



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
March 8, 2018**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, March 8, 2018.

CLOSED SESSION

2:00 p.m. To Discuss Property, Personnel and Litigation

WORK SESSION

4:00 p.m. Council Questions and Comments

4:15 p.m. – McPolin Farm Update **PAGE 4**

4:45 p.m. – Discuss Possible RFP for Public Art at Creekside Treatment Plant **PAGE 8**

5:00 p.m. – Lower Park Avenue Affordable Housing: Discuss Options for Woodside Park Phase 2 - Conceptual Designs **PAGE 15**

5:45 p.m. – BREAK

REGULAR MEETING

6:00 p.m.

I. ROLL CALL

II. EMPLOYEE RECOGNITION

Consideration to Approve Resolution 04-2018, a Resolution Acknowledging Denise Carey's Retirement from Park City Municipal Corporation and Recognizing Her Many Contributions in Providing Public Service, Support to Her Fellow Employees, and Contributions to Park City Community **PAGE 22**

(A) Public Input (B) Action

III. APPOINTMENTS

Consideration to Appoint the Following to the Planning Commission: Sarah Hall and Mark James Sletten to Terms Ending July, 2020; John Kenworthy to a Term Ending July, 2021; and Re-Appoint Laura Suesser and John Phillips to Terms Ending July, 2022 **PAGE 25**

IV. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Reports:

- 2018 Special Event Calendar Preview **PAGE 27**
- Emergency Contract for Professional Service Agreement with Ward Engineering Group **PAGE 30**
- Citywide Employee Safety Program Update **PAGE 34**

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

VI. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from February 22 and 28, 2018 **PAGE 36**

VII. CONSENT AGENDA

1. Request to Authorize the City Manager to Enter into a Contract, in a Form Approved by the City Attorney's Office, with Pure Technologies US Inc., d.b.a. Wachs Water, for Acoustic Leak Detection of the Park City Water System in an Amount Not to Exceed \$141,500 **PAGE 41**
2. Request to Authorize the City Manager to Enter into a Contract, in a Form Approved by the City Attorney's Office, with WaterSmart Software Inc. for a Water Conservation and Usage Customer Portal in an Amount Not to Exceed \$185,500 **PAGE 45**
3. Request to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with Ward Engineering Group. for the Golf Course Maintenance Building Engineering Services, in an Amount Not to Exceed \$48,556.00 **PAGE 49**

VIII. NEW BUSINESS

1. Consideration to Adopt Council Liaison Assignments **PAGE 57**
(A) Public Input (B) Action
2. Consideration to Approve Ordinance No. 2018-08, an Ordinance Approving the Alice Claim Subdivision and Plat Amendment, Located at the Intersection of King Road, Ridge Avenue, Sampson Avenue, and Woodside Gulch, Park City, Utah **PAGE 60**
(A) Public Hearing (B) Action
3. Consideration to Approve Ordinance No. 2018-09, an Ordinance Approving the Ridge Avenue Plat Amendment, Located at 123 Ridge Avenue, Park City, Utah **PAGE 156**
(A) Public Hearing (B) Action

4. Consideration of the Mountaintop Subdivision Annexation Petition to Allow Further Review and Recommendation by the Planning Commission **PAGE 168**

(A) Public Hearing (B) Action

5. Consideration to Approve the Snyderville Basin Special Recreation District (SBSRD) Trail Easement Across City-Owned Property on Iron Mountain **PAGE 188**

(A) Public Hearing (B) Action

6. 2018 Legislative Update **PAGE 211**

IX. ADJOURNMENT

X. PARK CITY REDEVELOPMENT AGENCY

I. ROLL CALL

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

III. NEW BUSINESS

1. Consideration to Authorize the City Manager to Execute a Contract with Earthworks Landscape for the Construction of Chambers Trail, in a Form Approved by the City Attorney's Office in the Amount of \$44,880 **PAGE 212**

IV. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m.

Posted: See: www.parkcity.org

***Parking validations will be provided for Council meeting attendees that park in the China Bridge parking structure.**



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

Over time, staff believes that Council has sought to minimally increase activation at the Farm in order to highlight its historical relevance and preservation accomplishments – to share the Farm’s story and provide a better connection with area residents and visitors. Despite this goal, Council and staff have resisted discussing any changes until the extensive renovation project and staffing adjustments were completed.

Now that both efforts have concluded, staff seeks formal Council direction on whether to pursue amendments to the Farm’s Conditional Use Permit and Administrative Policy. The additional activation would be to include small educational group tours of the Barn for adults and school groups in order to better reflect and support Council’s goal of promoting an inclusive and Healthy Community through historic preservation ([Goals p.3](#)). Since the Barn restoration was completed in 2016, the Friends of the McPolin Farm (FOF) have also expressed a strong interest in broadened uses, while maintaining an understanding additional programming may require more resources and intensity at the Farm. In addition, expanding use and interpretation at the Farm was also supported by the [McPolin Farm Historic Preservation Plan](#) (HPP) and community response to a 2015 survey - [Farm Use Survey Data](#) (75.4% of respondents replied ‘yes’ to: “Would you like to be able to tour inside the Barn?”).

