With regard to fee waivers and free parking programs, Jon Weidenhamer explained that the City is not losing money on its parking program but is at the point where not much more can be given away. In response to a question from Ms. Matsumoto, Mr. Astorga explained that owners are not charged a business license fee for additional exterior deck space. She understood that members agreed last year to provide reduced parking fees with an opportunity to review them again and Alex Butwinski agreed. Ms. Simpson also agreed and added that there was interest in making outdoor dining a success and it might be time to take the *training wheels* off. Mr. Astorga spoke about the Building Department getting officially involved with enforcement with clearer criteria.

The Mayor summarized consensus to be that the decks will be limited to eight during the Art Festival and 12 the rest of the year and he affirmed the City's on-going commitment to work with KAC on minimizing impacts. Jon Weidenhamer stated that staff is recommending not changing fees but will follow-up with Council. Andy Beerman agreed with keeping the fees the same for this year but after this year, staff should meet with the HPCA to discuss where the breaking points are and what makes sense. There may be an alternative opinion if the City cannot do any more free parking days, benefitting 250 businesses versus eight businesses. Ms. Simpson pointed out that if decks are limited to 12, they will become more valuable and it would be reasonable to charge higher fees. The Mayor stated that it is fine if the City is breaking even on parking, but if we're going in the red, the program needs to be better balanced. Cindy Matsumoto stated that she is not in favor of raising the rates significantly but felt the Council should revisit this issue this year. The Mayor felt this has been accomplished tonight and asked if there needs to be more follow-up and a majority of members wanted to discuss deck fees again. Francisco Astorga explained that it would have to occur before May when leases are renewed.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
MARCH 8, 2012

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, March 8, 2012. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; and Joan Card, Environmental Regulatory Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Phyllis Robinson advised Council that a Thaynes Neighborhood Meeting will be held at the Santy Auditorium at 6 p.m. next Thursday on water quality.

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

None.

IV NEW BUSINESS

1. Consideration of an Ordinance approving the First Amended Ridgepoint at Deer Valley Condominium Plat located at Ridgepoint Lane at Woodland Drive near Royal Street, Park City, Utah – The Mayor opened the public hearing; there were no comments from the audience. The Mayor requested a motion to continue. Dick Peek, "I so move". Andy Beerman seconded. Motion unanimously carried.

2. Consideration to authorize staff to execute an amendment to the Professional Services Agreement with Brown and Caldwell in an amount not to exceed $87,000, in a form approved by the City Attorney – Andy Beerman asked if there is money set aside and the amount. Joan Card explained that there is no line item for this project. During the permit process with the state, it became apparent that the City needed to know more about the Spiro Tunnel water shed, especially downstream. The state does not have much information about Spiro and she spoke about blending water to meet standards but this is not possible without understanding the stream well. The other purpose is a potential site specific standard and since there are fish in the stream it is considered relatively healthy but may not be meeting water quality standards set in the regulations. However, a site specific standard can be formulated recognizing that the stream is healthy. It is a complex water quality model and this contract initiates the analysis.

Liza Simpson, "I move we authorize staff to execute an amendment to the Professional Services Agreement with Brown and Caldwell in an amount not to exceed $87,000, in a form approved by the City Attorney". Cindy Matsumoto seconded. Motion unanimously carried.

V ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3:30 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Jon Weidenhamer, Economic Development Manager; Diane Foster, Interim Assistant City Manager; Thomas Eddington, Planning Manager; Tom Daley, Deputy City Attorney; and Mark Harrington, City Attorney. Alex Butwinski, "I move to close the meeting to discuss property and litigation ". Andy Beerman seconded. Motion carried unanimously. The meeting opened at approximately 4:30 p.m. Liza Simpson, "I move to open the meeting". Andy Beerman seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott, City Recorder

City Council
Staff Report

Subject:	**Payday, Lucky John, and Monitor** **Culvert Replacement Project Construction Agreement**
Author:	**Sayre Brennan, Engineering**
Date:	**March 22, 2010**
Type of Item:	**Administrative**

Summary Recommendations:
The City Council should consider authorizing the City Manager to execute a construction agreement for the replacement of the Pay Day Drive, Lucky John Drive, and Monitor Drive culverts with Morgan Asphalt Inc. in a form approved by the City Attorney and in an amount of **$65,953.00.**

Topic/Description:
Culvert replacements for Pay Day, Lucky John, and Monitor Drive are required due to their inability to handle run-off and storm water flows such as experienced during the spring runoff in 2011 and the high maintenance associated with the culverts. Their inability to handle runoff and storm water flows created flooding on city streets and on neighboring properties. This not only threatens to damage private and public property, but also requires the Streets Department to deploy sandbags and labor which in turn converted to lost time, labor, and operating expenses.

Replacing these culverts will increase their capacity to handle run-off and storm water and reduce the possibility of flooding on city streets and private property. These construction improvements will include following tasks: grading, concrete gutter, sidewalk, and asphalt repair, pipe Installation, landscaping and construction management.

The Council has approved funding for this project as follows:
Capital Project 0256 (Storm Water Improvements) contains $100,000 and Capital Project 0260 (Monitor and Lucky John Drainage) contains an additional $65,000.

Background:
The culverts at Payday Drive, Lucky John Drive, and Monitor Drive have been an on-going yearly problem for the Streets Department. Usually during the spring run-off the culverts either cannot carry all the water and/or debris clogs the culverts causing water to back-up into the streets and often onto private property.

Alliance Engineering was hired in the spring of 2011 to design solutions for the culverts. Alliance was selected because they have the expertise required for this project, they have survey capabilities, which is critical for properly locating the culverts and they are a local firm. In addition to working with Park City Staff, Alliance Engineering consulted with Stanley Consultants, who are working on the Storm Water Master Plan, to determine the correct storm water flows to size the culverts and thus develop the best solution.

In the fall of 2011, staff bid for the three projects as individually projects. Only one bid was received and was several hundred thousand dollars. Due to the high cost and the shortened construction time left in the season, staff felt that it would best meet the City's needs by putting the three projects together and rebid them in the late winter. The RFP was rebid on February 13^{th}, 2012 and bids were submitted on March 7^{th}, 2012. The attached map shows the locations of the three culverts to be replaced.

Analysis:
Alliance Engineering and staff advertised to obtain competitive bids for the replacement of culverts on Pay Day, Lucky John, and Monitor Drive. The project was advertised in the Park Record and the Salt Lake Tribune. Bids were received on March 7^{th}, 2012 and six bids were received.

COMPANY	BID AMOUNT
Morgan Asphalt	**$65,952.00**
Utah Home Building Co.	**$76,950.00**
Wolff Excavating, Inc.	**$81,513.00**
SCI, INC.	**$87,885.00**
Lyndon Jones	**$110,605.00**
Geary Construction	**$132,730.00**

All bids submitted were reviewed and compliant with the terms of the Contract Documents.

Department Review:
This report has been reviewed by Public Works, Legal, and the City Manager's office. All issues have been resolved.

Alternatives:

A. **Approve the Request:**
This is the staff's recommendation.

B. **Deny the Request:**
The failed/undersized culverts and the flooding associated with these culverts would not be corrected which would then require the Streets Department to continue to reactively address the flooding problems.

C. **Continue the Item:**
If the Council needs more information the item can be continued, but this could probably impact the contractor's ability to complete the reconstruction this season.

D. **Do Nothing:**
This option would make it impossible to complete the construction in a timely manner.

Significant Impacts:

The replacement of these culverts will impact the adjacent residents and local traffic. Coordination before and during construction with the adjacent residents will not eliminate the impacts but should greatly help the situation. It is planned that Lucky John Drive and Monitor Drive will be completed before the spring run-off season. Payday Drive will be done after the run-off season. The funds for the 2012 construction have already been appropriated, as mentioned above, so there are no budget impacts which the Council hasn't already approved.

Consequences of not taking the recommended action:
By not taking the recommended action, the three culverts will most likely not be able to handle runoff. Its affect will be felt by the neighboring home owners, traffic, and time, material, and labor costs for the Streets Department.

Recommendation:
The City Council should consider authorizing the City Manager to execute a construction agreement for the replacement of the Pay Day Drive, Lucky John Drive, and Monitor Drive culverts with Morgan Asphalt Inc. in a form approved by the City Attorney and in an amount of **$65,953.00**

Exhibits – Project Map

Culvert Replacement Projects 2012.
Pay Day, Lucky John, & Monitor Drive

City Council
Staff Report

Subject:	**Professional Services Contract for Form Based Code and Traffic Study in Bonanza Park**
Author:	**Katie Cattan, Senior Planner Thomas Eddington, Planning Director**
Department:	**Planning**
Date:	**March 22, 2011**
Type of Item:	**Administrative**

Summary Recommendations:
The Council should consider authorizing the City Manager to sign the Service Provider/Professional Services Agreement with Gateway Planning and associated subconsultants for professional services related to the preparation of a Form Based Code (FBC) and traffic analysis in the amount of $141,500 in a form to be approved by the City Attorney.

Topic/Description:
Park City is requesting a Form Based Code (FBC) to implement the Bonanza Park Area Plan. The resulting FBC will be the Zoning Code for future development in the Bonanza Park District. The FBC will ensure that redevelopment projects incorporate mixed use, authentic building form, and create the desired public realm. This contract will result in a proposed Form Based Code meant to supersede (either entirely or in part) the present zoning ordinance and other local land development regulations that currently apply to the Bonanza Park District.

The Bonanza Park Area Plan proposes a new grid system for the redevelopment area. Prior to adoption of the Area Plan by the City Council, the new grid plan requires a traffic analysis both internally to the redevelopment area and externally with the interface to the arterial highways on three (3) sides of the district. This is a critical component to the Bonanza Park Area Plan. The contracted firm will also have to coordinate with the consultants preparing the multi-modal corridor study for SR 224 (Dan's to Jan's) along the edge of the redevelopment area. A Phasing Plan for implementing the new grid pattern will be required.

