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

March 9, 2017

The Council of Park City, Summit County, Utah, met in open meeting on March 9, 2017, at 1:30 p.m. in the City Council Chambers.

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

CLOSED SESSION

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

WORK SESSION

Council Questions and Comments:

Council Member Worel attended the Immigration Forum and gave a shout out to Chief Carpenter and Sheriff Martinez, indicating the Latino community had great trust in law enforcement. She asserted the Climate Reality Training in Denver was amazing, and remarked that former Vice President Gore presented 60% of the training sessions. She participated on the Women in Leadership panel with Council Members Gerber and Matsumoto and noted Malena Stevens, Makena Hawley and Adriane Juarez did a great job organizing that event. She attended the Summit County Partnership for Effective Mental Health and Substance Abuse Action Steering Committee meeting and indicated this group would have a new name in the near future. She noted there would be a Mental Health Summit on April 21st at the Park City Hospital for those interested in attending. She also attended a Peace House Board meeting and announced the spring luncheon would be May 11th and Jane Patten would be honored. She indicated PC Tots had been in business one year and it hoped to open its second location by May 1st.

Council Member Matsumoto attended the Immigration Forum and thanked the greater Park City community for coming out and supporting the immigrants in the community. She also participated in the Women's Leadership Panel and thanked all the women and men who attended. She attended the Recreation Advisory Board meeting and indicated the group would be coming to the next City Council meeting to discuss the Facilities Master Plan. She went to the Coffee with Council at the library, and noted a good mix of age groups were represented. The Sundance Film Festival and affordable housing were major topics of discussion at that gathering. She attended the Historic Preservation Board meeting, where they talked about how flat roofs would fit into the historic district.

Council Member Henney attended the Park City reception at the Legislature as well as the fundraiser for Bonanza Flats held at the Montage. He also attended the Chamber Bureau Board of Directors meeting and the Prospector Square Property Owners Association meeting, but had nothing to report from those meetings.

Council Member Gerber attended the Immigration Forum, and thought it was a great meeting where people could speak honestly and openly. She attended the Utah League of Cities and Towns (ULCT) Legislative Policy Meeting with Mayor Thomas, Council Member Beerman and Assistant City Manager, Matt Dias. She went to the Park City Area Lodging Association (PCALA) where concern was expressed about the alcohol bills that were moving forward in the Legislature. She attended a New Park information session with nonprofits about Bonanza Flats as well as a Ski Utah meeting at Solitude. She also attended the Park City Film Series meeting, where the addition of closed captioning was discussed. She noted that in April, the Film Series would host environmental films. She indicated she was part of the Women in Leadership Panel discussion as well.

Council Member Beerman attended the Legislative Policy Committee (LPC) meeting, and indicated the City had to meet with the Homebuilders Association to discuss some proposed legislation. He also attended the reception at the Legislature and went to the Montage fundraiser for Bonanza Flats, which raised $1.1 million. He informed Council and staff of a "SeeClickFix" app for community engagement, where residents would be able to take a picture of problems in the community, such as cracks in the sidewalk, and send them to the City so they could be fixed. He also noted Colorado Association of Ski Towns (CAST) would be holding a meeting on climate change. He attended the Climate Reality Training and stated it was amazing. He indicated 1000 people were in attendance, and Park City received an award for its efforts to become a net zero community. He felt this recognition would have a ripple effect on other cities.

Mayor Thomas stated he also attended the Climate Reality Training and thanked those who helped him get to the training. He stated Luke Cartin represented the City well as he participated in a panel discussion at the training. He also felt that Moab would not have been as far along on their Net Zero Energy goal without the help of Council Member Beerman, and thanked him for all his efforts. He met with the senior citizens, and met with Wasatch County to discuss the Bonanza Flats purchase. He attended the legislative functions and thanked Matt Dias for his work at the Legislature. He also attended the Planning Commission meeting. He honored one of the City's bus drivers, who saw some students bullying others on the bus and stopped to call the school and report the incident.

1. Discuss City Employee Housing Policy:

Rhoda Stauffer, Affordable Housing Project Manager, and Anne Laurent, Community Development Manager, presented this item. Laurent stated this report was organized from the housing needs assessment, which was presented to Council in December, and from the employee survey. Stauffer explained that if the City were to have an affordable housing obligation based its 281 full time employees, 37.5 Affordable Unit Equivalents (AUE) would be required. Since 1991, the City spent $3.9 million in its efforts to have employees live in the community, which resulted in helping 36 employees buy homes by giving monthly housing stipends and providing low cost employee rental units. The number of employees living in Park City continues to decline and Human Resources reported recruiting new employees had become increasingly difficult. She indicated Transit only had 13 guaranteed units and it needed an additional 46 units over the next five years.

Council Member Matsumoto expressed concern with having vacant Transit housing during the summer months. Stauffer stated it was not optimal to have vacancies, but having the housing was a major boost for recruiting in the winter.

Stauffer recommended adding 10 units for long-term rental and/or for sale with a sell-back requirement for City employees. She suggested reserving 10 units over the next few years from the units being built for affordable housing. She also recommended adding 46 studio apartment style units for seasonal transit employees. The Council indicated they were in support of the recommendations. There was additional discussion on options for the months where transit housing would be vacant.

2. Review 2016 Carbon Footprint for Park City's Municipal Operations:

Celia Peterson, Environmental Sustainability Project Manager, and Luke Cartin, Environmental Sustainability Manager, presented this item. Peterson reviewed that emissions consisted of on-site natural gas and fossil fuel consumption, purchased electricity and other factors, such as employee commutes to work. The City goal was to achieve 100% renewable energy and to ensure that City buildings would use less energy than the energy produced. She stated that incremental measurements should be based towards achieving the goal.

Peterson reviewed actions that the City was currently taking to accomplish the net zero goal, including building net zero buildings, working with Rocky Mountain Power, and increasing conservation efforts in the Water Department. She noted that a climate reality training for City employees would be held March 31st, a community tree planting day would be held on Arbor Day, and other activities were being planned throughout the year to raise awareness and progress towards the City's goal.

Cartin stated that many asked how a measurement would be taken of the City's progress towards becoming a Net Zero Carbon City compared with the data of previous years. He stated he had reviewed the statistics from past years to make sure there was a consistent comparison, but he indicated the focus was on moving forward, and noted the purchase of electric buses, and working with the Water and Golf teams would be significant signs of progress.

Kyle MacArthur, Water Distribution Manager, indicated the measurements for Buildings and Water were now calculated in a new way, which resulted in a difference in usage measurements from past years. Council Member Beerman asked if Council wanted to talk about buying electric buses at a future meeting. Foster stated the electric buses were 40 feet long and that length of bus would not be able to make some of the turns in the City. Council Member Beerman indicated the City was 100% committed to being net zero and a vehicle purchase policy should be set to show that commitment, unless there were extenuating circumstances. Cartin explained the vehicle industry timeline that was needed to fill vehicle requests.

Council Member Henney asked if there was an update on the Georgetown Energy Prize. Cartin stated at the last Summit Community Power Works (SCPW) meeting, he learned 50 communities had submitted applications for the prize, and the City would know if it was one of the top 10 finalists by April 15th.

Council Member Matsumoto stated she was in favor of having a policy for buying electric vehicles. Cartin indicated he could come back at a future work meeting to discuss that idea further. Council Member Beerman suggested linking the policy with future vehicle retirement dates. He also asked that a website page be set up so the public could see updates on reaching the net zero goal.

3. Special Event Fee Reduction Update:

Jenny Diersen, Special Events Coordinator, Jason Glidden, Economic Development Manager, and Jed Briggs, Budget Manager, presented this item. Diersen reviewed the benefits of reducing fees for special events, including community, cultural and economic benefits. She indicated the fee reduction process would affect the budget and the event calendar depending on the adjustments made. She stated the highest fees that were reduced were parking fees and public safety fees.

Diersen recommended maintaining the annual Council review, changing the applications to focus on the criteria for critical priorities, having a staff review committee that would inform the Special Events Advisory Committee (SEAC) and City Council, and having a one-time application date change from April 1 to May 1 for FY 2018 events.

Council Member Worel asked if sustainability standards could be required for the events in the City. Diersen indicated she was in favor of setting sustainability standards and hoped the events would exceed the standards that would be set.

Council Member Gerber indicated the goal of a nonprofit event was to raise money, and she thought that should remain the priority. If they had to pay all the event fees, it would negate the reason for the fundraiser.

Council Member Beerman suggested notifying the event organizers that the standards would be set at a future date so the organizations could be prepared. Diersen explained this year would be the pilot program and next year the standard would be required. Council Member Beerman asked that the Police Department be reimbursed for their time at the events. Briggs stated the Police Department could make increased budget requests to compensate for the fee waivers. Glidden stated the waivers would be tracked so Police would have a better understanding of an amount to request.

4. Discuss Construction and Development and Impact Fee Reduction Policy:
Michelle Downard, Deputy Building Official, and Nate Rockwood and Jed Briggs, Budget Managers, presented this item. Briggs reviewed the difference between construction and development fees versus impact fees. He stated over the course of several years, the revenues received in Building should balance its expenses.

Rockwood explained impact fees and how they were collected in the City. Downard proposed a plan for reviewing fee waiver requests. She indicated a staff review committee could be formed that would award points based on weighted criteria. Based on the points from the application, a waiver could be granted.

Council Member Henney asked what happened to instigate this proposed review committee. Downard stated there were many waiver requests and staff would like to consider each request based on consistent standards. She recommended a committee be formed, that thresholds of $25,000 per request and $200,000 per fiscal year be adopted for Council review, and that non-profits would be considered as providing a broad public purpose and therefore, eligible for fee waivers. She also stated there would be outreach to make builders and non-profits aware of the thresholds.

Council Member Beerman suggested requiring energy conservation before waiving a water impact fee. He also asked that City projects might exceed the $200,000 threshold. Downard explained City projects would already be approved so they would automatically receive a fee waiver.

5. Discuss Parking Infrastructure Request for Proposal (RFP)
Kensie Coulson, Parking, Alfred Knotts, Transportation Planning Manager, and Julie Dixon, Dixon Resources, presented this item. Coulson explained the City had a parking study performed by Nelson Nygaard that addressed technology, infrastructure, and demand-based parking. Based on this study, the City was moving quickly to implement the recommendations.

Dixon indicated technology would be implemented for signage and mobile apps so travelers would know where to park before they arrived in the City. She hoped drivers would utilize the park-n-rides, but they would also have guidance if they needed to park in town. She discussed the needs of the China Bridge parking garage, and also indicated that mitigating greenhouse emissions would be a goal in this implementation schedule as well. She hoped to have the first phase completed by June.

Knotts emphasized that the free bus service was excellent and the new E-bike share program was a big stride in completing this project. Dixon noted that public outreach would be emphasized with at least a 30-day window before the new parking program would be implemented.

Council Member Worel stated many were concerned with parking for Main Street employees. Coulson explained that the "Guaranteed Ride Home" program would be in place before the rest of the project was implemented so employees would know they would be able to get back to their parked vehicle no matter what time they finished work. Foster indicated the City employees planned to lead by example with regard to parking. Michael Barille, Park City Alliance, stated there were good discussions and the membership was excited for the resources being used to resolve parking issues. Foster also explained that at certain times of the year, employees could park for free.

Gerber indicated this program would begin in the summer when employees bike to work, but she was concerned that as the temperature dropped in the fall, employees might not want to walk and ride bikes. She asked how Dixon would judge the success after implementation, did Dixon have a plan for increased messaging when winter employees came to town, and would there be a messaging plan for local residents. Dixon noted that the parking plan was going to happen incrementally so the public would be able to adjust to the changes. She stressed that outreach would be ongoing.

Council Member Henney stated this project met his expectations and he felt it was practical and viable. He asked Michael Barille, who represented merchants on Main Street, if the unrepresented people were being reached. Barille stated the process was just beginning and in order to get the necessary feedback surveys would need to be sent out as well as meeting with the resorts.

Council Member Gerber noted there were alternative parking lots, such as at the resorts, library and other public parking areas, and that drivers might begin using them as the parking plan was implemented. She asked if Coulson was working with these entities in order to coordinate efforts. Coulson stated all organizations would be included in the outreach process. In speaking with other cities, they indicated that after the adjustment period, the locals really embraced the parking plan because it reduced traffic congestion.