Though these changes may appear minimal, they are expressly prohibited by the underlying [McPolin Farm Conditional Use Permit](#) (CUP) and the [McPolin Farm Administrative Policy](#). It is important to note that since the 2016 renovation project, the Chief Building Official has, conditioned with Council approval, approved the Barn for guided tours of 25 or less so long as accompanied by an authorized City official. Additionally, if City Council desires to update the governing policies, expanded use of the Farm would likely require additional resources, including staff and volunteer time, parking management/infrastructure, and building and site maintenance. This is why staff is only recommending minimal activation for small groups and educational tours. Further activation such as private events, weddings, and other private gatherings are not being considered at this time.

Respectfully:

Minda Stockdale, Deputy City Recorder

City Council Staff Report

Subject: McPolin Farm
Author: Minda Stockdale, Farm Manager
Department: Executive
Date: January 23, 2018
Type of Item: Capital Improvement/Historic Preservation Plan

Summary Recommendation

Staff requests the City Council consider future uses at the McPolin Farm and provide direction regarding minimal activation of the Barn to highlight historical relevance and preservation accomplishments. As a point of caution, expanding activation at the Farm will require City Council and Planning Commission support, and considerable staff resources in order to properly amend the Farm's originating land use agreements and covenants.

Executive Summary

Over time, staff believes that Council has sought to minimally increase activation at the Farm in order to highlight its historical relevance and preservation accomplishments – to share the Farm's story and provide a better connection with area residents and visitors. Despite this goal, Council and staff have resisted discussing any changes until the extensive renovation project and staffing adjustments were completed.

Now that both efforts have concluded, staff seeks formal Council direction on whether to pursue amendments to the Farm's Conditional Use Permit and Administrative Policy. The additional activation would be to include small educational group tours of the Barn for adults and school groups in order to better reflect and support Council's goal of promoting an inclusive and Healthy Community through historic preservation ([Goals p.3](#)). Since the Barn restoration was completed in 2016, the Friends of the McPolin Farm (FOF) have also expressed a strong interest in broadened uses, while maintaining an understanding additional programming may require more resources and intensity at the Farm. In addition, expanding use and interpretation at the Farm was also supported by the [McPolin Farm Historic Preservation Plan](#) (HPP) and community response to a 2015 survey - [Farm Use Survey Data](#) (75.4% of respondents replied 'yes' to: "Would you like to be able to tour inside the Barn?").

Though these changes may appear minimal, they are expressly prohibited by the underlying [McPolin Farm Conditional Use Permit](#) (CUP) and the [McPolin Farm Administrative Policy](#). It is important to note that since the 2016 renovation project, the Chief Building Official has, conditioned with Council approval, approved the Barn for guided tours of 25 or less so long as accompanied by an authorized City official. Additionally, if City Council desires to update the governing policies, expanded use of the Farm would likely require additional resources, including staff and volunteer time, parking management/infrastructure, and building and site maintenance. This is why staff is only recommending minimal activation for small groups and educational tours. Further activation such as private events, weddings, and other private gatherings are not being considered at this time.

Acronyms

CUP	Conditional Use Permit
FOF	Friends of the McPolin Farm
HDDR	Historic District Design Review
HPB	Historic Preservation Board
HPP	McPolin Farm Historic Preservation Plan

The Problem

Current practices and stated goals of the FOF and community survey do not necessarily align with the CUP and Administrative Policy. In addition, staff believes the community is rightly divided. Anecdotally, many suggest the Farm should be left in its natural setting and not become a tourist attraction that draws outside visitors, as perhaps was intended in the original CUP and Admin Policy. However, others maintain that the Farm and surrounding community can mutually benefit via some levels of activation and, if properly managed, better connect us with our important historic past.

Staff and the FOF want to find a middle ground that allows the community to enjoy the recent historic renovation and preservation work, while at the same time preventing the Farm from being “overloved.”

Background

- February 6, 2014: The Council, FOF, and staff had a Study Session to discuss the McPolin Farm policies and structural conditions. [Report \(p.5\)](#); [Minutes \(p.1\)](#)
- January 29, 2015: The Council discussed the preservation of the Barn and directed staff to complete the Historic Preservation Plan, procure a more formal structural analysis of the barn, and gather community input to help inform any future dialogue and decisions on farm uses.
- June 11, 2015: The Council reaffirmed staff’s recommendation to proceed with the structural upgrades to the barn. The estimate for temporary occupancy code level upgrade was \$1,024,000. Staff presented the results of the Farm Use survey of over 460 participants.
- January 29, 2016: The McPolin Farm Preservation Plan completed (Exhibit C).
- April 6, 2016: The HPB reviewed and approved the McPolin Barn Structural Upgrade project construction and preservation plan. On April 7, 2016 the project received the final action letter and approval of the HDDR by Planning Staff.
- July 13, 2017: Council Member Gerber requested staff explore the idea of giving tours at the Farm.