Background:
The Park City Planning Department created a draft long-range plan for the Bonanza Park District of Park City. This plan was reviewed by City Council and the Planning Commission on January 12, 2012 during a joint meeting. Staff committed at that time to return with outside consultant information that would allow the General Plan to be completed by October 15, 2012. Please see the significant impacts section of this report for that analysis. A grid pattern consisting of new and existing rights-of-way was

proposed. A traffic analysis of this pattern internal to the District and its many interfaces with the bordering arterial State Highways is proposed as part of this contract.

In order to implement the draft Bonanza Park Area Plan, amendments to the existing Land Management Code (LMC) must be made to introduce a Form Based Code for the area. The goal is to maintain the community vision and authenticity within the district via the application of a Form Based Code.

The scope of this work encompasses the following:

1. Initial review and analysis

a. ***Site Analysis.*** The Consultant will become familiar with the physical details of the Bonanza Park District and the historic patterns of urbanism and architecture in the surrounding region. The consultant will utilize the Bonanza Park Area Plan as the foundation for the new Form Based Code. Much of the preliminary work has been completed within the Plan;the draft code should build off the principles established within the Plan. The draft Bonanza Park Area Plan is available online at parkcity.org → government → document central → planning.

b. ***Traffic Analysis.*** The Consultant will review the grid-based pattern proposed in the Bonanza Park Area Plan. The Consultant will prepare a traffic analysis using ITE standards (or equivalent) to examine internal and external trip generation for a mixed use development pattern. The District is bordered on three sides by arterial State Highways. The interface between the District and the Highways is critical to multi-modal transportation efficiency (e.g. vehicular, transit, pedestrian and bicycle). A study of the SR 224 Corridor is ongoing. The Consultant's work will be coordinated into this Corridor Study as a possible alternative. It is expected that recommendations for physical improvements (e.g. one-way streets, right turn only, MUTCD signs, street parking versus access to underground or surface parking, etc.) be included. A traffic model for Park City was created in the City's new Transportation Plan for use by the City with development projects. Use and "tweaking" of this model is expected.

c. **Code Workshop.** Two (2) Day workshop. The two-day code workshop to establish the design parameters of the form-based code based on background assessment, staff meetings, and stakeholder/property owner meetings. Develop form based code framework including a regulating plan framework by the end of the code workshop.

2. Drafting the Form-Based Code

a. ***Design Parameters for the Form-Based Code.*** The new mandatory code will regulate development to ensure high-quality public spaces defined by a variety of building types and uses including housing, retail, and office space. The new code will be based off of the guiding document - the draft Bonanza Park Area Plan. The new code will incorporate a regulating plan, building form standards, street standards (plan and section), use regulations as needed, descriptive building or lot types, and other elements needed to implement the principles of functional and vital urbanism and practical management of growth. Sections of this document would typically include the following:

- Overview, including definitions, principles, and purpose, as well as, explanation of the regulations and process in clear user-friendly language. Draft a Regulating Plan (a schematic representation of the master plan) that applies the Bonanza Park Plan illustrating the location of streets, blocks, and public spaces. Regulating plans shall include aspects of Building Form Standards such as “build-to-lines” or “required building lines” and building type or form designations. Regulating Plans shall include recommendation for a new minimum lot size for further subdivision of large lots.
- The district has been identified as a “locals” live/work commercial district within the Bonanza Park Plan. The Form Based Code will also blend use allowances to ensure future use is in line with the vision.
- Building Form Standards governing basic building form, placement, and fundamental urban elements to ensure that all buildings complement neighboring structures, the streets, and the views. These standards should be based upon study of building types appropriate for the region, climate, and neighborhood vitality. Illustrations must be included in the building form standards. This should include visual standards for design that create design guidelines/architectural standards to be followed within the district. Creating authenticity is a principal within the Bonanza Park Plan. Techniques should be incorporated into the building form standards to create authenticity in redevelopment.
- Public Space/Street Standards defining design attributes and geometries that balance the needs of motorists, pedestrians, bicyclists, and transit riders while promoting a vital public realm. These standards should include design specifications for sidewalks, travel lane widths, parking, curb geometry, trees, and lighting. Emphasis on parking locations and parking management standards shall be included. Recommendations have been made within the Bonanza Park plan. The selected firm will evaluate proposed street standards and recommend any changes. Creating authenticity is a primary principal within the Bonanza Park Plan. Techniques should be incorporated into the public space/street standards to create authenticity in redevelopment.
- All aspects of the FBC shall promote best environmental practices with a goal of being LEED ND compliant.
- Compliance with Utah zoning enabling legislation, specifically including UCA 10-9a-505, 10-9a-507, and 10-9a-509.

b. ***Integration of the Form-Based Code***. The Form Based Code must be integrated into Park City’s existing regulatory framework, the Land Management Code (LMC), in a manner that insures procedural consistency, meshes with state and local legal requirements, provides clarity as to applicability of existing regulations, and maximizes the effectiveness of the code.

3. Refining the Form-Based Code

a. ***Presentation of First Draft.*** The Consultant will present the first draft of the Form Based Code for the purpose of gathering comments. Copies of the first draft will need to be in hardcopy and digital form and posted on the website. The presentation may be made to the Planning Commission, in the form of a work session public meeting with input from the public including neighborhood residents or stakeholders.

b. ***Presentation of the Second Draft*****.** After making revisions in response to comments on the first draft, the Consultant will present the second draft of the form based code at a public meeting regular session in front of the Planning Commission meeting. This meeting shall be well publicized and encourage stakeholders to attend. It is expected that within the approval process, two (2) rounds of revisions (3 meetings) may be necessary in front of the Planning Commission and one round of revisions (2 meetings) may be necessary in front of the City Council.

c. ***Meetings with Stakeholders*****.** The Consultant will attend and participate in up to five (5) additional meetings with key stakeholders to explain the details of the new code and obtain further input and comments. These are not public meetings and no notice will be required.

4. Approval process

a. ***Public Hearing Presentations.*** The consultant will make formal presentations to the Planning Commission for recommendation and the City Council for adoption. These meetings will occur on separate nights. As stated above, it is anticipated that within the approval process, two (2) rounds of revisions (3 meetings) may be necessary in front of the Planning Commission and one round of revisions (2 meetings) may be necessary in front of the City Council.

b. ***Additional Revisions*****.** The hired firm will be responsible for collecting comments, questions, and suggestions for these refinements from various sources and consolidating them into a series of action items for revision or responses.

5. Training Park City Planning Department. Following adoption, the consultant shall schedule a one day (8 hour) training for the Park City Planning Department staff for the newly adopted code.

<u>Timing</u>

Within the RFP, Staff outlined an aggressive timeline for the completion of the form based code. The following is the timeline published within the RFP:

Time Table of Important Dates

- City Council review of Contract: March 22, 2012
- Presentation to Planning Commission: May 9th, 2012 work session
- Planning Commission - 1st draft May 23rd, 2012 public hearing
- Planning Commission - recommendation June 13th, 2012 public hearing
- City Council - 1st review June 21st, 2012 work session

- City Council - Possible adoption — June 28th, 2012 public hearing
- Staff training — July 2012

During the interviews of the three finalists, each of the teams brought to our attention that the timeline outlined for the adoption of the FBC was extremely aggressive and not attainable. The reasons for this are 1) the time necessary to prepare for, notice, and meet with the community initially for a workshop, 2) to allow adequate time in between meetings for revisions, and 3) to ensure quality product that is not rushed. Based on these comments the time table has been readjusted with Gateway Planning as follows:

- Code Workshop — Week of April 30th – May 4th
- Draft code to Planning Staff — mid-June
- Presentation to Planning Commission: includes public open house and meet with key stakeholders — June 27th, 2012 work session
- Planning Commission 1st draft: — July 11th or 25th
- Planning Commission 2nd draft: recommendation to CC — August 8th
- City Countil: 1st review — August 30th
- City Council final review — September 6th.
- Staff training — September of 2012.

<u>Funding</u>

Staff anticipates that two thirds of the funding will come from the Planning Department and one third-third from the Transit Fund.

Analysis:

A review committee consisting of Thomas Eddington, Kayla Sintz and Katie Cattan (Planning), Brooks Robinson (Public Works) and Matt Cassel and Sayre Brennan (Engineering) evaluated seven submitted proposals from the Teams as listed below (planning firm + transportation firm):

FIRM	COST
Gateway Planning + Parson-Brinckerhoff/Interplan	$141,500
Farr Associates + Fehr & Peers	$ 96,696
The Planning Center/DC&E + Hales Engineering	$ 88,007
Torti Gallas and Partners, Inc + Nelson Nygard	$199,500
Design Workshop + Fehr & Peers	$114,610
IBI Group/Elliot Workgroup + Hales Engineering	$ 91,091
PlaceMakers LLC + Nelson Nygard	$100,000

The review committee evaluated each firm according to a list of criteria including approach to the project, planning and design experience with Form Based Codes, quality of work on similar projects, strength of individual firm members, experience with public process, and transportation expertize. Each proposal included the estimated number of hours and the proposal cost. Costs ranged from $88,007 to $199,000. The committee interviewed the top three (3) bidders based on the aggregate scoring.

The selection committee determined that the team headed by Gateway Planning was the best choice for providing professional services to the City on this project. The Gateway Planning bid was preferred for their experience and qualifications, the quality of work shown in multiple examples of previously adopted Form Based Codes, a mid-level cost compared to all submittals, the number of hours anticipated, and the fulfillment of all criteria listed in the RFP.

The application of Form Based Code by Gateway Planning is unique in that in creates character zones within a district, rather than zones based solely on the ratio of density to open space. This approach to creating a form based code will implement the vision of the City's residents and stakeholders with a focus on maintaining authenticity and how buildings relate to the public realm. The work produced by Gateway Planning was especially thorough, which will result in less staff time and Planning Commission review of projects in the long run.

The final scope of services and fee were negotiated with Gateway Planning from $163,340 to $141,500. Based on these negotiations, the cost proposal was reduced 13% while maintaining the full scope of work, with additional public outreach including a two (2) day workshop. The 2-day code workshop will establish the design parameters of the form-based code based on background assessment, staff meetings, and stakeholder/property owner meetings. This step is imperative to community collaboration and success of the Form Based Code.