Barille noted there were many issues that would need to be analyzed in order to meet the community's needs. He hoped to look at the proposed satellite parking lots.

6. 2017 Sundance Film Festival Debrief

Jason Glidden, Economic Development Manager, Alfred Knotts, Transportation Planning Manager, Sarah Pearce, Executive Director of Sundance Institute, and Tina Graham, Associate Director of Operations of Sundance Institute, presented this item. Mayor Thomas thanked Sarah as she was leaving her position at Sundance, and gave her flowers on behalf of the City.

Glidden stated with Sundance there were always successes and problems and this year was no different. Park City received 55 inches of snow in 10 days, and the Women's March, which was originally planned for 300, actually had 9,000 people in attendance. He discussed the associated challenges for each department during this event. Transit ridership increased which resulted with that department being short on staff and there was a lot of traffic congestion on Park Avenue. Transportation Planning saw impacts to residential areas, congestion and accidents, and obstruction to traffic caused by taxis, rideshare, shuttles and commercial vehicles. Parking Services had issues with towing, snow banks and the drop-off/pick-up zones for taxis.

Some positive feedback was received because Communications put out a "Rules of the Road" pamphlet and outlined the permitting process with a calendar. Feedback was that this pamphlet was helpful in getting permitted. A local's guide was also distributed to help locals navigate through the Sundance traffic. A text message system was also set up to help with the traffic flow.

Glidden explained the operations during the festival. He indicated the liquor licenses and convention sales licenses had decreased and attributed that to increasing rents on Main Street. He also discussed the problems of late applications. He displayed some feedback from merchants, with comments regarding communication, loading, parking fees, access to businesses, garbage pickup, snow removal, etc.

The Special Events Advisory Committee also gave feedback, recommending more snow removal, access to parking for the post office, containing the event, and affordable ticket prices for locals.

Glidden listed the next steps for staff including completing a traffic plan, having special parking permits for loading/unloading, parking enforcement, and proposed amendments to the code as it related to licensing. He noted the current issues, including rent prices, number of available bathrooms, late permit applications, commercial traffic in residential areas and coordinating messaging to residents and businesses.

Pearce indicated Sundance Institute was also working to mitigate problems with the festival. She stated that Sundance was a great partner with the City and she wanted it to be a great event for everyone.

Council Member Matsumoto stated it was a good festival and she thought the City and Sundance worked well together. She felt Sundance was an important event that helped define part of the community. She suggested shutting down the neighborhoods to traffic during the festival. She asked if the non-affiliated events hurt the merchants and were there complaints of events in the residential neighborhoods. Michelle Downard stated the code enforcement staff was increased and they were prepared and handled the situations. She noted that staff stopped by some parties but found nothing in violation of City codes. Council Member Matsumoto hoped the Main Street Business Alliance could work with local businesses to bring the rents down so temporary businesses could afford to come in. She also suggested locating the less impactful events near the residential areas.

Council Member Henney asked to table this item since it was past 6:00 p.m. He also recommended that the events not dismantle after the first weekend.

Mayor Thomas stated Sundance was unpredictable since there were so many variables. But he knew Sundance worked endlessly throughout the year to coordinate as many aspects as possible to make the event run smoothly. Pearce thanked the City staff for all their help.

REGULAR MEETING

I. ROLL CALL

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

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Reports:

- **Park City Heights Sales Update:**
- **2017 Special Event Calendar Preview and Update:**
- **Stormwater Inspections:**
- **Anti-Freeze Additives in Fire Sprinkler Systems:**

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

Michael Barille, Historic Park City Alliance (HPCA), stated all the comments about Sundance were correct. He requested coordination on the leasing of spaces. The Lower Main closure and event installation was a learning experience and some things didn't work with that regard. He indicated some merchants had experienced decreased revenue from the street closure, garbage pickup was a problem, and there were some communication gaps. He also suggested rerouting some bus routes might be helpful.

Lynn Fey expressed concern about a Conditional Use Permit discussion that was scheduled for the March 30th meeting. She read a prepared statement that indicated this permit request would not comply with the requirement for a historic building. Mark Harrington asked Council not to discuss this item prior to the meeting in question.

Jason Morgan expressed concern about the Lower Main Street activation period during Sundance. He had seen different events turnover in a day's time and thought four days to set up and four days to take down was excessive.

Junior Richard, Cabin Park City, applauded the event planners. He saw less foot traffic than before but he was able to run his business. With flow changes, more attention was given to Lower Main. He felt a lot of money came into the City with this event and he didn't mind having a little less business for a few days. He hoped Acura would come back to Lower Main next year.

Mellie Owen stated she volunteered at Sundance and tried to get her neighbors involved as well. She saw a big safety issue with the increased neighborhood traffic, and hoped the City could find solutions to resolve the alternate traffic patterns.

IV. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from February 9, 10, 13, 16 and 19, 2017:
Council Member Gerber requested the February 16th minutes, on Page 4, Line 22, reflect that the tally did not include bikes.

Council Member Worel clarified that in the February 9th minutes, Page 4, Lines 6 and 7, she had indicated there was a high suicide and substance abuse rate in the community.

Council Member Beerman indicated that in the February 9th minutes, Page 7, Lines 20-21, he had asked if the City should have a role change.

Council Member Henney moved to approve the City Council Meeting minutes from February 9, 10, 13, 16 and 19, 2017, with the above mentioned amendments. Council Member Gerber seconded the motion.

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

V. CONSENT AGENDA

1. Request to Authorize the City Manager to Execute a Contract with Mountain Land Supply Company, in a Form Approved by the City Attorney, for a Software License and Computer Resources Not to Exceed a Total of $121,511 in 2017 and Not to Exceed $40,000 Per Year in Software as Service Fees in 2018, 2019, 2020, and 2021; and Concurrently Authorize the City Manager to Execute the Sensus Advanced Metering Infrastructure Agreement, as Approved by the City Attorney:
Council Member Beerman asked about the funds the City would use to pay for this system. Jason Christensen stated this request would be paid from the Water Capital Fund and the Operation Budget in the Water Fund.

2. Request to Approve Resolution 04-2017, a Resolution Proclaiming March, 2017, as Park City Nutrition Month:

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

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

VI. OLD BUSINESS

1. Consideration to Approve the Second Option Payment of $1,500,000 to Redus Park City LLC, for the Purchase of Bonanza Flats:
Tom Daley, Deputy City Attorney, and Wendy Fisher, Utah Open Lands Executive Director, presented this item. Daley explained the City signed a purchase agreement on January 12 and made the first option payment on January 13. The agreement was to

either close on March 15 or make a second option agreement in the amount of $1.5 million and extend the closing date to June 15.

Fisher thanked Council for having the foresight to put the bond on the ballot in anticipation of purchasing this property. She indicated 1,500 people had contributed to the fundraising campaign. There was a substantial contribution by Summit County in the amount of $5.75 million. After one night of fundraising, another $1.1 million was collected, bringing the total from private sector to $1,825,000. Midway City also donated $10,000. She noted contributions from challenge grants continued to come in, and the City was $3.5 million away from meeting the $38 million goal.

Mayor Thomas opened the meeting for public input.

Ray Bloxham, resident of Brighton Estates, invited Council to come tour the neighborhood.

Bridgette Meinhold supported approving the second option payment. It was noted her paintings fundraiser raised $23,000.

Cheryl Fox thanked Council for purchasing this open space.

Mayor Thomas closed the public input portion of the meeting.

Council Member Henney stated the success seen from fundraising showed that there was a strong interest in making this purchase happen.

Council Member Beerman moved to approve the Second Option Payment of $1,500,000 to Redus Park City, LLC, for the Purchase of Bonanza Flat. Council Member Gerber seconded the motion.

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

2. 2017 Legislative Update:
Matt Dias, Assistant City Manager, presented this item. He indicated the Legislature met each year in a 45 day session and noted that there had been a lot of activity this year. Dave Stewart represented the City at the Legislature and Dias commended him for doing exemplary work.

Dias stated the most difficult bill for the City was the Fire Sprinkler bill. Michelle Downard explained HB 281 targeted the Park City requirement that residences have fire sprinklers. She thanked those that supported and collaborated to resolve the concern. One issue that the Homebuilders Association argued was the problem of the sprinkler systems freezing and breaking. The City proposed to include anti-freeze in the lines to remedy the problem. The Park City Fire Chief, Paul Hewitt, indicated that residential sprinkler systems have improved over the years and he was grateful for the City's work to resolve this issue. Mayor Thomas expressed appreciation that the Homebuilders Association met with the City and that the problem was resolved.

Dias stated another bill that was watched was the Alcohol bill. He worked on this issue with regard to the proximity to parks, churches, etc. of establishments that sold alcohol, and thought the current facilities would be grandfathered in but expressed concern for future uses of properties. He also reviewed the DUI bill, which reduced the legal alcohol limit to .05 blood alcohol content.

Dias indicated the Short Term Nightly Rental bill would prohibit the City from using an advertisement as grounds to cite the property owner. He also noted that plan checks, food trucks, statewide Transient Room Tax (TRT), and School and Institutional Trust Lands Administration (SITLA) local land use preemption were other bills that the City worked on at the Legislature this term.

VII. NEW BUSINESS

1. Consideration to Authorize the Mayor to Enter into an Interlocal Agreement Between Park City and Summit County for Cost Sharing of the Electric Bike Share Program in the Amount of $300,000 in a Form Approved by the City Attorney:
Alfred Knotts, Transportation Planning Manager, and Matthew Hartnett, Transportation Analyst, presented this item. Knotts reviewed that the County entered into a contract with an E-bike vendor. A feasibility analysis was performed and site suitability was considered. Also, the County received a grant that would fund Phase II of this project. He noted the City was funding a greater portion of this project, $300,000 of the $489,000 required for Phase I of the project, but Phase II would provide additional stations within the City that would not require any additional investment on the City's part. Phase I site locations for the E-bikes included Prospector Square, Town Lift, Fresh Market, Old Town Transit Center, and the library.

Knotts felt this program would reduce vehicle miles travelled and greenhouse gas emissions. His team would monitor the program for effectiveness as well as for any cost benefits. Site locations for Phase II would include the MARC, the Brew Pub lot, and neighborhood locations within the Prospector area. Knotts indicated the funds from the proposition which passed in November would be used to help fund Phase II, along with the grant that the County received.

Council Member Henney noted that the critical priorities were addressed tonight and he was excited to see they were all in the implementation stage.

Council Member Worel asked where the bikes would be stored from January through March. Knotts stated that the bikes would be stored at a City or County facility. Caroline Rodriguez, Summit County, noted that the contract indicated that if there was no room for storage in the City, then the bikes would be stored in the County.

Council Member Beerman suggested having a station in the middle section of Main Street, such as the Bob Wells Plaza, instead of having two stations on Lower Main. He also thought the bikes should be stored by mid-November to reduce wear and tear.

Council Member Gerber asked if sites in Phase II would be near apartments in Prospector Square, such as Aspen Villas. Knotts affirmed that lease negotiations were underway, and he hoped to see the bikes at locations where people would go midday, locations by the transit spine, and places most visible to the public.

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

Council Member Henney moved to authorize the Mayor to enter into an Interlocal Agreement between Park City and Summit County for cost sharing of the Electric Bike Share Program in the amount of $300,000 in a form approved by the City Attorney. Council Member Beerman seconded the motion.

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

2. Consideration to Authorize the City Manager to Enter into a Professional Services Agreement for Commissioned Art Between Park City Municipal Corporation and Mike Wong, Owner of Iko, LLC, for Public Art for the Interior of the PCMARC in a Form Approved by the City Attorney Not to Exceed $12,000.00: Jenny Diersen, Staff Liaison for the Public Art Advisory Board (PAAB), and Mike Wong, Artist, presented this item. Diersen reviewed the process for attaining this interactive art piece and announced its location within the MARC. She indicated Wong guaranteed a 10 year warranty on the piece, his bid was under budget, and he was using the PC CAPS students to create this piece. Wong stated he was excited to work with the students on this project.

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

Council Member Worel moved to authorize the City Manager to enter into a Professional Services Agreement for Commissioned Art between Park City Municipal Corporation and Mike Wong, owner of Iko, LLC, for public art for the interior of the

PCMARC in a form approved by the City Attorney not to exceed $12,000.00. Council Member Matsumoto seconded the motion.