January 29, 2015	Work Session McPolin Farm Historic Preservation Plan (page 5)
January 29, 2015	Meeting Minutes (page 1)
June 11, 2015	Work Session McPolin Barn (page 13)
June 11, 2015	Meeting Minutes (page 2)
December 10, 2015	Consent Agenda McPolin Barn Structural Upgrade (page 314)
February 25, 2016	New Business McPolin Barn Structural Upgrade Update (page 220)
February 25, 2016	Meeting Minutes (page 10)
April 6, 2016	HPB Material Deconstruction Review (page 1)

Alternatives for City Council to Consider

Alternative: Direct staff to pursue amendments to the CUP and Administrative Policy.

Pros

- a. Allows for policy changes to align with desired practices.
- b. Fulfills the goals of the General Plan (104), City Council’s Historic Preservation Goals, and Arts & Culture Top Priority Goal. ([link](#))

Cons

- a. Demand may exceed current staff and volunteer capacity.
- b. Access of the historic barn structure is limited; structure is not ADA compliant.
- c. Interpretive Plan which would determine the level of public access to the Barn is not yet defined.

Consequences of Selecting This Alternative

May require additional resources and maintenance due to increased use.

Null Alternative: Status quo, do not pursue additional guided tours. City Council could ask staff to pursue more of the available event permits as an alternative.

Pros

- a. Existing CUP and Administrative Policy remain in place; status quo.
- b. No additional budget considerations.

Cons

- a. No increased community benefit or education around Farm history or restoration project.

Consequences of Selecting This Alternative

Staff continues to operate the Farm as is. Interpretation and access are limited to “looking through the windows” and Walking Tour App. Limited community appreciation or education around Farm history or restoration project.

Analysis

Staff is seeking direction to find a balance between designated, passive use, preservation and facilitating public enjoyment and education around the McPolin Farm and the City’s preservation efforts. Input from FOF, the HPP, and the 2015 Farm Use Survey results indicate these are not mutually exclusive goals. Existing resources and policy documents limit staff’s ability to increase activation of the site if desired.

It remains a priority to staff and the FOF to maintain use of the Farm as designated and passive. Preservation of place remains a top priority. In keeping with direction from Council, the FOF and the HPP, preservation and maintenance of the property’s aesthetics are fundamental. Staff understands that requested, exclusive use of the Farm is problematic as it interferes with passive, community use.

Department Review

Executive/Friends of the McPolin Farm
Sustainability
Planning

Funding Source

Additional staffing, maintenance or capital improvements (i.e. parking) would have to go through the City’s annual budget process.

Attachments

- A [McPolin Farm Conditional Use Permit](#)
- B [McPolin Farm Administrative Policy](#)
- C [McPolin Farm Historic Preservation Plan](#)
- D McPolin Farm Use Survey, 2015:
 - [Farm Use Survey Data](#)
 - [Farm Use Survey Comments](#)
- E [McPolin Farm Strategic Plan, 2014](#)
- F [Additional Projects and Future Goals](#)
- G [McPolin Barn Structural Upgrade Scope](#)



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

Council retains authority to give approval on any decision regarding Public Art. The Public Utilities Department has collaborated with PAAB and requests Council's consent to move forward with an RFP for public art at the new Creekside Water Treatment Plant. After writing the RFP and receiving proposals, staff would return to council to recommend an artist for the project.

Respectfully:

Meghan Newsome, Water Quality Intern



City Council Staff Report

Subject: Public Art for Creekside Water Treatment Plant

Author: Meghan Newsome, Water Quality Intern

Jenny Diersen, Staff Liaison to the Public Art Advisory Board

Department: Public Utilities, Water Department, Economic Development

Date: 2/26/18

Type of Item: Consent

Summary Recommendation

Council should consider giving consent to staff to move forward with an RFP for public art at the Creekside Water Treatment Plant.

Executive Summary

Council retains authority to give approval on any decision regarding Public Art. The Public Utilities Department has collaborated with PAAB and requests Council's consent to move forward with an RFP for public art at the new Creekside Water Treatment Plant. After writing the RFP and receiving proposals, staff would return to council to recommend an artist for the project.

Acronyms

PAAB	Public Art Advisory Board
RFP	Request for Proposal
FY18	Fiscal Year of 2018

The Problem and the Opportunity

This project was not on PAAB's strategic plan list when staff presented the list to Council in September of 2017.

The Public Utilities Department replaced 200 water meters with new more efficient models and construction began on the new [Creekside Water Treatment Plant](#). While this was a positive change, the old water meters have created a challenge as they need to be discarded creating increased waste and impact to the environment.

There is an opportunity to repurpose the old water meters and create public art that can also be a valuable educational tool to get the general public thinking about how water is delivered to their tap.