With respect to some of the benefits of the process of working with Gateway Planning, they have identified the following within their proposal:

- Coding in resort environments and downtowns where land values are high and infrastructure contexts are complex, making redevelopment difficult;
- Integrating sustainability elements in response to community priorities;
- Refining the master plan to be market sensitive and creating a code that incorporates incentive mechanisms for development densities;
- Aligning the design regulation of private development standards with complete streets maximize walkable urbanism, while supporting the integrity of a multimodal network;
- Bringing together transit operations and evolving parking management needs directly with desired development outcomes through a properly calibrated regulating plan and code;
- Utilizing the form-based approach to facilitate value capture and public-private partnerships for needed infrastructure investment; and
- Developing the code uniquely for the project rather than asking the City's project to fit within the consultant's formulaic code approach.

Department Review:
This report has been reviewed by Public Works, Sustainability, the City Manager, and Legal.

Alternatives:

A. Approve the Request:
This is the staff's recommendation.

B. Deny the Request:
Staff would have to re-advertise the project which would delay the Plan.

C. Continue the Item:
If the Council needs more information the item can be continued.

D. Do Nothing:
This option is the same as denying the request.

Significant Impacts:
The new code will replace the current zoning regulations in the Bonanza Park District.

Consequences of not taking the recommended action:
The following projects have been funded by the Planning Department for the General Plan:

Natural Resource Inventory	$12,105
Balanced Growth Study	$53,582
Year Round Economic Generator Study	$ 8,650
Total	$74,337

In addition to the studies, the Planning Department has allocated staff resources as follows:

- One full time Senior Planner working 100% of time on General Plan – Katie Cattan
- Contract position for a Senior Planner to fulfill work of full time employee – Mathew Evens
- GIS intern – Charlie Brennan
- 20% of all Planning Staff time dedicated to General Plan (8 hours per week)

The completion date for the General Plan was pushed back due to the Bonanza Park Area Plan being prioritized. The General Plan is scheduled to be presented to the Planning Commission and City Council by October 15, 2012. Staff is on schedule to have the new general plan completed by this date.

If staff were to create a Form Based Code without a consultant, it is estimated that the document would take a minimum of eight to ten months. The timing is due to the complexity of creating an FBC, amount of public outreach, and the associated graphics and mapping work. With current staffing, if staff were to create the FBC internally, the General Plan would have to be put on hold an additional eight to ten months resulting in completion in June 2013 at the earliest. By contracting Gateway Planning, the General

Plan will be completed by October 15, 2012, and the FBC will be adopted in September, allowing developers to submit applications under the new code.

If Council chose to do nothing and the Form Based Code were not created, the current zoning (General Commercial and Industrial) will remain in the district. There is currently little oversight on design and place-making within the public realm currently. This would impact implementing the local, community based vision emphasized in the Bonanza Park Area Plan.

Recommendation:
The Council should consider authorizing the City Manager to sign the Service Provider/Professional Services Agreement with Gateway Planning for professional services related to the preparation of a Form Based Code and traffic study for Bonanza Park.

Exhibit A: SCOPE

1. Initial review and analysis
a. ***Site Analysis.*** The Consultant will become familiar with the physical details of the Bonanza Park District and the historic patterns of urbanism and architecture in the surrounding region. The consultant will utilize the Bonanza Park Area Plan as the foundation for the new Form Based Code. Much of the preliminary work has been completed within the Plan; the draft code should build off the principles established within the Plan. The draft Bonanza Park Area Plan is available online at parkcity.org → government → document central → planning.

b. ***Traffic Analysis.*** The Consultant will review the grid-based pattern proposed in the Bonanza Park Area Plan. The Consultant will prepare a traffic analysis using ITE standards (or equivalent) to examine internal and external trip generation for a mixed use development pattern. The District is bordered on three sides by arterial State Highways. The interface between the District and the Highways is critical to multi-modal transportation efficiency (e.g. vehicular, transit, pedestrian and bicycle). A study of the SR 224 Corridor is ongoing. The Consultant's work will be coordinated into this Corridor Study as a possible alternative. It is expected that recommendations for physical improvements (e.g. one-way streets, right turn only, MUTCD signs, street parking versus access to underground or surface parking, etc.) be included. A traffic model for Park City was created in the City's new Transportation Plan for use by the City with development projects. Use and "tweaking" of this model is expected.

c. **Code Workshop.** Two (2) Day workshop. The two-day code workshop to establish the design parameters of the form-based code based on background assessment, staff meetings, and stakeholder/property owner meetings. Develop form based code framework including a regulating plan framework by the end of the code workshop.

2. Drafting the Form-Based Code
a. ***Design Parameters for the Form-Based Code.*** The new mandatory code will regulate development to ensure high-quality public spaces defined by a variety of building types and uses including housing, retail, and office space. The new code will be based off of the guiding document - the draft Bonanza Park Area Plan. The new code will incorporate a regulating plan, building form standards, street standards (plan and section), use regulations as needed, descriptive building or lot types, and other elements needed to implement the principles of functional and vital urbanism and practical management of growth. Sections of this document would typically include the following:

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- The district has been identified as a “locals” live/work commercial district within the Bonanza Park Plan. The Form Based Code will also blend use allowances to ensure future use is in line with the vision.
- Building Form Standards governing basic building form, placement, and fundamental urban elements to ensure that all buildings complement neighboring structures, the streets, and the views. These standards should be based upon study of building types appropriate for the region, climate, and neighborhood vitality. Illustrations must be included in the building form standards. This should include visual standards for design that create design guidelines/architectural standards to be followed within the district. Creating authenticity is a principal within the Bonanza Park Plan. Techniques should be incorporated into the building form standards to create authenticity in redevelopment.
- Public Space/Street Standards defining design attributes and geometries that balance the needs of motorists, pedestrians, bicyclists, and transit riders while promoting a vital public realm. These standards should include design specifications for sidewalks, travel lane widths, parking, curb geometry, trees, and lighting. Emphasis on parking locations and parking management standards shall be included. Recommendations have been made within the Bonanza Park plan. The selected firm will evaluate proposed street standards and recommend any changes. Creating authenticity is a primary principal within the Bonanza Park Plan. Techniques should be incorporated into the public space/street standards to create authenticity in redevelopment.
- All aspects of the FBC shall promote best environmental practices with a goal of being LEED ND compliant.
- Compliance with Utah zoning enabling legislation, specifically including UCA 10-9a-505, 10-9a-507, and 10-9a-509.

b. ***Integration of the Form-Based Code***. The Form Based Code must be integrated into Park City’s existing regulatory framework, the Land Management Code (LMC), in a manner that insures procedural consistency, meshes with state and local legal requirements, provides clarity as to applicability of existing regulations, and maximizes the effectiveness of the code.

3. Refining the Form-Based Code

a. ***Presentation of First Draft.*** The Consultant will present the first draft of the Form Based Code for the purpose of gathering comments. Copies of the first draft will need to be in hardcopy and digital form and posted on the website. The presentation may be made to the Planning Commission, in the form of a work session public meeting with input from the public including neighborhood residents or stakeholders.

b. ***Presentation of the Second Draft*.** After making revisions in response to comments on the first draft, the Consultant will present the second draft of the form based code at a public meeting regular session in front of the Planning Commission meeting. This meeting shall be well publicized and encourage stakeholders to attend. It is expected that within the approval process, two (2) rounds of revisions (3 meetings) may be necessary in front of the Planning Commission and one round of revisions (2 meetings) may be necessary in front of the City Council.

c. ***Meetings with Stakeholders*****.** The Consultant will attend and participate in up to five (5) additional meetings with key stakeholders to explain the details of the new code and obtain further input and comments. These are not public meetings and no notice will be required.

4. Approval process

a. ***Public Hearing Presentations.*** The consultant will make formal presentations to the Planning Commission for recommendation and the City Council for adoption. These meetings will occur on separate nights. As stated above, it is anticipated that within the approval process, two (2) rounds of revisions (3 meetings) may be necessary in front of the Planning Commission and one round of revisions (2 meetings) may be necessary in front of the City Council.

b. ***Additional Revisions*****.** The hired firm will be responsible for collecting comments, questions, and suggestions for these refinements from various sources and consolidating them into a series of action items for revision or responses.

5. Training Park City Planning Department. Following adoption, the consultant shall schedule a one day (8 hour) training for the Park City Planning Department staff for the newly adopted code.

City Council
Staff Report

Subject:	**First Amended Ridgepoint at Deer Valley Condominium plat**
Author:	**Mathew W. Evans, Senior Planner**
Date:	**March, 22 2012**
Project Number	**PL-11-01328**
Type of Item:	**Administrative – Amendment to Condominium Plat**

Summary Recommendations

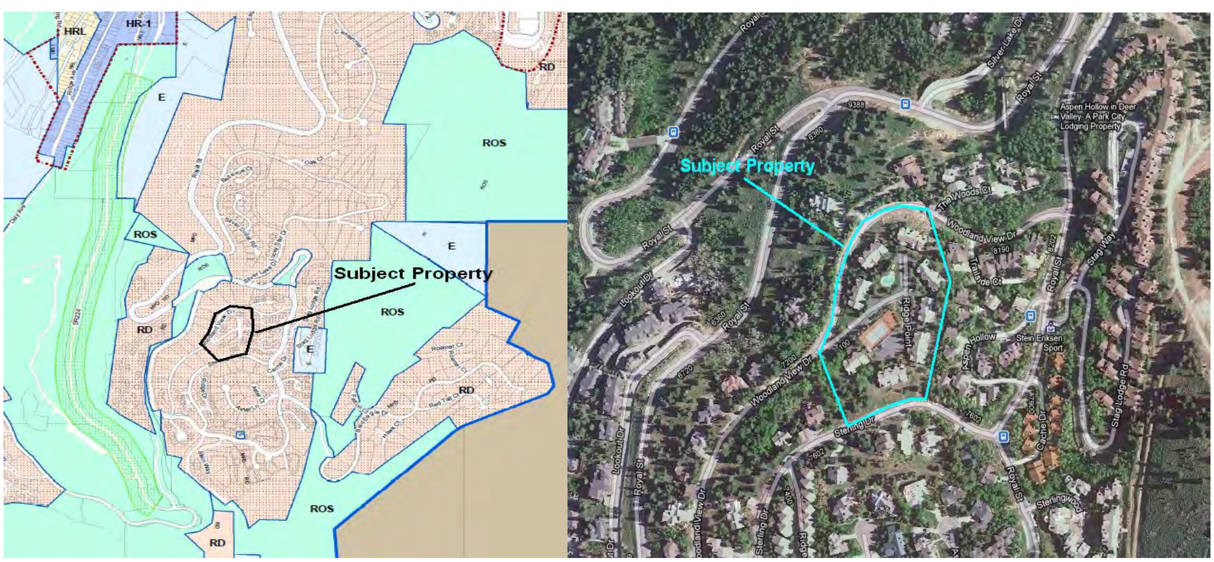
Staff recommends the City Council hold a public hearing for the First Amended Ridgepoint at Deer Valley Condominium Record of Survey Plat and approve the same based on the findings of fact, conclusions of law and conditions of approval as found in the attached ordinance.