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

3. Consideration to Approve Resolution No. 05-2017, a Resolution Amending the Police Complaint Review Committee Policies and Procedures and Replacing Resolution No. 23-10 in Its Entirety:

Michelle Downard, Chair of the Police Complaint Review Committee, presented this item. She indicated this was an advisory board that reviewed complaints and provided the Police Chief with recommendations on how to address the complaints. She reviewed the proposed amendments to the Policies and Procedures, including the addition of eligibility requirements for membership on the committee, rules that would comply with the Open Meetings Act, the definition of a quorum, and others as noted in the staff report.

Downard explained that a minority of the committee wanted the citizen members to have a minimum of two in attendance so that staff would not outnumber the citizens when a vote was taken. The majority recommendation was to maintain the current requirement of a quorum. She indicated that she would make all attempts to accommodate schedules so that the full committee could be in attendance. She noted that the final decision would always be made by the Chief of Police.

Council Member Henney felt the concern was about procedure rather than from experience. Downard concurred that the concern was about the perception that recommendations where staff had the majority vote might be skewed in favor of the Police Department.

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

Council Member Beerman agreed that the community might have the wrong perception if the citizens were not in the majority and asked if there could be a workaround to remedy the perception. Downard stated a workaround to the definition of quorum could be made to change the minimum number present from three out of five members to four out of five members.

Council Member Gerber asked about the makeup of the committee. Downard explained there was legal representation, the Police Chief, someone taking minutes, and five voting members of which three were community members and two were staff members. Harrington stated a workaround to this perception could be to require that a minimum of two citizens and two staff members be present, or that three affirmative votes be required. The Council was in favor of requiring three affirmative votes to pass a recommendation on to the Police Chief.

Council Member Henney moved to approve Resolution No. 05-2017, a resolution amending the Police Complaint Review Committee Policies and Procedures and replacing Resolution No. 23-10 in its entirety, with the addition of requiring three affirmative votes to pass a recommendation on to the Police Chief. Council Member Beerman seconded the motion.

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

4. Consideration to Continue an Ordinance Approving the Village at Empire Pass North Subdivision Plat, Located Within Pod "A" of the Village at Empire Pass Master Planned Development, Pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Kirsten Whetstone, Senior Planner, presented this item. She explained the owner acquired surrounding property to this parcel and desired to include it in the plat. They had requested a continuation while the new request was being considered by the Planning Commission.

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

Council Member Matsumoto moved to continue an ordinance approving the Village at Empire Pass North Subdivision Plat, located within Pod "A" of the Village at Empire Pass Master Planned Development, pursuant to the findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Henney seconded the motion.

RESULT: CONTINUED TO A DATE UNCERTAIN
AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

5. Consideration to Approve Ordinance 2017-07, an Ordinance Approving the B2 East Subdivision Plat Located at 9300 Marsac Avenue, Pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval, in a Form Approved by the City Attorney:

Kirsten Whetstone, Senior Planner and Doug Ogilvy, Redus Development, presented this item. It was indicated that this parcel was part of the Montage Master Plan. Council Member Worel asked how many affordable housing units this development would be responsible for. Whetstone indicated the requirement was 4.2 Affordable Unit

Equivalents (AUE), and each AUE equaled 800 square feet for a total of 3,360 of affordable housing space. Council Member Worel asked if the residential condos would include the affordable housing units. Whetstone stated the affordable housing would be in addition to the planned residential units, but they would be part of the building. Council Member Worel asked if a Certificate of Occupancy was required for each residential unit, to which Whetstone responded that the buildings would receive the Certificates of Occupancy. A deed restriction would be placed on the condominium plat for the affordable units. Council Member Worel asked if Condition of Approval #16, requiring the affordable housing, was strong enough to require that the affordable units be built before the other units. Whetstone stated it was normal with this development to construct the affordable units along with the other units in the building, and the entire building would need to receive the Certificate of Occupancy prior to anyone moving into the units.

Ogilvy suggested the requirement happen when the Conditional Use permit was granted. Harrington suggested adding to Condition of Approval #16, “Phasing of affordable housing units shall be commensurate with the Certificates of Occupancy for the buildings.”

Council Member Beerman indicated that sometimes the homeowners’ association dues were a problem for some affordable units within a market rate project. He asked if there was language that capped those fees. Whetstone indicated capping the fees was usually made with the condominium plat approval. Harrington stated this issue was addressed sufficiently in the master HOA agreement.

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

Council Member Henney moved to approve Ordinance 2017-07, an ordinance approving the B2 East Subdivision Plat located at 9300 Marsac Avenue, with the amendment of Condition of Approval #16, pursuant to the findings of fact, conclusions of law, and conditions of approval, in a form approved by the City Attorney. Council Member Worel seconded the motion.

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

6. Consideration to Approve Ordinance No. 2017-08, an Ordinance Approving the Sorensen Plat Amendment Extension Request, Located at 422 Ontario Avenue, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Francisco Astorga Senior Planner, stated issues arose as the owner tried to record the plat, so the property owner had submitted an extension request while he continued to work to resolve the issues.

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

Council Member Henney moved to approve Ordinance No. 2017-08, an ordinance approving the Sorensen Plat Amendment Extension Request, located at 422 Ontario Avenue, pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Worel seconded the motion.

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

7. Consideration to Remand the Alice Claim Subdivision & Plat Amendment Located at Approximately Alice Claim South of Intersection of King Road, Ridge Avenue, and Sampson Avenue to the Planning Commission:
Francisco Astorga, Senior Planner, reviewed that last July, the Planning Commission forwarded a positive recommendation for a Conditional Use Permit (CUP) for three 10 foot walls. The decision was appealed by two owners but one appeal had been withdrawn. A letter was submitted during the public input portion of this meeting with regard to this issue, and the letter would be on record as the item went back to the Planning Commission. He noted this letter could be found on the City website on the Alice Claim page.

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

Greg Brown, DHM Design project manager, stated the entry was being taken out of the hillside and put on the historic side, and requested that Planning Commission only focus on that change instead of the entire project.

Council Member Henney moved to remand the Alice Claim Subdivision and Plat Amendment located at approximately Alice Claim South of the intersection of King Road, Ridge Avenue, and Sampson Avenue to the Planning Commission in its entirety. Council Member Matsumoto seconded the motion.

RESULT: REMAND TO PLANNING COMMISSION IN ITS ENTIRETY
AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

8. Consideration to Stay an Appeal of Conditional Use Permit (CUP) Approval by the Park City Planning Commission for Retaining Walls Over Six Feet (6') in Height:
Francisco Astorga Senior Planner, indicated there was a request from the applicant to stay the CUP appeal, depending on the Planning Commission's decision.

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

Council Member Gerber moved to stay an appeal of Conditional Use Permit (CUP) approval by the Park City Planning Commission for retaining walls over six feet (6') in height. Council Member Beerman seconded the motion.

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

9. Consideration to Continue Ridge Avenue Plat Amendment, Located at Approximately Alice Claim South of Intersection of King Road, Ridge Avenue, and Sampson Avenue:
Francisco Astorga Senior Planner, indicated the Ridge Avenue Plat Amendment was being continued and would come back with the Alice Claim Subdivision and Plat amendment for Council consideration.

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

Council Member Beerman moved to continue Ridge Avenue Plat Amendment, located at approximately Alice Claim South of the intersection of King Road, Ridge Avenue, and Sampson Avenue to a date uncertain. Council Member Henney seconded the motion.

RESULT: CONTINUED TO A DATE UNCERTAIN
AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

10. Consideration to Continue an Ordinance Approving the Main Street Plaza Subdivision, Located at 220 & 250 Main Street Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City
Council Member Gerber asked if continuing this subdivision would delay the Main Street Plaza Project. Erickson said encroachments needed to be cleaned up and thus the reason to continue.

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

Council Member Worel moved to continue an ordinance approving the Main Street Plaza Subdivision, located at 220 & 250 Main Street, pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Henney seconded the motion.

RESULT: CONTINUED TO A DATE UNCERTAIN
AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VIII. ADJOURNMENT
With no further business, the meeting was adjourned.

____
Michelle Kellogg, City Recorder

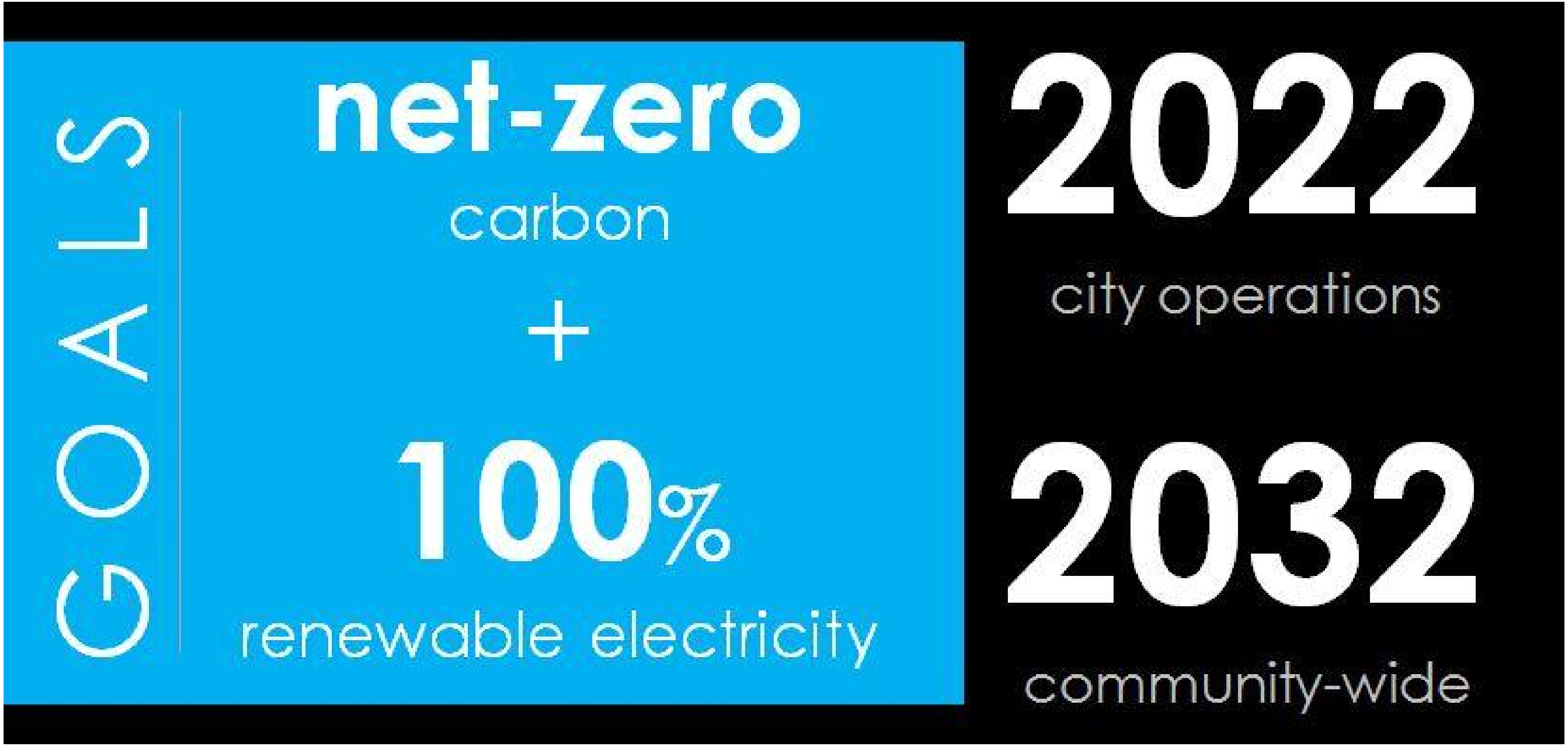
- Employee Generation
- Recruitment and Retention
- Related Critical and Top Priorities
- Regional Considerations

- 37.5 AUEs to match FT employee generation
- Support of City employees to date totals to over $3.9 MM:
  1. Assisting 36 employees to buy
  2. Monthly housing stipends
  3. Low cost rental units

- No. of employees living within PCSD boundaries on the decline
- HR reports increasing difficulty in recruiting new talent
- Transit needs additional 46 units over the next five years.