Background

September 14, 2017 [PAAB Annual Update & Strategic Plan \(pg. 48\) / Minutes \(pg. 2 &3\)](#)

Alternatives for City Council to Consider

1. Recommended Alternative: Staff is seeking consent to move forward with an RFP for public art at the Creekside Water Treatment Plant

Pros

- a. This will decrease the amount of waste going to the recycling center.
- b. Repurposing the water meters also furthers council's critical goal of energy and sustainability
- c. Community enrichment by providing art in public spaces.
- d. Educational through its interactive components that may inspire curiosity in our water distribution, and instill trust in Public Utilities' efforts to move towards a future of sustainability.
- e. Enriches our community by capturing the value we have in our historical infrastructure. The collaborative efforts of Public Utilities, PAAB and hopefully a local artist will strengthen our community.

Cons

- a. This project will occupy additional staff and resources.

Consequences of selecting this alternative

The project would not take place and the opportunity to engage the public in understanding our water infrastructure through art will be missed.

Analysis

- The site location for the piece of art is at the exterior yard of the new Creekside Water Treatment Plant surrounded by a public playground, bike path and jump park that attracts various members of our community.
- Currently, Public Utilities is upgrading water meters throughout the distribution system and rather than throwing them away, would like to repurpose them through a collaborative Public Art project.
- Staff recommends requiring the artist or artist team to use these meters and other materials donated by the Water Department in at least 80% of the installation. We also urge the artist build an installation that is interactive, educational, and visually appealing.
- Goal to complete this project is during the summer of 2018, which is concurrent to the landscaping scheduled at the Creekside Treatment Plant this spring.

Department Review

Public Utilities, Water, Economic Development, Sustainability, Community Engagement, Budget, Executive and Legal

Funding Source

The total maximum allocated for this project is thirteen thousand dollars (\$13,000.00).

- \$6,000 comes from Public Utilities' building budget.
- PAAB made a recommendation to match Public Utilities funding from their additional CIP allocations in an amount up to \$6,000. The Creekside Water Plant did not include a 1% allocation towards Public Art because it is a public utilities project.

- Additionally, the Water Department applied for and received an additional \$1,000 in funding for this project through a grant from the Utah Office of Arts and Museums.

Attachments

A Site Location and image of old water meter.

Attachment A:

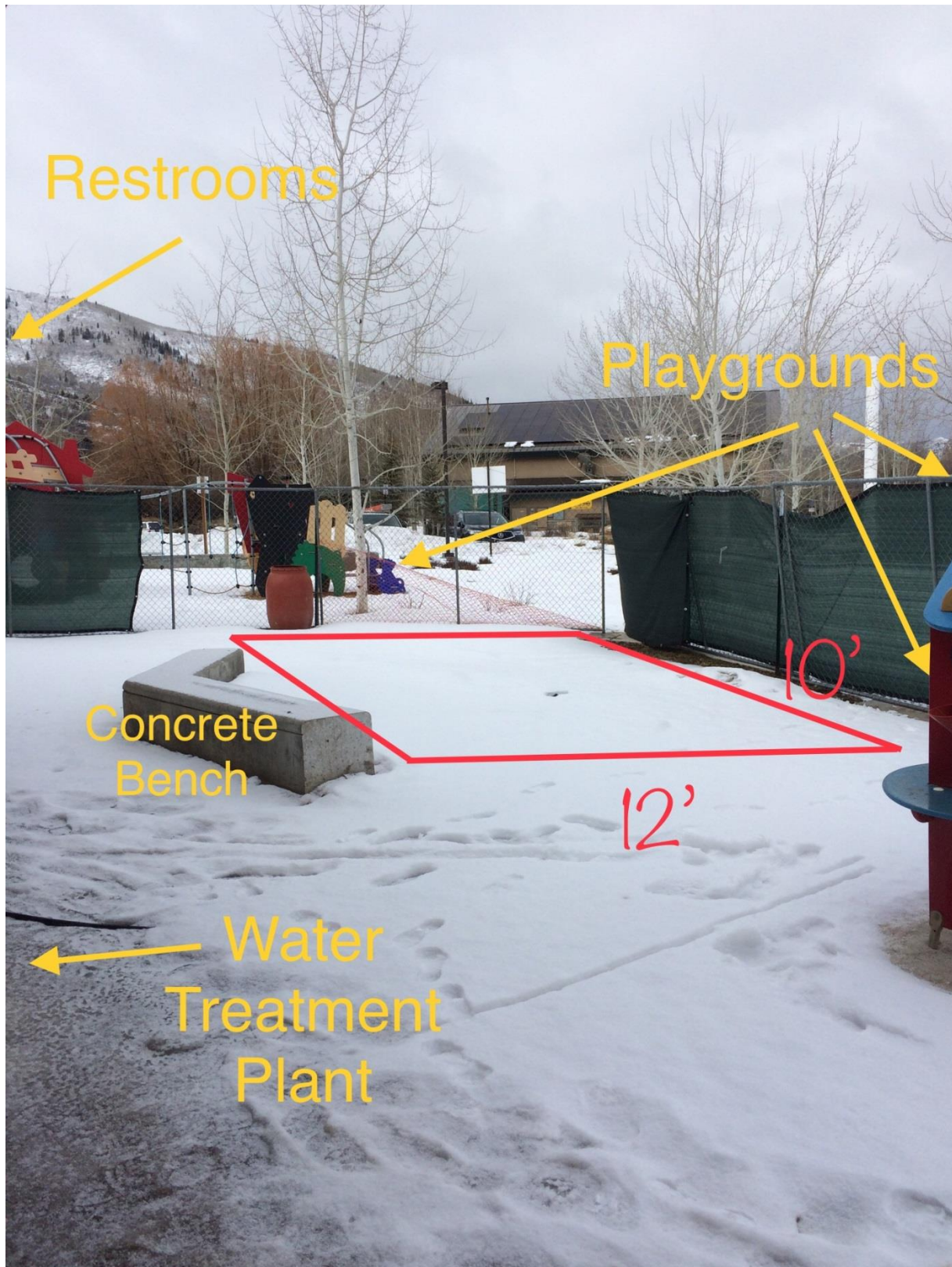
Residential water meter saved for repurposing.