Topic

Applicant:	Ridgepoint Homeowners Association represented by Marshall King of Alliance Engineering
Location:	Ridgepoint Lane @ Woodland Drive near Royal Street
Zoning:	Residential Development (RD) District with Master Planned Development (MPD) Overlay Zoning Districts
Adjacent Land Uses:	Single-Family Residential and Open Space

Background

On August 16, 2011, the City received a completed application for the Ridgepoint at Deer Valley amended condominium plat. On February 22, 2012, the Planning Commission held a public hearing and took public hearing and voted unanimously to recommend approval for the Ridgepoint at Deer Valley Plat Amendment as presented.



The Ridgepoint at Deer Valley Condominium Plat is located generally at Ridgepoint Lane and Woodland Drive near Royal Street. The property is located within the Residential Development (RD) District with Master Planned Development (MPD) overlay subject to the Deer Valley MPD. The plat, as recorded in 1985, is a 38 unit condominium development located adjacent to the Stag Lodge Condo's, The Cottages, and the Evergreen Subdivision within the Deer Valley Master Planned Development.

On July 11, 2011, the elected Trustees of the Ridgepoint Association at Deer Valley certified that there was a greater than 2/3rds majority of owners voted in the affirmative approving the proposed amendment.

On February 22, the Park City Planning Commission held a public hearing and took public comment on this item, and voted unanimously to recommend approval of the Ridgepoint at Deer Valley plat amendment based on the findings of fact, conclusions of law and conditions of approval as found in attached ordinance.

Proposal:

The applicants are proposing to convert "Limited Common Ownership" to "Private Ownership" in 26 of the 38 units. The purpose of the conversion of ownership is to allow the owners of the 26 units to enclose the front entryway into the homes. Since the recording of the original plat, several owners have enclosed these areas where a covered entry way was present. Not all units have covered entry ways, and thus would not be affected by this proposal. The purpose of the application is to bring the current configuration of several units into compliance with the recorded plat. This proposal will also give the owners who have not yet enclosed their entry ways, the ability to do so legally. The proposal does not include an increase in footprint since the covered walkways are included within the footprint calculations. However, the amendment would increase the total square footage of habitable living space within 26 of the 38 units by 16-48 square feet.

Analysis

Staff finds good cause for this plat amendment. Originally, 26 of the 38 units were built to have recessed front entry ways with an outside storage space closet on the landing outside of the front door. This amendment will allow the owners of those units to incorporate these areas into the living space of the unit. The change in the plat basically allows the owner to extend the doorway into the unit at the front of the landing. The outside storage closet becomes a part of the interior of the home, and can function more like a coat closet.

Several of the owners have already converted these areas proposed to be converted to "Private Ownership". Recently the City noticed this practice at Ridgepoint and told the owners that a plat amendment would be necessary, as well as building permits or else they would have to remove the improvements. The homeowners have agreed to the amendment, and the homeowners association petitioned the City for the change to consider these limited common areas as private ownership. These areas are not shared entrances, but are used solely by the owners of each individual unit. Converting these areas to private ownership will not adversely affect access to any of the units within the project and will provide more security for these closet/storage areas.

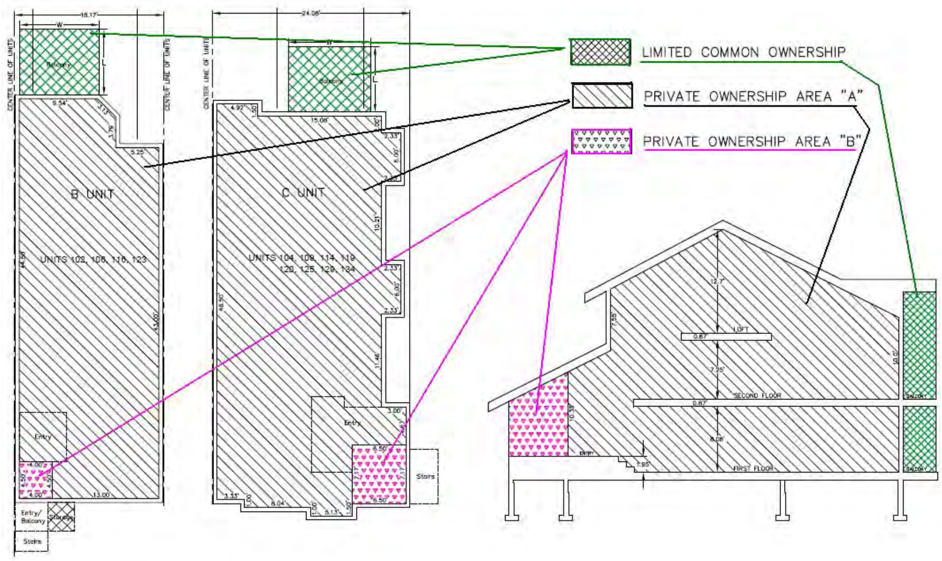
The entry areas proposed to be enclosed range in size from 16-48 square feet depending upon the plan. It is estimated that a total of 926 square feet will be converted from “limited common ownership” to “private ownership.” Staff conducted a physical inspection of each unit’s entry to determine which units have been converted. Staff noted that Units 101, 105, 129 and 130 have had their limited-common entry ways converted to into living space, and one unit had been partially converted (wall built where railing once was). A check of building permit applications at these addresses shows that each owner has been in contact with the Building Department regarding the work to fill-in these doorway areas. Three permits are shown as previously “denied” and one permit shows “at risk until plat amendment approved”. It is the Building Department’s policy to charge double the fee for after-the-fact building permits. Also, an addition to the square footage might also result in additional impact fees depending upon the square footage for each. This will be determined by the Building Department at the time when the permit for each unit is issued.

The plat amendment will not change the footprint of the building, and will not cause any nonconformities for maximum allowed home size, setbacks, height, or otherwise. The project is located within the RD Zone designation. The proposal does not violate any of the lot or building requirements in the RD Zone, nor do they violate the Deer Valley MPD in terms of allowed density because Ridgepoint was allocated at total number of units and the number of units is not changing.

The proposed changes do not increase the parking requirement for the overall development. Section 15-3-6(A) requires that condominium units between 1,000 and 2,500 square feet have two (2) off-street parking spaces. Each unit within the Ridgepoint development has two parking spaces, one surface parking space, and one covered parking space located below the recreation area.

The applicants are also proposing to address a “clean-up” issue associated with the back patios/decks of the same units. Currently these areas are shown as “balcony” on the recorded Ridgepoint plat. The term “Balcony” although accurate in its description, does not designate the use of the space. This amended plat will show these areas as “limited common ownership.” The plat amendment does not enlarge the balcony/patio areas as shown on the original plat; these areas cannot be converted to habitable living space, and are simply for the enjoyment of the individual owners of each unit.

There are no other proposed changes to the buildings or the amenities. The changes proposed shown in color on the attached amended record of survey for pages 2 and 3 of the Ridgepoint at Deer Valley Condominiums. This proposal does allow for the physical changes to the buildings as a result of the condo plat amendment, although the footprint does not change. Each owner is responsible to obtain the property Building Permits to enclose the entry way areas that the Plat Amendment will show as “Private Ownership”.



Process
The approval of this application by the City Council constitutes Final Action that may be appealed to District Court within 30 days.

Department Review
This project has gone through an interdepartmental review including City Manager, Water Department and Legal. Any issues raised by the Development Review Committee (DRC) have been addressed, and/or will be corrected prior to the recording of the final plat. Issues initially raised by the DRC have been incorporated into the current plans.

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

Public Input
No public input has been received by the time of this report; public input may be taken at the regularly scheduled Planning Commission public hearing.

Alternatives

- The City Council may approve the Ridgepoint at Deer Valley Plat Amendment as proposed.
- The City Council may deny the plat amendment and request staff to prepare findings of fact for this decision, or
- The City Council may continue the discussion to a date certain and provide the applicant and staff direction on additional information or changes needed to make a decision.

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

Consequences of not taking the Suggested Recommendation
The plat as recorded will remain, the areas converted from limited common ownership to private, without approval, will not be recognized and no building permits will be issued in the future to allow owners to correct existing issues or to incorporate the limited common entry way areas, and the balcony areas will remain named as such rather than "limited common ownership" as proposed.

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

Exhibits
Ordinance
Exhibit A – Proposed Amended Plat
Exhibit B – Existing Recorded Plat
Exhibit C – Color Photo's
Exhibit D – Draft Minutes from Planning Commission

Ordinance No. 12-

AN ORDINANCE APPROVING THE FIRST AMENDED RIDGEPOINT AT DEER VALLEY CONDOMINIUM PLAT LOCATED AT RIDGEPOINT LANE AT WOODLAND DRIVE NEAR ROYAL STREET, PARK CITY, UTAH.