Recommendations:

- Add 10 units for long-term rental and/or for sale with sell-back requirement
- Add 46 studios/apartment style units for seasonal transit employees



Definitions, baseline & moving forward

Definitions

Net-zero carbon (municipal operations). We reduce our emissions and balance with carbon sinks.

Scope 1- on site natural gas and other fossil fuel consumption, e.g. fleet and transit fuel

Scope 2- purchased electricity (RMP)

Scope 3*- other business activities, e.g. employee commute

Net-zero energy

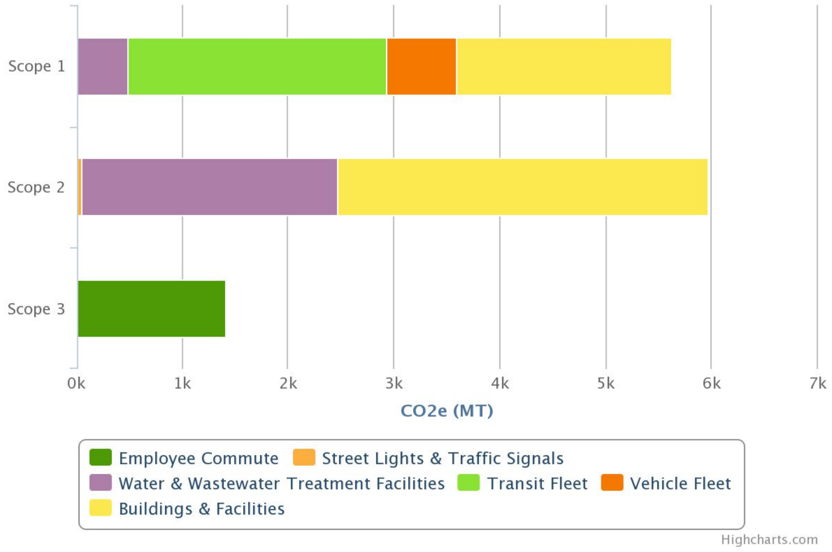
U.S. DOE definition (2015), "***an energy-efficient building*** *where, on a source energy basis, the actual annual delivered energy is less than or equal to the* ***on-site*** *renewable exported energy.*"

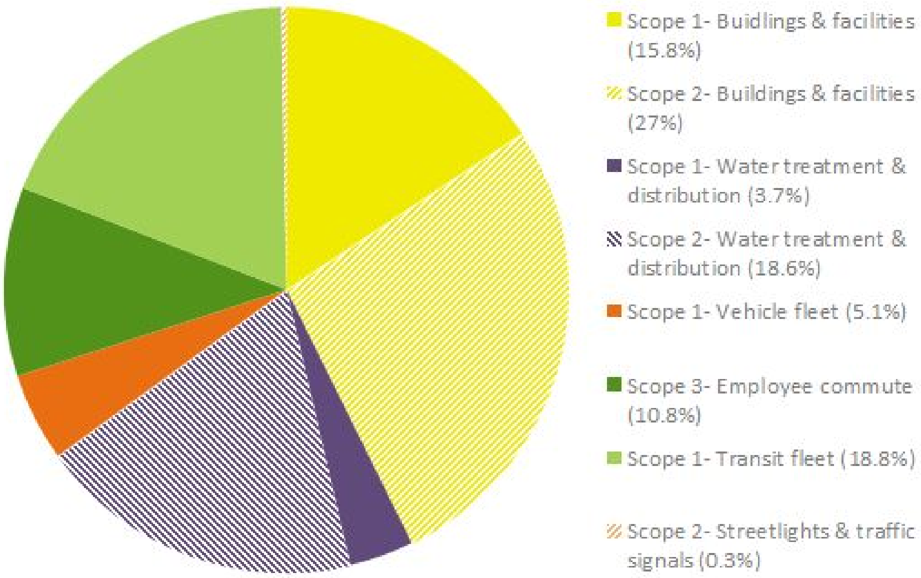
Renewable electricity sources include solar, wind, microhydro, geothermal, biomass byproduct

Metrics indicate progress towards the goal (not incremental progress).

Municipal CO2 footprint

Total CO2e footprint = 12 985 MT





Actions

- RMP- Cooperating to develop local options, Subscriber Solar (short term solution)
- EVs- Infrastructure development, ProTerra, ebikes, Nikola
- Public Utilities- PC’s 1st net-zero energy building
- Net-zero buildings and Building standard
- Water optimization and efficiency- ↓ kWh/gallon
- Training program- identify based on needed improvements and low hanging fruits
- Quantify renewables and carbon sinks, environmental health pulse
- Communications & Outreach: Energy roadshow, Powder magazine, PCGreen?

Buildings
Transit
Water
Engagement

Others & tentatives

Climate Reality Leadership aftermath

Vehicle fleet purchasing policy

Land management code

Utility sensor

Art competition

Urban forestry & agriculture.
Tree planting

SolSmart advisor

RFPs going out soon- Community Carbon Footprint, Quantification of Ecological Resources and Carbon Sinks

?s

Special Event Fee Reduction Update

Thursday, March 9, 2017

Jenny Diersen, Special Events Coordinator

Jed Briggs, Budget Operations Manager

Why Special Event Fee Reduction?

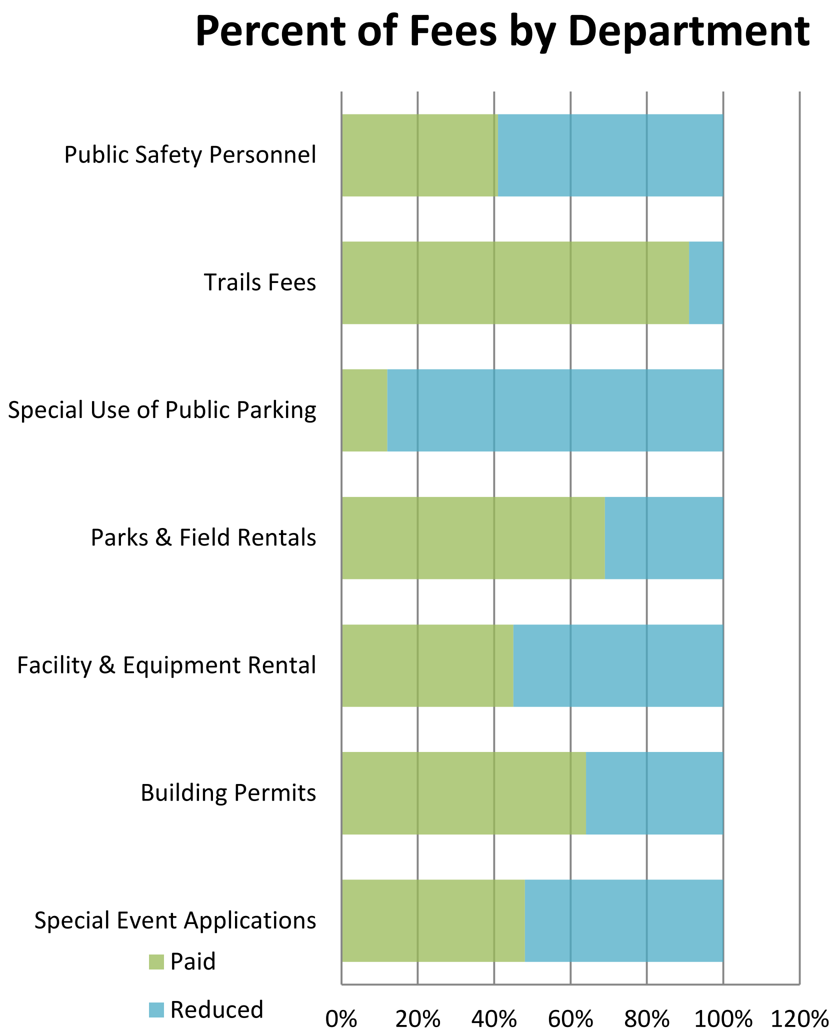
- Community, Cultural and Economic Value
- Mitigate Impacts & Ensure Public Safety
- Department & Event Applicant Fiscal Responsibility
- New process helped to streamline requests

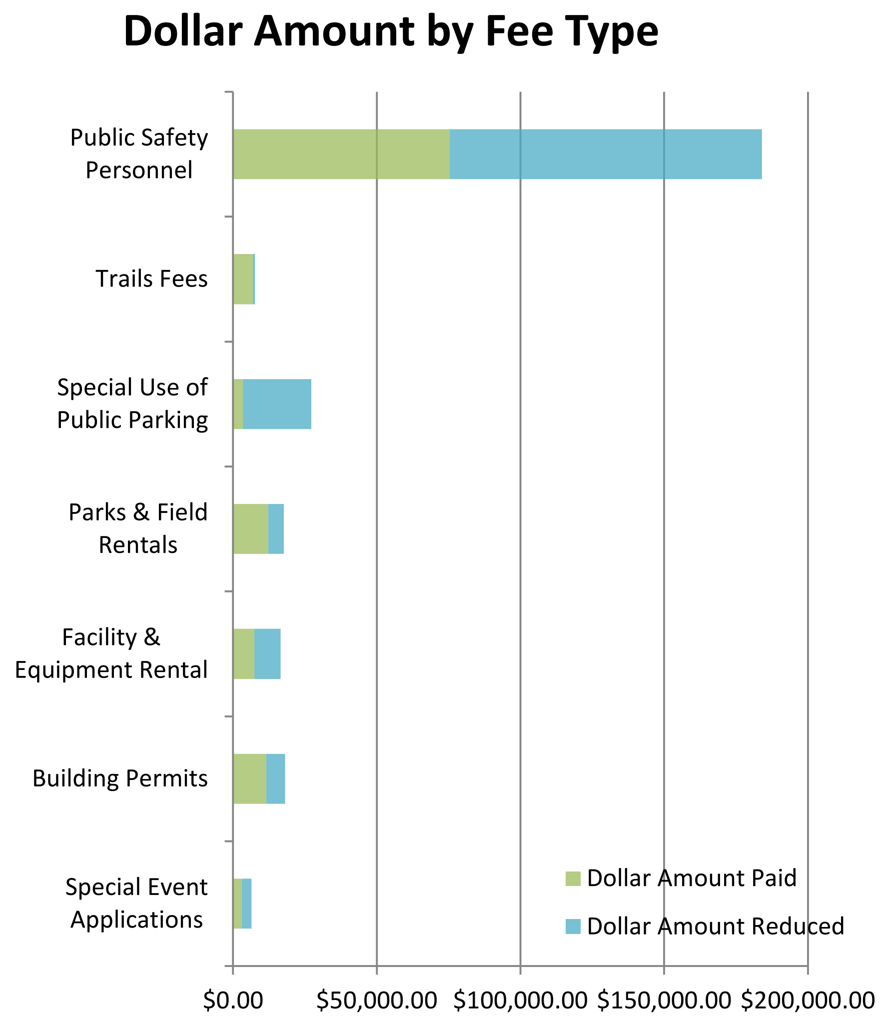
Analysis

- 72 permitted events
  - 55 non profit /17 for profit (4 events benefit non-profit)

- All applicants are eligible to apply
  - 47 events applied in FY 17
  - 25 events did not apply.
- Public Safety Fees are the highest amount of paid and reduced fees based on total dollar amount
  - 69% of the total reduction are Public Safety Fees = $108,772.50;
  - 63% of total revenues received are Public Safety fees = $75,273.50
- Special Use of Parking is the highest percentage of fee type reduced by Department
  - 88% of Parking Fees are Reduced
  - $23,842.00 reduced, as compared to $3,428 paid