Materials donated.



Site Location and Specs.





DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

Method Design has worked with staff to develop multiple concepts for the Woodside Phase 2 parcel. We have refined two concepts to the point that we seek direction to further develop a preferred option. Our efforts have considered various tradeoffs and inputs, balancing: underlying zoning (height, setbacks, density, etc.); density; streetscape and neighborhood compatibility; access and driveway locations; affordability and other financial implications; walkability and neighborhood connectivity); as well as good design and ability to fit into a broader neighborhood master plan. Staff seeks Council's preliminary direction on a preferred affordable housing concept at Woodside Phase 2 parcel; and seek public input on preferred alternative on the parcel during the public open house to be held on March 13th and incorporate comments into the final design as feasible. Lastly, staff seeks Council's support to move into the next stages of design with Method Design with the goal of beginning construction on the fire station parcel in fall of 2018.

We anticipate considerable community engagement in the near future on other portions of the project, particularly with the seniors, recreation and other community users. This project furthers City Council's Critical Priorities of Housing and Social Equity.

Respectfully:

Jason Glidden, Housing Development Manager

RDA Staff Report



Subject: Lower Park Avenue Affordable Housing:
Options for Woodside Park Phase 2
Author: Jason Glidden
Department: Community Development
Date: March 8, 2018
Type of Item: Administrative

Summary Recommendation

Provide preliminary direction on a preferred concept for the housing project on the Woodside Phase 2 parcel, to present and receive input at an open house scheduled at the Library Community Room on March 13 from 4:00 – 6:00 pm. Further, staff recommends Council provide direction for staff to proceed into the next phase of design with Method Design, with the goal of beginning construction in fall of 2018.

Executive Summary

Method Design has worked with staff to develop multiple concepts for the Woodside Phase 2 parcel. We have refined two concepts to the point that we seek direction to further develop a preferred option. Our efforts have considered various tradeoffs and inputs, balancing: underlying zoning (height, setbacks, density, etc.); density; streetscape and neighborhood compatibility; access and driveway locations; affordability and other financial implications; walkability and neighborhood connectivity); as well as good design and ability to fit into a broader neighborhood master plan.

Staff seeks Council's preliminary direction on a preferred affordable housing concept at Woodside Phase 2 parcel; and seek public input on preferred alternative on the parcel during the public open house to be held on March 13th and incorporate comments into the final design as feasible. Lastly, staff seeks Council's support to move into the next stages of design with Method Design with the goal of beginning construction on the fire station parcel in fall of 2018.

We anticipate considerable community engagement in the near future on other portions of the project, particularly with the seniors, recreation and other community users.

This project furthers City Council's Critical Priorities of Housing and Social Equity.

Acronyms

AMI Area Median Income
RDA Lower Park Avenue Redevelopment Authority

The Opportunity

The City owns contiguous property between Woodside Avenue and Empire Avenue in the 1300 block. City Council has identified approximately \$40 million to pursue their critical goal of creating affordable housing. This project represents the second phase of

the Woodside Park affordable housing project, with the first phase currently under construction at the old fire station parcel.

Background

October 20, 2016 - [Staff Report \(pg. 3\)](#), [Summary](#), [Minutes](#)

November 3, 2016 - [Staff Report \(pg. 47\)](#), [Summary](#), [Minutes](#)

December 1, 2016 - [Staff Report \(pg. 6\)](#), [Summary](#), [Minutes](#)

November 16, 2017 – [Staff Report \(pg. 71\)](#), [Summary](#), [Minutes](#)

Alternatives for City Council to Consider

Staff recommends that City Council direction on a preferred concept for affordable housing on the Woodside Phase 2 parcel. Council should consider the following alternatives:

1. **Alternative** (not recommended): Option 1 – Includes detached townhomes, surface and underground parking, and access only off of Woodside Avenue.



OPTION 1 - UNIT LEVEL

METHODSTUDIO^{INC.}

Pros

- a. Will produce more affordable housing units.
- b. Eliminates any access from Empire Drive.
- c. Provides possible opportunity for partnership.

Cons

- a. Would require significant excavation for parking, which would likely drive up costs.

b. Does not include provide any market rate units to help fund future projects

2. **Recommended Alternative:** Option 2 – Includes market rate units, additional access off of Empire Avenue.