WHEREAS, the owners of the property located at approximately Ridgepoint Lane at Woodland Drive have petitioned the City Council for approval of the First Amended Ridgepoint at Deer Valley Plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on February 22, 2012, to receive input on the First Amended Ridgepoint at Deer Valley Record of Survey Plat; and,

WHEREAS, the Planning Commission, on February 22, 2012, forwarded a positive recommendation to the City Council; and,

WHEREAS, the City Council held a public hearing on March 22, 2012; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the First Amended Ridgepoint at Deer Valley Record of Survey Plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The First Amended Ridgepoint at Deer Valley Record of Survey Plat as shown in Attachment A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:
1. The property is located at approximately Ridgepoint Lane at Woodland Drive.
2. The property is within the Residential Development (RD) District with Master Planned Development (MPD) Overlay, subject to the Deer Valley MPD.
3. The Plat Amendment allows a total of 926 square feet of “limited common space” to be converted to private ownership in 26 of the 38 units and would allow the front entry ways of each eligible unit to be enclosed.
4. The proposed amendment to the record of survey plat allows the area marked as “balcony” to be re-labeled as “limited common” area.
5. The Trustees of the Ridgepoint Homeowners Associated have given unanimous consent to the proposed plat amendment.

6. The Homeowners Association voted 91% affirmative to approve the proposed change with none of the affected owners voting not to amend.
7. The proposed plat amendment will not cause any nonconformities or noncompliance with the Residential Development (RD) Zone Designation or the Deer Valley MPD as there is no increase in the total number of units or the building footprint, setbacks, or building height.
8. Although the proposed amendment will increase the habitable living spaces for 26 of the 38 units, the amended plat will not require additional parking because none of the units will exceed 2,500 square feet, which is the maximum square footage allowed before the parking standard increases from two-spaces per unit to three-spaces per unit.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The approval of this plat amendment does not automatically permit the owners of Ridgepoint at Deer Valley the right to incorporate the newly revised private ownership areas as living space. Each individual owner shall be required to obtain the necessary Building Permits from the Building Department before any construction to enclose the entry areas can commence.
4. Patio and deck areas shown as "limited common ownership" are not to be converted to living space, nor are additional structures, including new roof covers, etc. allowed within these areas. The limited common ownership of deck and patio space is specifically for the personal enjoyment of each individual owner directly in back of unit as shown on the amended plat, and subject to normal maintenance and repair as deemed appropriate by the Homeowners association.

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

PASSED AND ADOPTED this 22nd day of March, 2012.

PARK CITY MUNICIPAL CORPORATION

____
Dana Williams, MAYOR

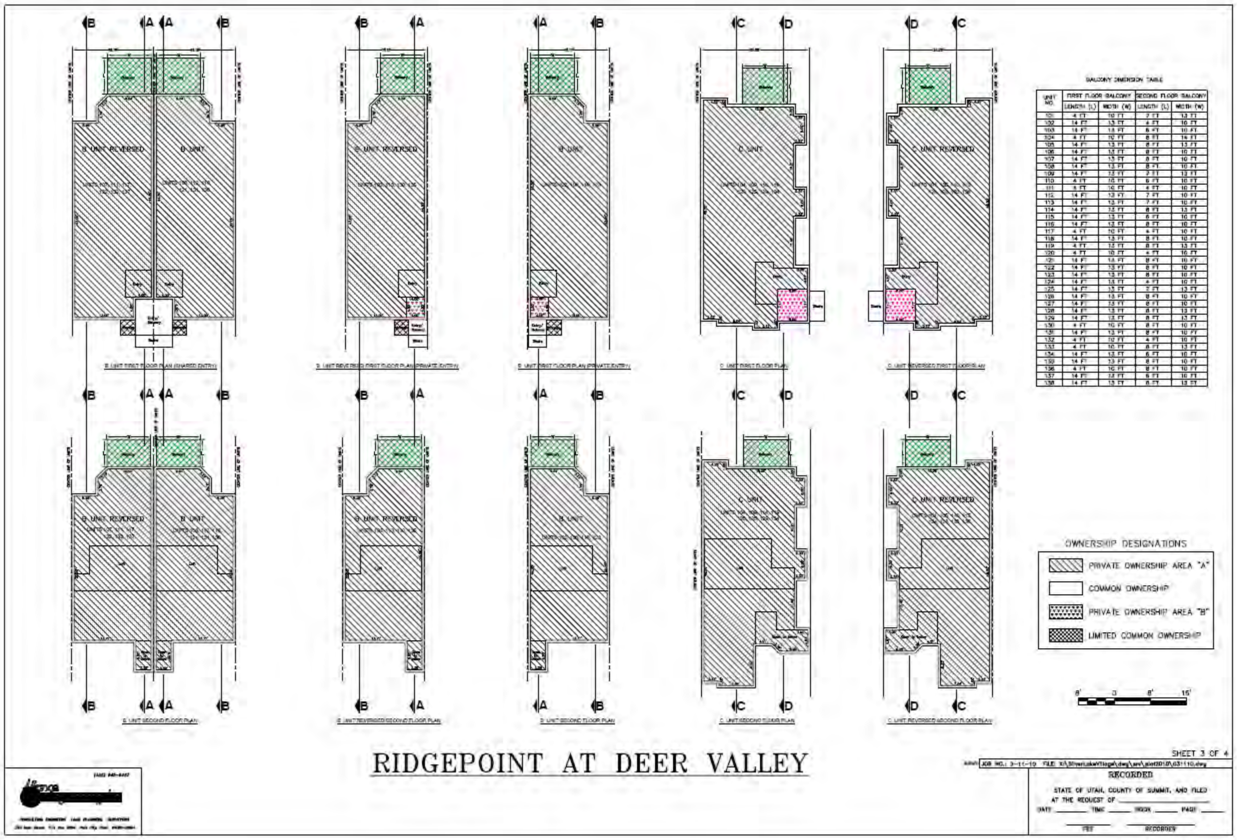
ATTEST:

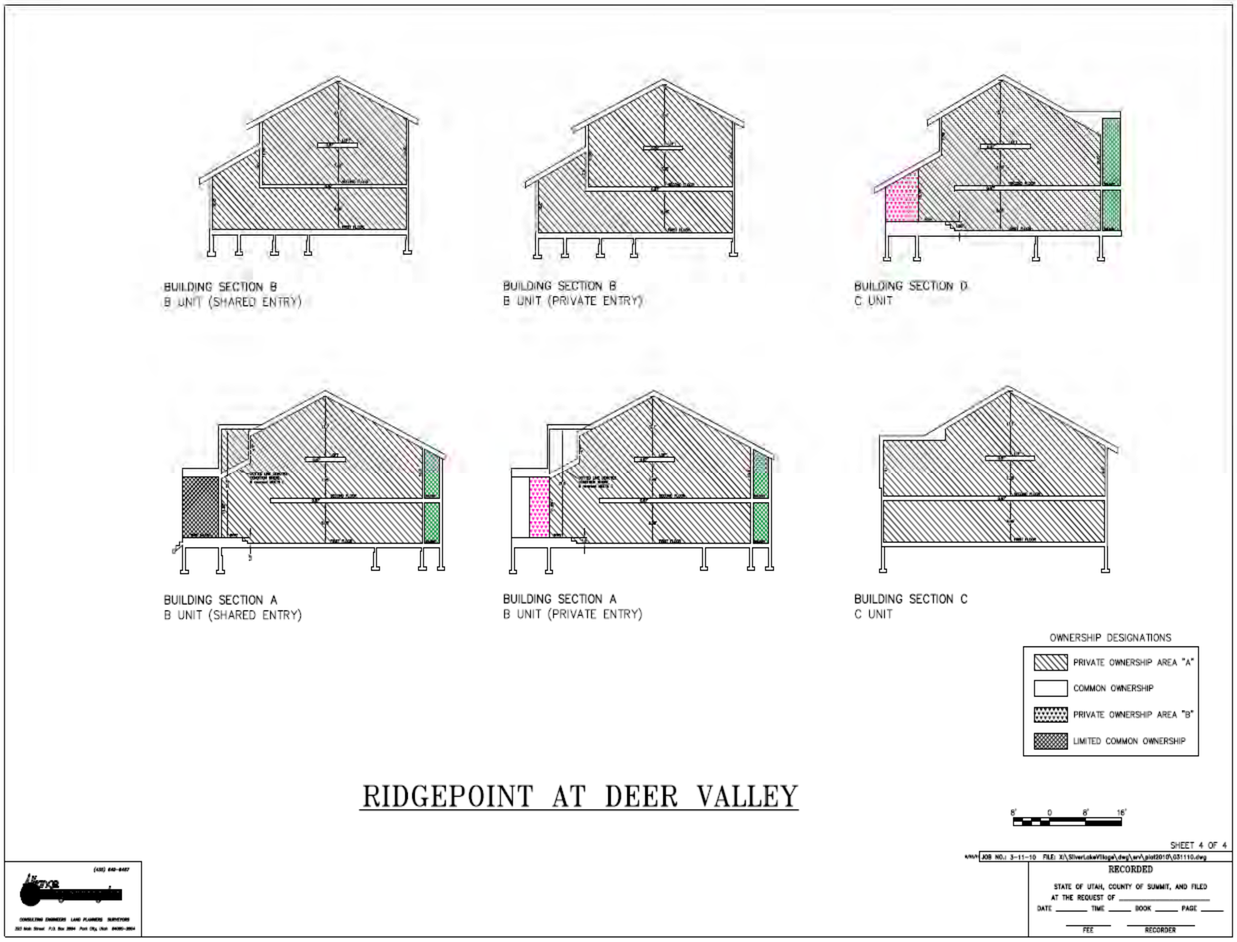
____
Jan Scott, City Recorder

APPROVED AS TO FORM:

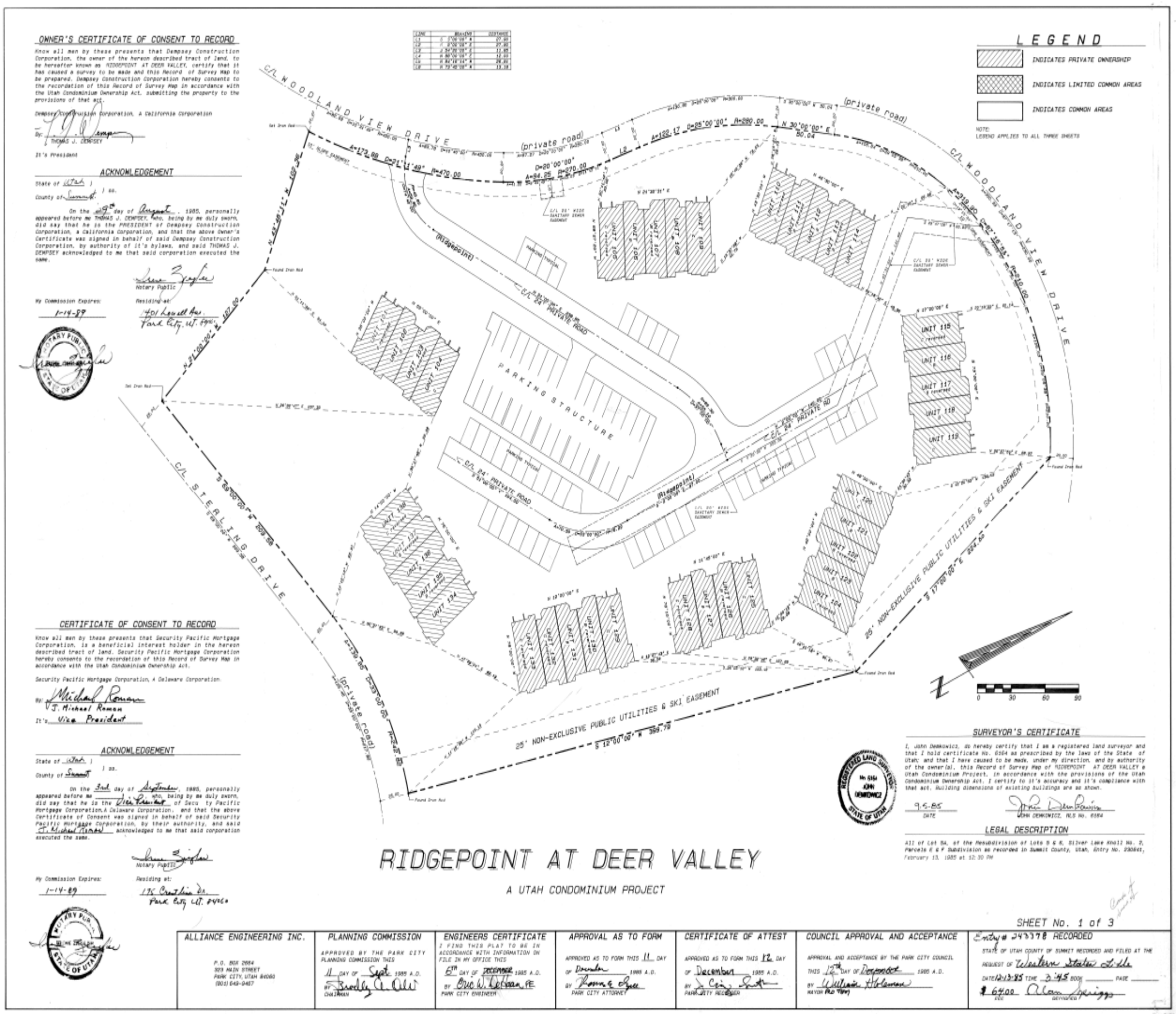
____
Mark Harrington, City Attorney

Attachment A – Proposed Amended Plat




BUILDING SECTION B
B UNIT (SHARED ENTRY)
BUILDING SECTION B
B UNIT (PRIVATE ENTRY)
BUILDING SECTION D
C UNIT
BUILDING SECTION A
B UNIT (SHARED ENTRY)
BUILDING SECTION A
B UNIT (PRIVATE ENTRY)
BUILDING SECTION C
C UNIT
OWNERSHIP DESIGNATIONS
PRIVATE OWNERSHIP AREA "A"
COMMON OWNERSHIP
PRIVATE OWNERSHIP AREA "B"
LIMITED COMMON OWNERSHIP
RIDGEPOINT AT DEER VALLEY
SHEET 4 OF 4
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF
DATE TIME BOOK PAGE
FEE RECORDER

Attachment B – Recorded Plat



NOTES

1. Plans and dimensions on this plat were compiled from Architectural Drawings prepared by Barry A. Berkus A.I.A, Santa Barbara, California.
2. Interior dimensions are to unfinished surfaces.
3. All structural components are designated as common areas.
4. All physical features and improvements not shown are designated as common areas.
5. Refer to Condominium Declaration for complete description of ownership.
6. BENCHMARK: Street Monument at the intersection of Sterling Drive and Royal Street East. Elevation 8115.64 .
7. The Declarant hereby grants a sanitary sewer easement, as shown on sheet 1 of 3. of this record of survey plat, to the Snyderville Basin Sewer Improvement District, its successors and assigns, of Summit County, Utah. Said easement being the right to construct, improve, operate, replace, repair and maintain sanitary sewer pipes across or under said easement and a right to access thereto across or under the herein described tract of land along any reasonable route with the provision that said district repair any damage in executing said right.
8. The Snyderville Basin Sewer Improvement District shall not be responsible for the operation, maintenance, repair or replacement of the 4- and 6-inch sanitary sewer lines. The Ridge Point Homeowner's Association shall be responsible for the 4- and 6-inch lines.

UNIT / FLOOR ELEVATION TABEL

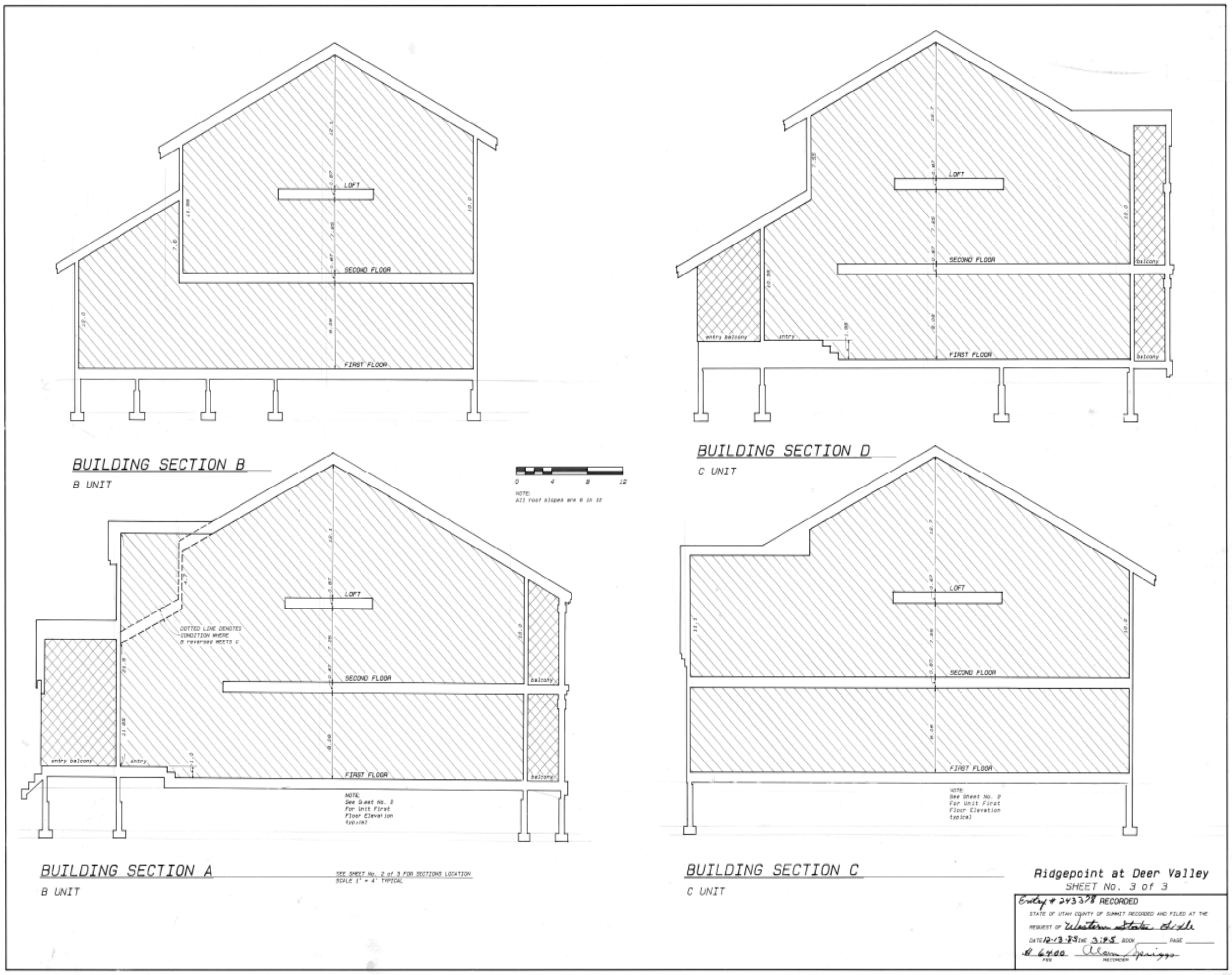
ALL C UNITS ARE 2137 SQ. FT.
ALL B UNITS ARE 1576 SQ. FT.