Percent by Dept & Dollar Amounts





Recommended Changes

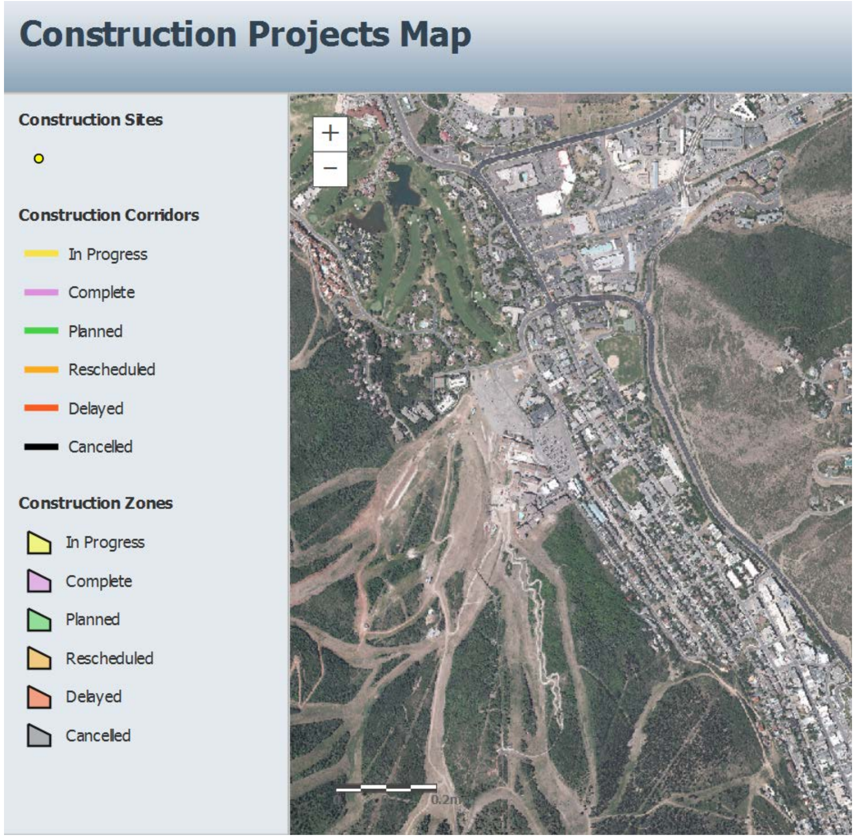
- Maintain Annual & Council Review Threshold
- Criteria for Critical Priorities
- Staff Review Committee

– Inform SEAC & City Council

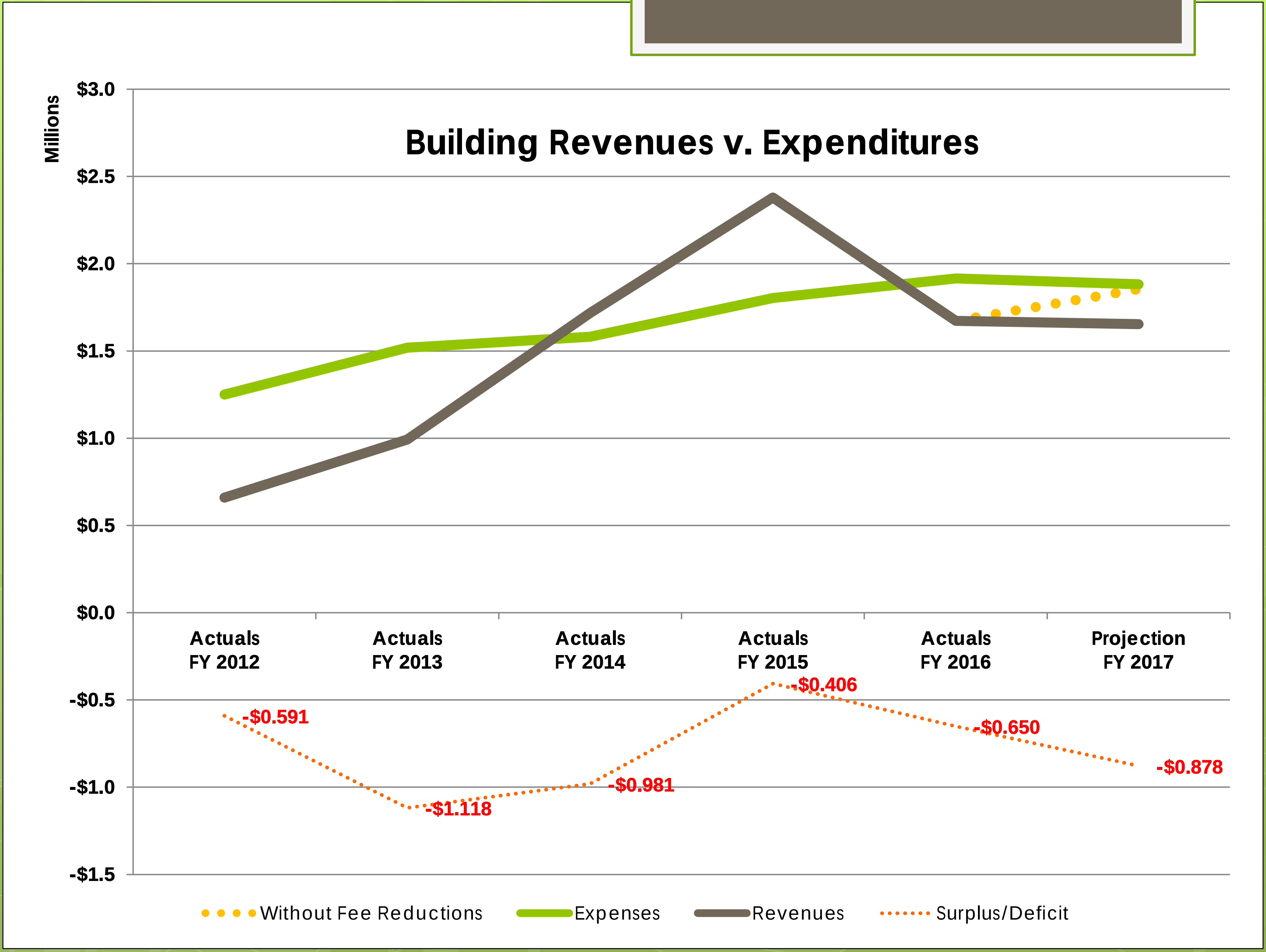
- One Time Application Change from April 1 to May 1 for FY18.

Staff does not recommend capping the number of times an event can apply or removing types of fees that can be considered for reduction.

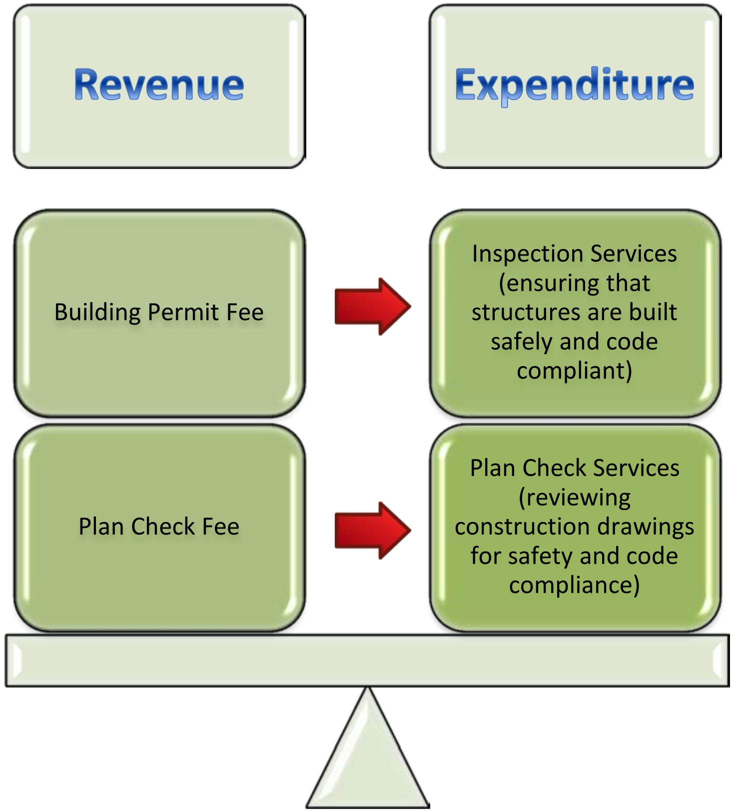
Construction and Development Fees



- Pay for the cost of providing services



Building Revenues v. Expenditures
Millions
$3.0
$2.5
$2.0
$1.5
$1.0
$0.5
$0.0
-$0.5
-$1.0
-$1.5
Actuals FY 2012
Actuals FY 2013
Actuals FY 2014
Actuals FY 2015
Actuals FY 2016
Projection FY 2017
-$0.591
-$1.118
-$0.981
-$0.406
-$0.650
-$0.878
Without Fee Reductions
Expenses
Revenues
Surplus/Deficit


Revenue
Expenditure
Building Permit Fee
Inspection Services (ensuring that structures are built safely and code compliant)
Plan Check Fee
Plan Check Services (reviewing construction drawings for safety and code compliance)

The Balance

Impact Fees

- Water
- Roadways
- Public Safety
- Parks and Open Space

Impact Fees

- State Code allows impact fees to be assessed for: **Water, Roadways, Parks & Open Space and Public Safety**. Each is referenced as a system.
- Impact Fees are assessed based on a developments impact to the systems existing level of service.
- Existing level of system service is determined by detailed inventory of infrastructure value.
- Total service level value is divided by unit equivalent.
- Impact fees must be used for new capital improvements to the related system.
- Current service level is maintained by collecting the impact fee and building new infrastructure.
- Current adjustment abilities include offset, independent fee calculation, appeal and waiver (affordable housing and broad public purpose).

Parks and Open Space Example:

- ***Determination of City Funded Infrastructure Value***

Asset	Value	New Asset
• Land	$50,000,000	
• Play Equipment	$5,000,000	$5,000
• Trails	$10,000,000	$5,000
• Benches	$50,000	
• Bathrooms	$8,000,000	
• Plazas	$3,300,000	
• Etc…	$20,000,000	
• New Pickle Ball Court		$24,336
• Total Value	**$120.200,000**	**$34,336**

- ***Determination of EU***
  - 500 sq. ft. of residential equates 1 EU
  - **56,000** EU in City

$120,200,000 Value/56,000 EU **= $2,146**
8,000 sq. ft. home is **16** EU = **$34,336**

$120,234,336 Value/ 56,016**=$2,146**

Parks and Open Space Example:

- ***Determination of City Funded Infrastructure Value***

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Etc…	$20,000,000	
New Pickle Ball Court		
Total Value	**$120.200,000**	

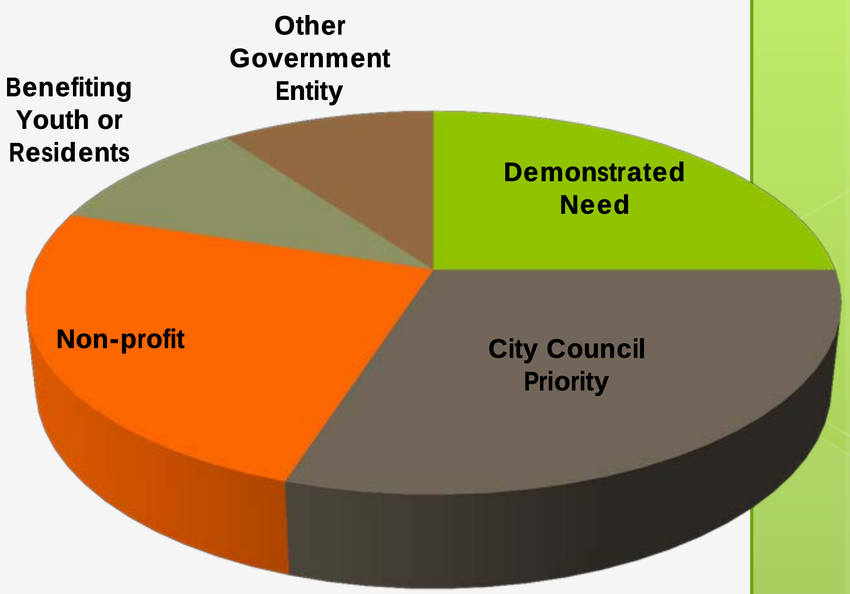
- ***Determination of EU***
  - 500 sq. ft. of residential equates 1 EU
  - **56,000** EU in City

Fee is Waived

$120,200,000 Value/56,000 EU **= $2,146**
8,000 sq. ft. home is **16** EU = **$34,336**

$120,200,000 Value/ 56,016**=$2,145**

- Contributing to a City Council Priority (30 pts)
- Demonstrated need for a Waiver (25 pts)
- Non-profit organization or event (25 pts)
- Project or event benefiting or hosted by Youth or Residents (10 pts)
- Other Government Entity that provides a community benefit (10 pts)
- **Reflective of the Percentage of Actual vs Projected Revenue**