OPTION 2 - UNIT LEVEL

METHODSTUDIO INC.

Pros

- a. Removes surface parking so that land is more efficiently utilized.
- b. Includes market rate units that could provide funding for future affordable housing projects.

Cons

- c. Creates access point from Empire Drive.
- d. Makes partnership, with a group like Habitat for Humanity, more difficult.

3. **Null Alternative:** The City Council could choose not to provide direction on a preferred concept for affordable housing on the Woodside Phase 2 parcel.

Pros

- a. Could come back with additional options.

Cons

- a. Staff and design team would lack feedback to move forward;
- b. Could delay the project completion date.

Analysis

The analysis is broken down into sections:

General Plan

Goal seven of the General Plan states “Create a diversity of primary housing opportunities to address the changing needs of residents” and goal eight states: “increase affordable housing opportunities and associated services for the workforce of Park City.” All efforts and issues identified here are to increase the number of units affordable to members of Park City’s workforce. General Plan objectives relevant to this project include:

- 7A - Increase diversity of housing stock to fill void within housing inventory.
- 7E - Create housing opportunities for the cities aging population.
- 8A - Provide increased housing opportunities that are affordable to a wide range of income levels.
- 8C - Increase housing ownership opportunities for workforce within primary residential neighborhoods.

Planning

Each of the proposed concepts has been preliminarily vetted for compliance with the historic district guidelines and the land management code. However, a full review will not take place until the submission of a complete application. All final approvals are subject to applicable regulatory approvals through the standard application process.

Housing Affordability

Base on the information provided in the [2016 Park City Housing Needs Assessment](#), along with the plan outlined in the 2017 Park City Housing Plan, staff will look to target households in the 80% to 150% Average Median Income (AMI) for Summit County. This target range will be defined further based on Council feedback and future policy discussions, which will include discussion of targeting households working within the boundaries of the Park City School District or within municipal limits. Staff plans to return to City Council at a future date to discuss a proposed pricing schedule for the project.

Housing Mix

A variety of housing types are needed to meet the diverse needs of Park City’s workforce. Staff proposes balancing the need for density to meet the number of units needed (800 new affordable units over 10 years) with the mix of types that will meet the market for a mixture of households. The current unit mix being proposed is 48 units:

- Three bedroom townhomes (6) for couples and young families;
- Studio (4), one (12), & two (15) bedroom condos for singles, couples, families and retirees;
- Three (6) bedroom townhomes to be sold at market rate.
-

The inclusion of the market rate units will help to raise revenue to help fund future housing projects. The market units make up around 15% of the total number of units being proposed for this project.

Community Engagement

With regard to future concepts for the Lower Park Avenue RDA area, significant public engagement has already taken place, beginning as early as March of 2015. Staff and Method Design used this past engagement, along with the City's housing studies, to develop the aforementioned concepts. A full Community Engagement Plan for this project has been developed to ensure that all stakeholders have an opportunity to provide feedback on the design of the project.

Department Review

Legal, Community Development, Budget, and Executive Department.

Funding Source

RDA Tax Increment Finance Bonds - As part of the Council adopted 5-year capital improvement plan, the City has allocated \$40 million towards achieving its affordable housing goals. This \$40 million is a funding mixture it to be achieved by leveraging future 15-year property tax increment in the LPA RDA, leveraging sales tax revenue from the Additional Resort Communities Sales Tax and sales of asset generated by the sales of affordable housing projects.

Exhibits

Exhibit A: Project Renderings







DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

McPolin Farm, Golf and Recreation Staff would like to inform City Council of the retirement of Denise Carey as of February 15, 2018. Hired on September 8, 1986 Denise has worked in a variety of roles for Park City Municipal, primarily in Recreation and Golf. Denise has been a staple at the McPolin farm since it was purchased in 1999. Denise started her career in Leisure Services where she worked with Recreation, Library, Golf Maintenance, Golf Pro Shop, Parks, Building Maintenance, Cemetery and the Landscape Architect. She also managed the Sundance Film Festival use of the MARC for many years. For the last 14 years, Denise has worked in her full-time position with the McPolin Farm and Golf Departments as the McPolin Farm/Golf Coordinator. She was a key contributor to the recent McPolin Farm Structural Upgrade as well as the success of the Golf Course. We are excited to support her pursuit of future endeavors and new chapters in her life.

Respectfully:

Minda Stockdale, Deputy City Recorder



City Council Staff Report

Subject: Denise Carey Retirement
Author: Vaughn Robinson, Golf Manager
Department: McPolin Farm, Golf, Recreation, Ice & Library
Date: March 8, 2018
Type of Item: Administrative

Summary Recommendation

Enact the resolution honoring the retirement of Denise Carey after 31+ years of work with Park City Municipal Corporation.

Executive Summary

McPolin Farm, Golf and Recreation Staff would like to inform City Council of the retirement of Denise Carey as of February 15, 2018. Hired on September 8, 1986 Denise has worked in a variety of roles for Park City Municipal, primarily in Recreation and Golf. Denise has been a staple at the McPolin farm since it was purchased in 1999.