UNIT NO.	STREET ADDRESS	UNIT TYPE	FIRST FLOOR ELEVATION (Sea Level)
101	7896 Ridgepoint	C reversed	8083.5
102	7902 Ridgepoint	B	8083.5
103	7908 Ridgepoint	B reversed	8083.5
104	7914 Ridgepoint	C	8083.5
105	7981 Ridgepoint	C reversed	8085
106	7987 Ridgepoint	B	8085
107	7993 Ridgepoint	B reversed	8085
108	7999 Ridgepoint	B	8085
109	8005 Ridgepoint	C	8085
110	8011 Ridgepoint	C reversed	8080.5
111	8017 Ridgepoint	B reversed	8080.5
112	8023 Ridgepoint	B	8080.5
113	8029 Ridgepoint	B reversed	8080.5
114	8035 Ridgepoint	C	8080.5
115	8041 Ridgepoint	C reversed	8063
116	8047 Ridgepoint	B	8063
117	8046 Ridgepoint	B reversed	8063
118	8040 Ridgepoint	B	8063
119	8034 Ridgepoint	C reversed	8063
120	8028 Ridgepoint	C	8073
121	8022 Ridgepoint	B	8073
122	8016 Ridgepoint	B reversed	8073
123	8010 Ridgepoint	B	8073
124	8004 Ridgepoint	C reversed	8073
125	7998 Ridgepoint	C	8077.5
126	7992 Ridgepoint	B reversed	8077.5
127	7986 Ridgepoint	B	8077.5
128	7980 Ridgepoint	C reversed	8077.5
129	7974 Ridgepoint	C	8087.5
130	7968 Ridgepoint	B reversed	8087.5
131	7962 Ridgepoint	B	8087.5
132	7956 Ridgepoint	B reversed	8087.5
133	7950 Ridgepoint	C reversed	8087.5
134	7944 Ridgepoint	C	8098.8
135	7938 Ridgepoint	B reversed	8098.8
136	7932 Ridgepoint	B	8098.8
137	7926 Ridgepoint	B reversed	8098.8
138	7920 Ridgepoint	C reversed	8098.8

NOTE:
All elevations are to finished surfaces

Ridgepoint at Deer Valley
SHEET No. 2 of 3

Entry# 243378 RECORDED
STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE
REQUEST OF Western States Title
DATE 12-13-95 TIME 3:45 BOOK ______ PAGE ______
$ 64.00 FEE Alan Spriggs RECORDER


LOFT
SECOND FLOOR
FIRST FLOOR
BUILDING SECTION B
B UNIT
LOFT
SECOND FLOOR
balcony
entry balcony
entry
FIRST FLOOR
balcony
BUILDING SECTION D
C UNIT
0 4 8 12
NOTE:
All roof slopes are 6 in 12
DOTTED LINE DENOTES
CONDITION WHERE
B reversed MEETS C
LOFT
SECOND FLOOR
balcony
entry balcony
entry
FIRST FLOOR
balcony
NOTE:
See Sheet No. 2
For Unit First
Floor Elevation
typical
BUILDING SECTION A
B UNIT
SEE SHEET No. 2 of 3 FOR SECTIONS LOCATION
SCALE 1" = 4' TYPICAL
LOFT
SECOND FLOOR
FIRST FLOOR
NOTE:
See Sheet No. 2
For Unit First
Floor Elevation
typical
BUILDING SECTION C
C UNIT
Ridgepoint at Deer Valley
SHEET No. 3 of 3
Entry # 243378 RECORDED
STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE
REQUEST OF Western States Title
DATE 12-13-85 TIME 3:45 BOOK ____ PAGE ____
$ 64.00 Alan Spriggs
FEE RECORDER

Shared entry/side-by-side units as constructed - Amended Plat results in no changes to these units

Side-entry unit as constructed

Side-entry unit as modified to incorporate original limited common entry-area

Individiual entry-way as constructed

Individual entry-way as modified to incorporate a portion of limited common area

City Council
Staff Report

Subject:	**North Silver Lake Lot 2B – Appeal of Planning Commission decision to approve one-year extension**
Author:	**Mathew W. Evans, Senior Planner**
Date:	**March 22, 2012**
Project Number	**PL-12-01474**
Type of Item:	**Quasi-Judicial Appeal**

PARK CITY 1884 PLANNING DEPARTMENT

Summary Recommendations
Staff recommends the City Council hold a quasi-judicial hearing on an appeal of the Planning Commission action to approve an extension of the Conditional Use Permit for the North Silver Lake Lot 2B development and consider upholding the approval based on the findings of fact, conclusions of law and conditions of approval.

Topic

Applicant:	Lisa Wilson, Neighboring Property Owner
Location:	North Silver Lake Subdivision Lot 2B
Zoning:	Residential and Resort
Adjacent Land Uses:	Single-Family Residential and Open Space
Reason for Review:	Appeals of Planning Commission decisions to approve or deny Conditional Use Permits are heard by the City Council

Background
Under the Deer Valley Resort Master Plan Development (MPD) the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial and support space. The Deer Valley MPD requires that all developments are subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the conditional use review of LMC Section 15-1-10.

Conditional Use Permit
The original CUP application was before Planning Commission on five different occasions (August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009). During the July 8, 2009 review, the Planning Commission approved the application with a three to one vote. One Commissioner abstained.

On July 17, 2009, the neighboring property owners submitted an appeal of the Conditional Use Permit (CUP) approval for development of the North Silver Lake Subdivision Lot 2B. The City Council reviewed the appeal on October 15, 2009 and again on November 12, 2009. During the November 12, 2009 meeting, the City Council remanded the CUP application to the Planning Commission with specific items to be addressed.

The Planning Commission reviewed the remand during two work sessions on November 11, 2009 and January 13, 2010 and two Planning Commission regular agenda meetings on March 10, 2010 and April 28, 2010 to address specific findings of the City Council. The Planning Commission approved the revised conditional use permit with a four to one vote on April 28, 2010.

The approval was appealed by two separate parties. On May 7, 2010, Eric Lee submitted an appeal on behalf of property owners in the neighborhood and on May 10, 2010, the City received an additional appeal from Ms. Lisa Wilson. The City Council reviewed both appeals on June 24, 2010. All parties stipulated to additional condition of approval #19 that “no lockouts are permitted within this approval”. The Council did not find merit in the notice issues, the compatibility of revised design or other issues raised in Ms. Wilson’s appeal. The Council added an additional requirement of an opportunity for neighborhood input prior to approval of the phasing plan(s), but found that the Planning Commission adequately addressed the issues of the remand. Accordingly, the City Council affirmed and denied in part the Planning Commission’s decision to approve the North Silver Lake Lot 2B Conditional Use Permit. The City Council findings were ratified on July 1, 2010. The conditional use permit approval included a condition that the approval would expire on July 1, 2011 if no building permits are issued within the development.

First Extension

The Land Management Code Section 15-1-10(G) allows for two extensions of an approved conditional use permit. On March 17, 2011, the Planning Department received a Request for Extension of the Conditional Use Permit approval. The Planning Director reviewed the extension request, staff analyzed the application as provided within the administrative staff report, and the public input was considered. On April 28, 2011, the Planning Director approved the Extension of the Conditional Use Permit for an additional year as conditioned.

The Planning Director’s approval of the extension was appealed by Ms. Lisa Wilson and on June 8, 2011 the Planning Commission held a public hearing to consider the appeal. After hearing testimony from the appellant, the property owner, and staff, the Planning Commission, reviewed the matter de novo and rendered a decision to uphold the Planning Director’s decision and grant the extension of the Conditional Use Permit to July 1, 2012.

On June 20, 2011, the City Council received a written appeal of the Planning Commission’s final action of June 8, 2011, upholding the Planning Director’s decision to approve an extension of the Conditional Use Permit for the North Silver Lake Lot 2B development. On July 21, 2011, the appeal was heard by the City Council, who held a quasi-judicial hearing before voting unanimously to uphold the Planning Commission’s decision to uphold the Planning Director’s issuance of an extension of time for the July 1, 2010 Conditional Use Permit. Because the appeal to uphold the Planning Director’s Decision was decided on July 21, 2011, the extension of the Conditional Use Permit was extended to July 21, 2012.

The building department had previously collected a bond to ensure that the existing impacts of the site will be repaired at the time of first CUP extension. The landscape plan includes re-vegetating the disturbed area including top soil and native grasses, planting eighteen (18’) new trees that vary in height from 10 to 12 feet, and installing an irrigation system for the establishment of the grass and ongoing watering of the new trees. This work was completed by July 1, 2011 and complies with the July 1, 2010 City Council conditions of approval. The applicant will continue watering the trees and vegetation this summer as required.

Second Extension

On October 27, 2011, Staff received a complete application to extend the CUP for an additional year, and on January 11, 2012, the Planning Commission heard the applicants request for an additional and final one-year extension from July 21, 2012 to July 21, 2013. After a public hearing, the Planning Commission voted 4-0 to approve the request for the one-year and final extension to the original CUP for North Silver Lake, Lot 2B.

Appeal
On February 9, 2012, the City received a written appeal (Exhibit A - Appeal) pursuant to Chapter 15-1-18(A) of the Land Management Code. The appeal is of the Planning Commission final action of January 11, 2012, granting an extension of the Conditional Use Permit for the North Silver Lake Lot 2B development from July 21, 2012 to July 21, 2013.

Standard of Review
Per LMC Section 15-1-18(C) any final action by the Planning Commission on a conditional use permit may be appealed to the City Council. The City Council shall act in a quasi-judicial manner (e.g.) a "quasi-judicial act" is defined as a judicial act, which is performed by someone who is not a judge. As such, Council members are barred from "ex parte" communications (pre-hearing influence or communications, etc.) outside of the appeal hearing.

LMC Section 15-1-18(G) requires that the City Council shall review factual matters "de novo" (new/anew) and it shall determine the correctness of the decision of the Planning Commission in upholding the Planning Directors determination in his interpretation and application of the land use ordinance. Any matters not related to the CUP extension review, are not applicable to this appeal.

The City Council may affirm, reverse, or affirm in part and reverse in part the appeal based on written findings of fact, conclusions of law, and conditions of approval, if any, supporting the decision. Final action by City Council may be appealed to District Court.

Analysis of the CUP extension application
Within the Land Management Code Section 15-1-10(G), "**The Planning Commission may grant an additional one (1) year extension (of the Conditional Use Permit) when the Applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request. Change of circumstance includes physical changes to the Property or surroundings":**

1. No change in circumstance that would result in an unmitigated impact.
Planning Commission found that there is no new submittal of plans. The previously submittal matches the approved July 1, 2010 set of plans. There has been no change in circumstances to the site or the plans that would result in unmitigated impacts.