Weighted Criteria

Recommendations

- Form a Staff Fee Adjustment Committee to review applications with weighted criteria and provide recommendations to City Council or City Manager
- Adopt thresholds of $25,000 per request and $200,000 per FY for Council review
- Consider non-profits as providing a broad public purpose and therefore, eligible for impact fee waivers

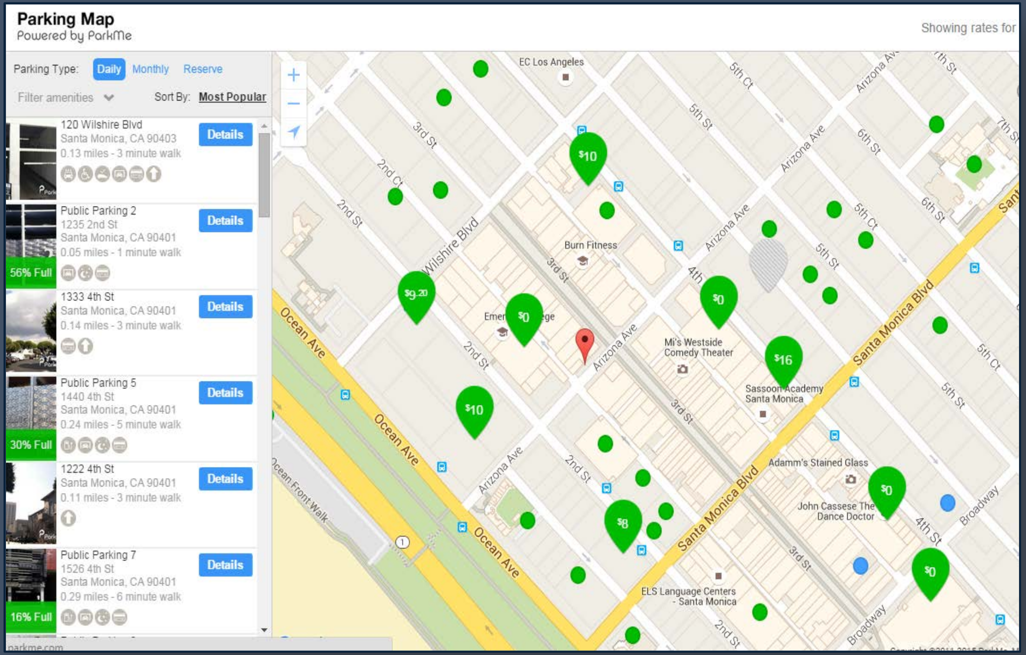
Park City
Downtown Parking Roadmap

Too often the Downtown Parking Experience

Parking Guidance & Count Systems

Vehicle detection and occupancy count system

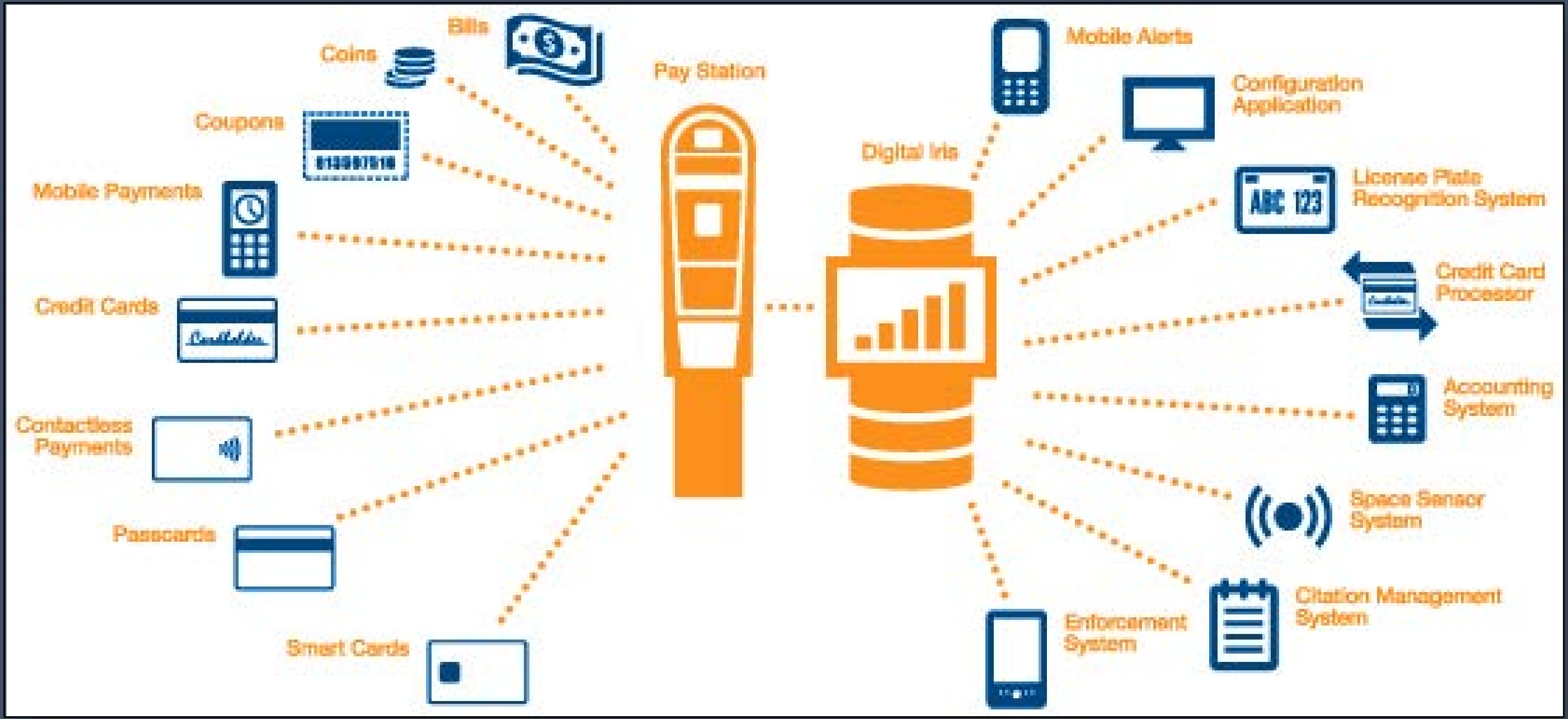
Real-time parking data




C
245


Park


Welcome!
Moscone Center Garage
Park



Online permit processes (downtown, residential, special event)

Customer service applications   Revenue reconciliation   Centralized reporting

Thank you.

Dixon Resources Unlimited

2017 SUNDANCE FILM FESTIVAL

City Debrief

March 9, 2017


NO
STOPPING
OR
STANDING
NO
STOPPING
OR
STANDING

Filmmaker Lodge
mpowher
TRUMP SANDWICH

Presentation Overview

- City Services
- Sundance Operations
- Non-Affiliated Activity
- First Amendment Events
- Merchant Feedback
- SEAC Feedback
- Policy Questions

City Services

- Transit
  - Challenges
    - Staffing
    - Traffic congestion

Dates	2017 Total	2016 Total	Percent Change
Thursday 1/19 – Sunday 1/22	85,000	79,559	7%
Monday 1/23 – Sunday 1/29	130,383	128,469	2%
Festival Total	**215,383**	**208,028**	**3.5% – 4%**

- Transportation Planning
  - Challenges
    - Impacts to residential areas.
    - Significant congestion and frequent accidents
    - Frequent obstruction of traffic flow caused by rideshare, shuttle and taxi operations and commercial vehicles.

City Services

- Parking Services
    - Challenges
        - Towing
        - Snow banks
        - Shared Ride/Taxi drop off/pick up Load in/out – Special Parking Permits
- Communications
    - Rules of the Road
    - Locals Guide
    - Text Message Program

Proposed Next Steps

- Transportation Planning
  - “Red Day” Traffic Plan
- Parking Services
  - Redesign of Special Parking Permits
  - Evaluation of contract services parking coordination/enforcement
- Finance Department
  - Proposed amendments to the Municipal Code as it relates to licensing

Sundance Operations

- Cinetransformer
  - The activation on 5th street did require the removal of Postal parking on 5th street. To supplement this loss, additional postal parking were places on Swede Alley and on Main Street The additional parking was used frequently and not always full.
  - The activation provide a link from Base Camp to Main Street.
- Festival Village
  - The production crew was able to work effectively to reduce the load-in to begin on Sunday, January 15th and breakdown the activation prior to February 1st, allowing the street to be re-opened earlier than anticipated.
  - The stage was not programed on a regular basis and this had an effect on the number of people that were present during the activation.

Non-Affiliated Activity

- Decrease in the number of permitted locations, the total number of Convention Sales Licenses approved, and the number of liquor permits approved.

2017 SUNDANCE	Official 2017	non-affiliated 2017	Totals 2017 (2016)	Revenue 2017 (2016)
Convention Sales Licenses	N/A	116	116 (182)	$43,200 ($64,816)
Liquor Licenses	32	15	47 (89)	$5,400 ($6,650)

- Issues continue to rise regarding late applications for CSLs and liquor permits.

2017 SUNDANCE	Official 2017	non-affiliated 2017	Total 2017	Total 2016
Late Submissions- Liquor	1	10	11	10
Special Meeting applicants-CSL	N/A	32	32	40
Denied Applicants	0	0	0	0

First Amendment Events

- Women's March
  - 9,000 participants the day of the event
  - The City utilized the text system in addition to the social media efforts by the event organizer to get event information out to both participants and the general public.
  - Issues with traffic congestion
  - Minor disruptions with deliveries
  - Event received national and international media coverage.

Feedback from Merchants

- Communication needs to be increased/before event approvals.
- Load in and load out need to be shortened
- Parking $25 through the Festival to deter employees from parking.
- Transportation (Busses) not dependable/untimely.
- Taxi, Shuttle, Ride Share challenges added to congestion.
- Load In/Load Out needs to be better organized & have enforcement
- Concerns about lack of temp business.
- Concerns of access to businesses that are open for business owners
- Concerns over permitting other major events (first amendment).
- Business was reported as both being flat and increased.
- Lack of garbage pickup was concerning
- Snow Removal needs to be better – Snow banks, walking paths etc…

Feedback from SEAC

- There were concerns of both pathways/stairs, parking lots and residential roads not being plowed in a timely fashion creating hazards for residents.
- Need Residential Only Transportation and Access Program
  - Traffic is dangerous is the Old Town Area specifically.
  - Commercial traffic in residential needs to be further mitigated – too many taxis, commercial vehicles, and other residents sneaking through – need to identify people in cars and decrease car use.
  - Choke point at Library, many people get off the bus there and walk to Main because it is faster than waiting in traffic on the bus.
- Further Transportation Mitigations
  - 5th Street closure made it really hard to get to the Post Office – people couldn't get to post office – nowhere to park, hard to know where to go.
- Need to be more proactive conversation moving forward
  - Increase avenues of communications with road closures and impacts to make sure everyone receives the information
- Event needs to be contained – no growth
- Impacts to traffic
  - Congestion in residential areas
  - Speed on residential streets
- Ticket Prices for locals need to stay affordable.
  - Not happy with the increase to ticket packages.

Issues Faced

- Increasing Rent Prices
- Occupancy calculation
- Move to residential areas of town

Policy Questions

- The current direction from Council is to enable the cultural goals of the Sundance Institute and Park City community through supporting Festival operations including the specific strategy of continuing to look favorably upon the use of City owned spaces (in this case, specifically the closure of City streets) to increase the opportunity for pedestrian areas and activations.
  - Does City Council still support this direction?
  - If so, what parameters would have to be met to continue this practice?
    - Timelines/Deadlines
    - Branding/Signage
    - Definition of activation
- Should the City continue to take a facilitating role in the activations of temporary businesses during the Festival?

- Is Council supportive of a transportation plan that would:
  - Restrict access to residential areas?
  - Increase enforcement?