Denise started her career in Leisure Services where she worked with Recreation, Library, Golf Maintenance, Golf Pro Shop, Parks, Building Maintenance, Cemetery and the Landscape Architect. She also managed the Sundance Film Festival use of the MARC for many years. For the last 14 years, Denise has worked in her full-time position with the McPolin Farm and Golf Departments as the McPolin Farm/Golf Coordinator. She was a key contributor to the recent McPolin Farm Structural Upgrade as well as the success of the Golf Course. We are excited to support her pursuit of future endeavors and new chapters in her life.

Background

- Employee Number 151 (current new hires are in the 6000's)
- Hired September 8th, 1986
- Recreation Department from 1986-2014
- McPolin Farm from 1999-2018
- Golf Course from 2004-2018

Department Review

Legal, Golf and Executive

Attachments

A Denise Carey Retirement Resolution

RESOLUTION ACKNOWLEDGING DENISE CAREY'S RETIREMENT FROM PARK CITY MUNICIPAL CORPORATION AND RECOGNIZING HER MANY CONTRIBUTIONS IN PROVIDING PUBLIC SERVICE, SUPPORT TO HER FELLOW EMPLOYEES, AND CONTRIBUTIONS TO PARK CITY COMMUNITY

WHEREAS, it is with great reluctance that the City accepts the resignation of Denise Carey after 31+ Years of extraordinary service; and

WHEREAS, Denise Carey since 1986 has performed skilled labor and complex duties related to Recreation, McPolin Farm and the Golf Course; and

WHEREAS, Denise Carey worked in a variety of roles and services including mapping cemetery plots, working with Sundance, a workout instructor, Friends of Farm, McPolin Farm Historic Registry, McPolin Farm structural upgrade, public and employee golf tournaments, Christmas in the Park, and merchandising at the golf course; and

WHEREAS, Denise worked diligently in her daily duties, where she continuously strove for excellence with high standards, humor and passion for her projects; and

WHEREAS, Denise Carey excelled in project work, facility transitions and was a key contributor to the implementation and success of the food and beverage program at the golf course; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council hereby deem it appropriate to acknowledge Denise Carey for her diligence and hard work over the past 32 years. Her performance at the City indicates continued success in any future endeavor she chooses.

PASSED AND ADOPTED this 8th day of March, 2018

PARK CITY MUNICIPAL CORPORATION

Mayor Andy Beerman

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark Harrington, City Attorney



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

There are five (5) commissioner vacancies on the Planning Commission, some of which may be filled by re-appointment. Members of the Planning Commission shall serve four (4) years, and terms are staggered. Members shall continue to serve until their successors are appointed and qualified.

Respectfully:

Michelle Kellogg, City Recorder



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

City Council conducted interviews for five Planning Commission vacancies on February 22nd and February 28th, 2018. There were two applicants for re-appointment and fourteen new applicants, two of which withdrew. Terms are staggered with two terms ending in 2020, one term in 2021, and four terms ending in 2022 (after the 2018 appointments). Planning Staff requests that the City Council considers the following:

Name	Term Ending
Vacant 1 – Sarah Hall	July 2020
Laura Suesser (up for re-appointment)	July 2022
John Phillips (up for re-appointment)	July 2022
Vacant 2 – John Kenworthy	July 2021
Vacant 3 – Mark James Sletten	July 2020
Melissa Band (current term ends 2018)	July 2018
Doug Thimm (current term ends 2018)	July 2018

1. The re-appointment of John Phillips and Laura Suesser to the office of Planning Commission.
2. The appointment of three new Planning Commissioners.

Respectfully:

Laura Newberry, Planning Technician



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

This is an informative report regarding a preview of the 2018 Special Event Calendar to ensure Council and the community is informed of potential changes during the upcoming year. Staff anticipates returning to Council in March and April to discuss:

- Level of Service at Events - City Services and the cost thereof;
- Special Event Fee Reduction Policy & Analysis;
- Sustainability Requirements at Events; and
- Community Event Survey

Respectfully:

Jennifer Diersen,



City Council Staff Report

Subject: Special Event 2018 Calendar Preview & Update
Author: Jenny Diersen, Special Events & Economic Development Manager
Department: Special Events & Economic Development
Date: March 8, 2018
Type of Item: Informational Staff Communication

Executive Summary

This is an informative report regarding a preview of the [2018 Special Event Calendar](#) to ensure Council and the community is informed of potential changes during the upcoming year. Staff anticipates returning to Council in March and April to discuss:

- Level of Service at Events – City Services and the cost thereof;
- Special Event Fee Reduction Policy & Analysis;
- Sustainability Requirements at Events; and
- Community Event Survey.

Problem & Opportunity

The success of building a year round event calendar has also created increased impacts to the community which need to be mitigated for namely transportation, parking, noise, environmental impacts which come with additional costs.