2. Would result in a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request. **Planning Commission found that t**he applicable sections of the Land Management Code and the Park City General Plan have not been modified since the July 1, 2010 approval; therefore there are no new findings of non-compliance with either document.

The Landscaping which was required as a condition of approval of the original approval for the Conditional Use Permit was completed prior to July 1, 2011 and condition of approval #18 of both the July 1, 2010 CUP and the Planning Director's decision to extend the expiration date one year have been met. Staff has visited the site periodically over the past few months and has confirmed that the landscaping requirements have been met. There is still bonding in place to remediate the area that was previously excavated. If no building permit is issued prior to the expiration of the Conditional Use Permit, the applicant will be required to fill in the previously excavated area, and the bond monies would be released once the work is completed. If the work is not completed by the applicant, the City would hire someone to perform such work and use the bond monies deposited with the City for that purpose.

Appeal

Per LMC Section 15-1-18(F) an appeal must have a comprehensive statement of all the reasons for the appeal, including specific provisions of the law, if known, that are alleged to be violated by the action taken. The Appellant, Lisa Wilson, has provided a written appeal which is attached hereto as Exhibit “A”.

The applicant’s appeal is basically a series of questions rather than point-by-point statements regarding the provisions of the law that are alleged to be violated by the Planning Commission in its June 8, 2011 approval of a request for an extension of the CUP. Many of the points made in the appeal by the applicant are outside of what the Planning Commission can legally consider under LMC Section 15-1-10(G).

Staff’s analysis is based on the aforementioned Land Management Code Section 15-1-10(G). Staff’s has previously analyzed the code based on the aforementioned requirements necessary for granting the extension. Staff understands that the applicant’s questions and reasoning for the appeal as found in Exhibit A have been addressed during previous appeals, or are not relevant to the request for an extension of the CUP approval. However, the applicant does bring up two issues in the appeal which the Staff can address (from the attached appeal):

#5. Tom Boone, adjacent property owner and within 300 feet, did not receive a notice to extend the NSLL permit. Tom Boone has been instrumental in keeping interested neighbors informed. He also helped in hiring a law firm on behalf of the homeowners to protect property rights. Why was no notice of the Planning Meeting to extend the NSLL permit sent to Tom Boone?

#6. Lot 2B was posted for the Planning meeting. The City's January calendar had no Planning Meeting scheduled. Why was no Planning Meeting scheduled on the City calendar on the City's web site on the date the NSLL CUP was extended? Bob Dillon, attorney for the homeowners, looked at the City Calendar on the web site and was unaware of a January Planning Meeting. I told Dillon about the sign posted on Lot 2B after running into him at the post office the day before the extension meeting. (See Jan 2012 Calendar enclosed)

In item #5 above the appeal state’s “*Tom Boone, adjacent property owner and within 300 feet, did not receive a notice to extend the NSLL permit.”* Mailing notice is required 14 days prior to the meeting. The applicant for the Conditional Use Permit is required to provide the city a list of property owners within 300 feet of the subject property, and include stamped and addressed envelopes. The applicant received a list from their title company of all owners within the required 300 foot radius. Title Companies routinely provide property owner information and lists to applicants for required mailings. Mr. Boon’s name does not appear on that list provided by the applicant. If Mr. Boone’s name is not on the list, either he does not own property within 300 feet; or his name is not on the title of property within 300 feet; or there was an error by the Title Company who compiled the information. Furthermore, the property was noticed by posting a City notification sign on the Site, and a notice was placed in the Park Record, and both were done three weeks in advance of the hearing which exceeds the requirements of State law and the Land Management Code, which again, states that a 14 day noticing period is required.

The applicant further states in appeal item #6: “*Lot 2B was posted for the Planning meeting. The City's January calendar had no Planning Meeting scheduled.”* This issue was explained to the applicant by Patricia Abdulla, Planning Analyst, who posts the Planning Commission meetings on-line. The calendar only shows a "tentative" meeting schedule and items do not appear on the calendar until the day the agenda and Staff Reports are sent out to the Planning Commission which is typically the Friday before the meeting. This has been the practice of the City since the calendar was put on the City's website. It should also be noted that the appellant, Ms. Wilson, was in attendance at the meeting and was aware of the meeting beforehand.

Process
The decision on this application by the City Council constitutes Final Action that may be appealed to District Court within 30 days.

Notice
The noticing requirements of LMC Section 15-1-21 have been met for the appeal.
The property was posted prior to the seven (7) day notice requirement for the date set for the appeal, noticing was sent to all parties who received mailed notice for the original administrative action seven (7) days prior to the hearing, and the agenda was published in a newspaper of local circulation once seven (7) days prior to the hearing.

Public Input
No public input has been received by the time of this report; public input may be taken at the regularly scheduled City Council public hearing.

Alternatives

- The City Council may affirm the Planning Commission's decision to approve the North Silver Lake Lot 2B CUP extension in whole or in part as conditioned or amended; or
- The City Council may remand the matter back to the Planning Commission with direction on specific items; or
- The City Council may reverse the Planning Commission's decision and deny the North Silver Lake Lot 2B CUP extension in whole or in part and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the appeal of the North Silver Lake CUP extension.

Recommendation
Staff recommends the City Council hold a quasi-judicial hearing on an appeal of the Planning Commission action to approve an extension of the Conditional Use Permit for the North Silver Lake Lot 2B development and consider upholding the approval based on the findings of fact, conclusions of law and conditions of approval.

Findings of Fact:
1. The subject property is at 7101 North Silver Lake Drive. This property is also known as Lot 2B of the North Silver Lake Subdivision.
2. The proposed development is located within the Deer Valley Master Plan Development.
3. Within the Deer Valley Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial and support space.
4. The North Silver Lake Subdivision Lot 2B is 5.96 acres in area.
5. The Deer Valley Master Planned Development (MPD) requires that all developments are subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the conditional use review of LMC chapter 15-1-10.
6. The property is located in the Residential Development zoning district (RD) and complies

with the Residential Development ordinance.

7. The property is within the Sensitive Lands Overlay Zone and complies with the Sensitive Lands Ordinance.
8. The Planning Commission held public hearings on the original CUP on August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009 and approved the CUP on July 8, 2009.
9. The Planning Commission approval of the CUP was appealed to the City Council and on November 12, 2009, the City Council remanded the Conditional Use Permit back to the Planning Commission with three specific items to be addressed within the order.
10. The Planning Commission approved the revised Conditional Use Permit on April 28, 2010.
11. The revised CUP was appealed to the City Council and on July 1, 2010, the City Council approved the North Silver Lake Lot 2B Conditional Use Permit
12. On March 17, 2011, the Planning Department received a complete application for an extension of the Conditional Use Permit. The extension request was submitted prior to the expiration of Conditional Use Permit. On April 28, 2011 the Planning Director approved the one year extension to July 1, 2012.
13. An appeal of the Planning Director's approval was heard on June 8, 2011 by the Planning Commission. The Planning Commission voted to uphold the Planning Directors decision to grant the extension of time as requested by the applicant.
14. The Planning Commission's decision was appealed to the City Council and on July 21, 2011 the City Council voted to uphold the Planning Commission's decision and approve the extension until July 21, 2012.
15. Within the July 21, 2011 approval, Condition of Approval #18 states "A bond shall be collected at the time of Conditional Use Permit Approval to ensure that the existing impacts of the site will be repaired at the time of CUP expiration or extension. At such time, the existing rock area of the site shall be capped with soil and re-vegetated and new landscaping along the perimeter entrance shall screen the view into the project. If a building permit is issued within one year, this bond shall be released." This condition was met as of July 1, 2011, which was prior to the first extension request, and the applicant has since capped the rock area with soil and has re-vegetated the area with new landscaping along the perimeter entrance as required.
16. The building department collected a bond to ensure that the existing impacts of the site will be repaired at the time of CUP extension. The landscape plan includes re-vegetating the disturbed area including top soil and native grasses, planting eighteen (18') new trees that vary in height from 10 to 12 feet, and installing an irrigation system for the establishment of the grass and ongoing watering of the new trees. This work has been completed, and the Building Department has released the bond.
17. On October 27, 2011 the applicant submitted a request for an additional one year extension until July 21, 2013 of the Conditional Use Permit which is currently set to expire on July 21, 2012.
18. On January 11, 2012, the Planning Commission granted the request for the one-year and final extension to the original CUP for North Silver Lake, Lot 2B, allowing the Conditional Use Permit to extend to July 21, 2013.
19. The Planning Commission may grant an additional one (1) year extension (of the Conditional Use Permit) when the Applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request. Change of circumstance includes physical changes to the Property or surroundings. The Conditional Use Permit Criteria within LMC section 15-1-10 has not changed since the July 21, 2010 City Council approval.
20. The Conditional Use Permit application or plans for North Silver Lake Lot 2B has not

changed since the July 21, 2010 City Council Approval.
21. There are no changes in circumstance including no physical changes to the Property or surroundings that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or Land Management Code.
22. There have been no changes to the application or the approved plans since the first extension of time was granted on June 8, 2011 by the Planning Commission (and upheld by the City Council on July 21, 2011).

Conclusions of Law

1. The application is consistent with the Deer Valley Master Planned Development and the Park City Land Management Code, particularly section 15-1-10, Conditional Use Permits.
2. There are no changes in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or Land Management Code.
3. The Planning Commission did not err in granting a 12 month extension of the CUP approval.

Conditions of Approval

1. All conditions of approval of the City Council's July 21, 2011 order continue to apply.
2. This approval will expire July 21, 2013, 12 months from the first extension of the CUP.
3. Approval is based on plans reviewed by the City Council on June 24, 2010. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.

Order

1. The appeal is denied in whole. The decision of the Planning Commission is upheld.

Exhibits – See complete appeal packet on-line

Exhibit A – Staff report for January 11, 2012
Exhibit B – Planning Commission Meeting Minutes January 11, 2012
Exhibit B – Final Action Letter of January 11, 2012 Planning Commission Action (dated February 9, 2012)
Exhibit C – Appeal and applicant's supporting documents and submittals