Public Art for Interior PC MARC

Jenny Diersen- Staff Liaison to PAAB

Mike Wong- Artist

Project Details

Project Max $12,000/ Budget $9,800.
Installed by May 31, 2017

Goals of the project –

- Visible from 1st and 2nd Floors
- Discovery, Community & Sense of Play

Why this meets the goals:

- Works within budget for the artwork
- Agrees to the terms in the Service Contract
- Fulfills goals of project
- Staff is excited and supports the project

Why this project exceeds the goals:

- Extended Guarantee (10 years)
- Local Artist
- Interactive & Engaging
- Youth (PCCAPS) Involvement

Recommend: Authorize City Manager to enter into a Professional Service Agreement for Commissioned Art between City and Mike Wong of Iko LLC for Public Art in a form approved by the City Attorney not to exceed $12,000.00

January 4, 2017

Lynn Fey
[address]
Park City, Utah

Re: PL-16-03412 - Appeal of 638 Park Avenue CUP
Hearing before City Council on [tentatively, February 23, 2017]

Dear Members of City Council,

I understand that the City is being asked to approve a Conditional Use Permit (CUP) for an indoor/outdoor commercial event center at the site of the historic Kimball Garage. To accommodate the requested rooftop outdoor event space, the developer plans to remove half of the original barrel-vaulted roof of the historic building and replace it with a 2530 square foot flat rooftop deck.

Any such approval by the City of this requested rooftop event space on the Kimball Garage would constitute inconsistent and arbitrary application of City codes and would be improper, and I strongly urge you not to make such a mistake.

I was a member of the Board of the Kimball Art Center when KAC asked the City to approve KAC's request to replace the original barrel-vaulted roof of the historic Kimball Garage building with a flat rooftop deck as part of our proposed renovation project. The KAC's proposal was flatly denied as failing to comply with the requirement that for renovation of a historic building the original roof form must be maintained. In fact, the Notice of Planning Action dated August 21, 2014, which denied the KAC's proposed renovation, expressly stated in paragraph 41:

> **41.The proposed renovation does not comply with Specific Guideline B.1.1 as the original barrel-vaulted roof structure will not be maintained. Because of its structural incapacities, the applicant proposed reconstructing a flat roof on the building that would also act as a rooftop deck. The rooftop deck consumed the entire rooftop space.**

It couldn't be more clear — the KAC was required to maintain the original barrel-vaulted roof, and was not allowed to replace it with a rooftop deck.

However, that is just what the City is being asked to approve for the current applicant. Any such approval would be no less than inconsistent and arbitrary application of City rules.

I am aware that the City's Historic Guideline B.1.1 requires that renovation of a historic building must "maintain the original roof form", (as was required of the KAC in 2014). I am informed that LMC 15-11-11 states that "The Design Guidelines are incorporated into this Code by reference." Further, LMC 15-1-10(D)(1) expressly requires that a CUP cannot be issued unless the application "complies with all requirements of this LMC".

Therefore, I do not see how the requested CUP for a rooftop deck outdoor event space on top of the Kimball Garage can be allowed, as such does not comply with all the requirements of the LMC.

I urge you to consistently apply our City codes and, in fairness, deny approval of the requested CUP for a rooftop deck outdoor event space at the site of the historic Kimball Garage.

Sincerely,

Lynn Fey

Lynn Fey

PARK CITY
1884
PLANNING DEPARTMENT

August 21, 2014

Matt Mullin
Kimball Art Center, Inc.
638 Park Avenue
Park City, UT 84060

NOTICE OF PLANNING DEPARTMENT ACTION

Project Address	638 Park Avenue
Description	Historic District Design Review - Denial
Date of Action	August 21, 2014
Project #	PL-14-02270
Project Representative	Steve Brown
Project Architect	Elliott Workgroup – Craig Elliott
Design Architect	BIG – Bjarke Ingels Group

Summary of Staff Action – Denial
This letter serves as the final action letter denying the proposed rehabilitation of 638 Park Avenue pursuant to the Historic District Design Guidelines subject to the following Findings of Fact and Conclusions of Law. Staff reviewed this project in accordance with the Historic District Design Guidelines, specifically with Specific Guidelines A. Site Design, B. Primary Structures, and D. Additions to Historic Structures. The applicant proposed to rehabilitate the historic landmark structure and construct a new addition.

Findings of Fact
1. The property is located at 638 Park Avenue.
2. It is identified by Summit County as Tax Parcel PC-107-108-X.
3. The Historic District Design Review Application was submitted on March 3, 2014; it was deemed complete on March 14, 2014. A public hearing was held on March 31, 2014.
4. The first property and courtesy mailing notices were mailed out on March 14, 2014.
5. During staff's review of the project, staff uncovered discrepancies between the Physical Conditions Report and Historic Preservation Plan. An updated Historic Preservation Plan was submitted to the Planning Department on May 16, 2014.

6. Throughout the process, staff was in discussion with the application regarding the application's issues of non-compliance with the Design Guidelines. The applicant requested staff on August 6, 2014, for a determination based on the original submittal.
7. The property is located in the Heber Avenue Subzone of the Historic Recreation Commercial (HRC) District.
8. The allowed uses within the Heber Avenue Subzone are identical to the allowed uses of the Historic Commercial Business (HCB) District. Entertainment Facility, Indoor is an allowed use within this zone.
9. The site is a developed parcel with a historic structure, identified on the City's Historic Sites Inventory (HSI) as a "Landmark" site.
10. The historic building is approximately 22,883 square feet in size. The proposed addition is approximately 15,092 square feet.
11. The landmark structure was constructed in 1929 to replace the Kimball Brothers Livery Stable. It was rehabilitated in 1976 to house the Kimball Arts Center. The building was listed as part of the Park City Main Street National Register Historic District in 1979.
12. The structure was renovated in 1976 with minor changes that did not affect the site's original design character.
13. The total lot size is 18,526 square feet.
14. The required front yard setbacks along Heber and Park Avenues are ten feet (10'). On a corner lot, the side yard that faces a street is ten feet (10') for the main structure.
15. The minimum rear yard setback along Main Street is ten feet (10').
16. The minimum side yard setback along the north property line is five feet (5').
17. Per Land Management Code (LMC) 15-2.5-5, no structure shall be erected to a height greater than thirty-two feet (32') from existing grade. Church spires, bell towers, and like architectural features subject to the Historic District Design Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exceptions are granted by the Planning Director. As proposed the southeast corner of the structure rises gradually to form a point that is roughly 46 feet in height. No habitable space is located in this section of the building. This architectural feature was not reviewed for a height exception by the Planning Director because the design of the addition did not meet the Design Guidelines as outlined below.
18. The proposed renovation complies with Universal Guideline #1 as the site will be used as it was historically and will require minimal changes to the distinctive materials and features. In 1976, the Kimball Brothers Garage underwent extensive interior alterations in order to accommodate its new use as an art center. The applicant intends to repair and maintain the existing structure and its steel window frames.
19. The proposed renovation complies with Universal Guideline #2 as changes to the site or building that have acquired historic significance in their own right shall be retained and preserved. Rather, the applicant proposed to remove additions made in 1976 for the conversion of the art center as well as other c. 1976 exterior additions added at later dates; these include the corrugated metal and CMU

structures such as the kiln room and stair and elevator rooms attached to the east side of the building. These additions are not historic.

20. The proposed renovation complies with Universal Guideline #3 as the applicant does not propose to remove any historic exterior features of the building. Those features that are so deteriorated that they required replacement—such as the steel frame windows on the north elevation—were proposed to be replaced in-kind.
21. The proposed renovation complies with Universal Guideline #4 as distinctive materials, components, finishes, and examples of craftsmanship will be retained and preserved. As no historic exterior finishes had been lost, there was no need to reproduce missing historic elements.
22. The proposed renovation complies with Universal Guideline #5 as deteriorated or damaged historic features and elements will be repaired rather than replaced. The only historic features requiring repair are the historic steel-frame windows on the south elevation. The applicant proposed to repair and preserve these windows; those that could not be repaired due to the severity of deterioration would be replaced in-kind. Other non-historic windows on the south elevation were to be replaced in-kind.
23. The proposed renovation complies with Universal Guideline #6 as features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines such as the c.1976 additions on the northeast corner of the structure were intended to be removed. These additions housed the elevator, stairs, and fire kiln. No other incompatible features are known to exist.
24. The proposed renovation complies with Universal Guideline #7 as the owner did not propose to introduce any architectural elements or details that visually modify or alter the original building design when no evidence of such elements or details exist.
25. Compliance with Universal Guideline #8 is incomplete as the Preservation Plan did not specify whether or not chemical or physical treatments would be undertaken using recognized preservation methods to ensure that these treatments did not damage or alter the appearance of historic materials.
26. The proposed renovation <u>does not comply</u> with Universal Guideline #9 as the new addition will destroy a significant percentage of historic materials along the east wall of the building as approximately 76 linear feet of the east wall would be enclosed by the new addition.
27. The proposed renovation complies with Specific Guideline A.1.1 as it maintains the existing front and side yard setbacks of Historic Sites. The applicant does not intend to change the front and side yard setbacks of the historic site along the north, west, and south elevations. The addition was proposed to be added to the east elevation.
28. The proposed renovation complies with Specific Guideline A.1.2 as the main entry, as it exists today, will be retained and will provide access to a reception area for employees and office spaces. A new entrance on the corner of Main Street and Heber is proposed for the museum exhibition space.

29. The proposal complies with Specific Guideline A.1.3 as the original path or steps leading to the main entry will be maintained. The applicant does not intend to change the steps or ramps at the southwest corner of the historic building.
30. Specific Guidelines A.2.1 and A.2.2 are not applicable as there are no historic stone retaining walls to maintain.
31. Specific Guidelines A.3.1, A.3.2, and A.3.3 are not applicable as there are no historic fences and handrails to maintain.
32. Specific Guideline A.4.1 is not applicable as there are no historic hillside steps that may be an integral part of the landscape to maintain.
33. The proposed renovation complies with Specific Guideline A.5.1 as landscape features that contribute to the character of the site will be preserved. The applicant does not propose to change any landscape features of the site. Rather, additional landscaping will be added along the north elevation of the structure. Minimal landscaping existed here historically.
34. The proposed renovation complies with Specific Guideline A.5.2 as landscape treatments for walkways, paths, and the building were incorporated in a comprehensive, complementary, and integrated design. The applicant intends to preserve the urban characteristics of the site that relate to the historic district and commercial core as a whole. Additional landscaping is proposed along the rear of the structure on the north elevation.
35. The proposed renovation complies with Specific Guideline A.5.3 as the historic character of the site shall not be significantly altered by substantially changing the proportion of built or paved area to open space. As proposed, the new addition would replace an existing terrace and parking area. The new addition would provide additional density to the historic commercial district and fill a gap that exists in the current urban fabric of this neighborhood.
36. The proposed renovation complies with Specific Guideline A.5.4 as the proposed landscape plans balance water efficient irrigation methods and drought tolerant and native plant materials with existing plant materials and site features that contribute to the significance of the site. Additional plantings were proposed for the existing planting bed along the north elevation.
37. Specific Guideline A.5.5 is not applicable as there is no driveway proposed for this site that would require snow storage.
38. The proposed renovation complies with Specific Guideline A.5.6 as the applicant provided a detailed landscape plan that respects the manner and materials used traditionally in the districts. Due to its location in the commercial core, there is very little room for landscaping on this site. The applicant however, did expand an existing planting area on the north elevation and planned to plant additional shrubs along this elevation.
39. The proposed renovation complies with Specific Guideline A.5.7 as landscaped separations are proposed between parking areas, drives, service areas, and public use areas including walkways, plazas, and vehicular access points. The planter along the north elevation will help separate the driveway and parking area to the east of the adjacent historic structure along Park Avenue.
40. The proposed renovation complies with Specific Guideline A.5.8 as the original grading of the site will be maintained when and where feasible.

41. The proposed renovation does not comply with Specific Guideline B.1.1 as the original barrel-vaulted roof structure will not be maintained. Because of its structural incapacities, the applicant proposed reconstructing a flat roof on the building that would also act as a rooftop deck. The rooftop deck consumed the entire rooftop space.
42. Specific Guideline B.1.2 is not applicable as new roof features, such as photovoltaic panels (solar panels) and/or skylights were not proposed.
43. Compliance with Specific Guideline B.1.3 is incomplete as the applicant did not specify if gutters and downspouts would be installed during the renovation.
44. Compliance with Specific Guideline B.1.4 is incomplete as the applicant did not indicate if the proposed roof colors would be neutral and muted and materials would not be reflective.
45. The proposed complies with Specific Guideline B.2.1 in that primary and secondary façade components, such as window/door configuration, wall planes, recesses, bays, balconies, steps, porches, and entryways will be maintained in their original location on the façade. Rather, the historic structure will remain largely as-is from the exterior, though repairs and restoration will occur. The only elevation impacted by the new addition is the east side of the historic structure.
46. The proposed renovation complies with Specific Guideline B.2.2 as the applicant intended to preserve damaged and deteriorated façade materials by repointing the historic brick and restoring the historic steel-frame windows on the north elevation.
47. Compliance with Specific Guideline B.2.3 is incomplete as the Preservation Plan does not identify that the disassembly of historic elements—window, molding, bracket, etc.--is necessary for its restoration, recognized preservation procedures and methods for removal, documentation, repair, and reassembly should be used. The preservation methods to be used on the restoration of the historic steel-frame windows on the north elevation were not specifically outlined.
48. The proposed renovation complies with Specific Guideline B.2.4 as the Preservation Plan specifies that if historic exterior materials cannot be repaired, they will be replaced with materials that match the original in all respects: scale, dimension, texture, profile, material, and finish. The applicant has indicated that any historic windows on the north elevation that cannot be restored will be replaced in-kind.
49. Specific Guideline B.2.5 is not applicable as substitute materials such as fiber cement or plastic-wood composite siding, shingles, and trim boards have not been proposed.
50. Specific Guideline B.2.6 is not applicable as substitute materials have not been proposed on a primary or secondary façade (as stated in B.2.4 and B.2.5).
51. The proposed renovation complies with Specific Guideline B.2.7 as no interior changes that affect the exterior appearance of facades, including changing original floor levels, changing upper story windows to doors or doors to widows, and changing porch roofs to balconies or decks are proposed.
52. Specific Guideline B.3.1 is not applicable as no new proposed foundation will raise or lower the structure generally more than two feet (2') from its original floor elevation. The only proposed foundation work is in the southwest corner of the

building where excavation will occur beneath the structure to create additional basement space.

53. Specific Guideline B.3.2 is not applicable as the original placement, orientation, and grade of the historic building is not proposed to change.
54. Specific Guideline B.3.3 is not applicable as no new foundation is proposed beneath the historic structure, and the original grading will be retained.
55. Specific Guideline B.4.1 is not applicable as there are no historic door openings, doors, and door surrounds.
56. Specific Guideline B.4.2 is not applicable as there are no historic doors that will need to be replaced. Any replacement doors will be compatible to the historic structure.
57. Specific Guideline B.4.3 is not applicable as there is no intent to add storm doors and/or screen doors on primary or secondary facades.
58. The proposed renovation complies with Specific Guideline B.5.1 as historic window openings, windows, and window surrounds will be maintained. Historic window openings and historic steel-frame windows on the north elevation will be maintained. Those historic windows that cannot be made safe and serviceable through repair will be replaced in-kind.
59. The proposed renovation complies with Specific Guideline B.5.2 as replacement windows will only be installed if the historic windows cannot be made safe and serviceable through repair. Replacement windows should exactly match the historic window in size, dimensions, glazing pattern, depth, profile, and material. Historic steel-frame windows on the north elevation will be restored, except for those windows that cannot be made safe and serviceable through repair.
60. Specific Guideline B.5.3 is not applicable as the applicant does not propose to install any storm windows.
61. The proposed renovation complies with Specific Guideline B.6.1 as mechanical equipment and utilities, including heating and air conditioning units, meters, and exposed pipes, will be located on the rear façade or another inconspicuous location (except as noted in B.1.2) or incorporated into the appearance as an element of the design. Any new rooftop mechanical equipment would be installed on the northeast corner of the existing structure and screened from view.
62. The proposed renovation complies with Specific Guideline B.6.2 as ground-level equipment should be screened from view using landscape elements such as fences, low stone walls, or perennial plant materials. The applicant intends to install new mechanical equipment on the northeast corner of the roof of the historic structure.
63. The proposed renovation complies with Specific Guideline B.6.3 as the plan avoids removing or obstructing historic building elements when installing systems and equipment. The rooftop location of new mechanical equipment would not remove or obstruct historic building elements.
64. Specific Guideline B.6.4 is not applicable as contemporary communication equipment such as satellite dishes or antennae have not been proposed.
65. The proposed renovation complies with Specific Guideline B.7.1 as original materials such as brick and stone that are traditionally left unpainted will not be

painted. The applicant did not propose to paint any original masonry materials traditionally left unpainted. Existing painted concrete surfaces will be repainted.

66. Specific Guideline B.7.2 is not applicable as there are no wood surfaces on the historic building that will be painted.
67. Compliance with Specific Guideline B.7.3 is incomplete as the applicant did not specify if low-VOC paints would be used.
68. Specific Design Guideline C.1 Off-street parking is not applicable as the applicant does not intend to provide off-street parking.
69. Specific Design Guideline C.2 is not applicable as the applicant is not proposing to construct any driveways.
70. Specific Design Guideline C.3 is not applicable as the applicant is not proposing any detached garages.
71. The proposed addition complies with Specific Design Guideline D.1.1 as the applicant has demonstrated that the existing structure cannot accommodate the growing needs of the Kimball Art Center and an addition to the historic building is necessary.
72. The proposed addition <u>does not comply</u> with Specific Design Guideline D.1.2 as the addition is not visually subordinate to the historic building when viewed from the primary public right-of-way along Heber Avenue. The height of 46 feet at the corner of Heber Avenue and Main Street as well as the scale of the proposed new addition overpowers the historic structure and blocks the view of the historic structure from the intersection of Heber Avenue and Main Street. Further, the heavy massing of the new addition detracts from the historic structure.
73. The proposed addition <u>does not comply</u> with Specific Design Guideline D.1.3 as the addition obscures and contributes significantly to the loss of historic materials. The new addition consumes nearly the entire length of the east elevation of the existing structure. The transitional element is setback two feet (2') from the plane of the north and south walls. The east wall is roughly eighty feet (80') in length; however, four feet (4') of the eighty (80) will remain visible on the exterior.
74. The proposed addition <u>does not comply</u> with Specific Design Guideline D.1.4 where the new addition abuts the historic building, a clear transitional element between the old and the new has not been designed. The proposed transitional element is 2'6" in width. The transitional element should provide greater visual connection between the historic structure and the new addition.
75. The proposed renovation complies with Specific Design Guideline D.1.5 as the applicant intends to remove additions that were constructed c.1976 and have not achieved historic significance in their own right.
76. The proposed renovation <u>does not comply</u> with Specific Guideline D.2.1 as the Addition does not complement the visual and physical qualities of the historic building. There is no reflection of the historic building's materials, rhythm, patterning, or solid-to-void ratio that would tie the new addition to the old building.
77. The proposed addition <u>does not comply</u> with Specific Guideline D.2.2 as the building components and materials used on addition are not similar in scale and size to those found on the original building.

78. The proposed addition does not comply with Specific Guideline D.2.3 as the window shapes, patterns and proportions found on the historic building are not reflected in the new addition.
79. The proposed addition does not comply with Specific Guideline D.2.4 as the large addition is not significantly visually separated from the historic building when viewed from the public right of way.
80. Specific Guideline D.3. Scenario 1: Residential Historic Sites is not applicable.
81. Specific Guideline D.4. Scenario 2: Residential Historic Sites is not applicable. Specific Guideline E. Relocation and/or Reorientation of Intact Buildings is not applicable..
82. Specific Guideline F. Disassembly/Reassembly of All or Part of a Historic Structure is not applicable.
83. Specific Guideline G. Reconstruction of an Existing Historic Structure is not applicable.
84. Specific Guideline H. Accessory Structure is not applicable.
85. Specific Guideline I. Signs is not applicable as no signage has been proposed as part of this application. Any new signs would require a sign permit.
86. Specific Guideline J. Exterior Lighting is not applicable as no exterior lighting has been proposed as part of this application.
87. Specific Guideline K. Awnings is not applicable as no awnings have been proposed as part of this application.
88. The proposed renovation complies with Specific Guideline L.1 as the owner will maintain a substantial percentage of interior floors, walls, and non-structural elements. The Kimball Art Center was remodeled in 1976 and the majority of the interior walls are from this prior remodel. With the exception of the east exterior wall, the applicant did not intend to remove a substantial percentage of original interior walls.
89. Specific Guideline L.2 is not applicable.
90. The proposed renovation complies with Specific Guideline L.3 as it retains the inherent energy-conserving features of historic buildings and its site, including shade trees, porches, operable windows, and transoms. Any historic operable windows that could not be made safe and serviceable through repair would be replaced in-kind.
91. The proposed renovation complies with Specific Guideline L.4 as it increases the thermal efficiency of historic buildings by observing traditional practices such as weather-stripping and insulating. The applicant intends to improve the thermal efficiency of the historic structure by replacing non-historic windows with new thermal-pane windows.
92. Specific Guideline L.5 is not applicable as the owners are not proposing to use sources of renewable energy—on- or offsite.
93. The proposed renovation complies with Specific Guideline M.1 as the visual impact of exterior treatments associated with seismic upgrades will be minimized. The applicant did not intend for seismic upgrades to affect the exterior of the structure. The Preservation Plan notes that exterior tie-rod anchor plates will be inspected and repaired where necessary.

94. The proposed renovation complies with Specific Guideline N.1 as barrier-free access will be provided that promotes independence for the disabled to the highest degree practicable, while preserving the character-defining features of historic buildings. There is an existing ADA entrance to the structure on the southwest corner of the main entrance that will remain.

95. The proposed renovation complies with Specific Guideline N.2 in that the appearance of accessibility ramps or elevators will not significantly detract from the historic character of the building. The existing ADA entrance meets the grade of the sidewalk at this location and does not significantly detract from the historic character of the building.

96. Specific Guideline N.3 is not applicable as there are no existing historic doors.

97. Specific Guideline MSHS1 does not comply as the proposed addition will cause the building to be removed from the National Register of Historic Places, and it will be listed as a non-contributing building within the Main Street National Historic District. The new addition does not contribute to the historic character of the district. It does not reflect the materials, composition, rhythm, patterning, or proportions of the historic district nor the historic Kimball Garage.

98. The proposed addition does not comply with Specific Guideline MSHS2 in that the alignment and setback along Main Street are character-defining features of the district. Within the Main Street commercial district, the historic rhythm and pattern of building heights and widths has been maintained. The proposed addition alters this pattern and does not relate to the existing module of historic buildings along the street. The proposed addition complies with Specific Guideline MSHS3 in that the orientation of the primary entrance is located on the corner, consistent with other non-historic structures on the south side of the Heber Avenue-Main Street intersection and maintains the original historic corner entrance as well along Heber and Park Avenue

99. Specific Guideline MSHS4 is not applicable as street furniture, planters and other elements proposed for the building-sidewalk interface have not been proposed as part of this application.

100. Specific Guideline MSHS5 is not applicable as no exterior lighting elements have been proposed as part of this application.

101. The proposed renovation does not comply with Specific Guideline MSHS6 as the proposed rooftop deck addition is not set back from the primary façade. The plans show that the rooftop deck will consume the entire roof structure of the historic structure. It is not evident how visible the rooftop deck or its railings would be from the primary facades.

102. Specific Guideline MSHS7 is not applicable as this property does not front Swede Alley.

103. The plans subject to review are dated March 10, 2014.

Conclusion of Law

1. The proposal does not comply with the 2009 Park City Design Guidelines for Historic Districts and Historic Sites.

The owner, applicant, or any person with standing as defined in Section 15-1-18(D) of the Land Management Code (LMC) may appeal any Planning Department decision made on a Historic District Design Review Application to the Historic Preservation Board. All appeal requests shall be submitted to the Planning Department within ten (10) days of the decision. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his/her relationship to the project, and a comprehensive statement of the reasons for the appeal, including specific provisions of the Code and Design Guidelines that are alleged to be violated by the action taken. All appeals shall be heard by the reviewing body within forty-five (45) days of the date that the appellant files an appeal unless all parties, including the City, stipulate otherwise.

If you have any questions, please do not hesitate to contact me. I can be reached at (435) 615-5067, or via e-mail at anya.grahn@parkcity.org.

Sincerely,

Anya E. Grahn

Anya E. Grahn
Historic Preservation Planner

Thomas E. Eddington Jr., AICP, PLA
Planning Director