Acronyms

PCMC Park City Municipal Code
SEAC Special Events Advisory Committee

Background

There is a long background regarding events which can be found [here](#).

Analysis

City Council's historic policy position has been supportive of Special Events because they have a direct result in increased economic, cultural and community amenities and opportunities. Balancing the event calendar is complex and involves many local non-profit businesses, community members and community partners.

The number of permitted events continues to trend at a slight increase. In 2018, staff anticipates permitting 14 new events, while 4 events have given notice they are not returning to Park City, bringing the total number of event permits to between 75 to 80.

- While the number of applications and permits remain relatively the same, event attendance has continued to grow;
- As events slightly increase and attendance grows, so does the need to mitigate impacts. Successful mitigation is sometimes translated to the feeling that attendance at events is decreasing, which is typically not the case; and

- The events themselves are not the sole cause of increased impacts, there has been general growth in the number of visitors and residents in the community.

Though there are 4 events that are not returning, of the [14 new pending applications](#) (link has proposed details of new and significantly changed events):

- 7 are Level 3 events and will come before City Council for approval.
- 7 are Level 1 and 2 events, under staff authority to administratively approve.
- While this is consistent with the [PCMC Code 4A-2-3.C &D](#), Council could request for staff to return to discuss approval authority or the amount of events being approved annually.

Coordination for the event calendar is ongoing, staff works to balance the calendar early each year in order to identify high threshold time periods, identify date/location conflicts and to create periods of down time.

- Staff continues to follow Council's posture on events, which based on the [September 21, 2017 Study Session with SEAC](#), is to continue to mitigate the impacts of events and to focus on events that align with Council priorities and community goals. Staff continues to communicate to applicants that events need to demonstrate compelling community, cultural and/or economic benefits, while also ensuring events are evaluated for consistency with standards in the PCMC 4A [Code](#).

Staff believes that the events can meet the standards to approve with specific mitigation efforts, therefore staff intends to evaluate as the applications per the code. Any applicant that is administratively denied may appeal the decision to City Council in a public meeting.

The biggest factors in determining the level of an event include anticipated attendance, as well as, impacts that the event causes particularly with the use of City property (such as roads or road closures, and facilities/fields). These factors result in public impacts which need to be mitigated and create a demand for City services including increased costs.

Department Review

Special Events, Economic Development, Transportation Planning, Public Safety, Communications, Sustainability, Budget, Legal and Executive

Community Engagement

SEAC was provided with a draft of the information in Exhibit A, as well as a 2018 Calendar of events at the February 21st meeting. [SEAC's role](#) is to provide feedback and evaluation to City Council as input regarding event prioritization/threshold, fee reduction policy and debrief. Staff also continues to coordinate with HPCA regarding the Special Event Calendar in monthly board and committee meetings.

Links to Attachments

A [Special Event 2018 Calendar Preview & Update Analysis](#)



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

The purpose of this report is to inform Council that the professional service agreement with Ward Engineering Group to provide road analysis for the Treasure Hill site is complete and the final cost of the road analysis was \$43,956.

Respectfully:

Matthew Cassel, City Engineer



City Council Staff Communication Report

Subject: Professional Service Agreement With
Ward Engineering Group for Treasure Hill Road Analysis

Author: Matthew Cassel, P.E., City Engineer

Department: Engineering

Date: March 8, 2018

Type of Item: Informational

Executive Summary:

The purpose of this report is to inform Council that the emergency contract for professional service agreement with Ward Engineering Group to provide road analysis for the Treasure Hill site is complete and the final cost of the road analysis was \$43,956.

The Problem:

Per Park City's purchasing policy, staff is required to go through a formal procurement process for any service contract over \$25,000 and requires Council approval for any contracts with a cumulative total over \$25,000. Because of the extremely short time frame needed, which required prompt execution, for this Treasure Hill road analysis, staff did not have the ability to follow the standard section of Park City's purchasing policy and relied on the emergency exceptions to engage Ward Engineering Group to provide the necessary road analysis for the Treasure Hill project.

Background:

- On December 6, 2017, a settlement was proposed to buy down 50% of the Treasure Hill Project. Due diligence needed to be completed by January 17, 2018
- On December 20, 2017, Staff met with Ward Engineering Group to develop a scope of work for them to provide technical assistance for the Treasure Hill road analysis. Ward Engineering started their analysis immediately.

Analysis:

With the December 6 proposed settlement with Treasure to buy down 50% of the development, staff was directed to hire a consultant to help analyze the hillside impacts created by the inclusion of a road and support retaining walls under the settlement proposal. Ward Engineering Group was hired by staff to provide this technical analysis. Because of the ever changing scope of work provided to Ward Engineering Group, a professional service agreement was never fully completed. The professional service agreement has been approved and signed by the City Manager.

The City was under a significant time crunch to evaluate the possible development on the Treasure in order to evaluate the settlement proposal. Because of this time crunch, staff reached out first to Stanley Consultants but they did not have staff available over the Christmas holiday. Staff then reached out to Ward Engineering Group who was

available. Ward Engineering needed to complete their Treasure Hill road analysis by January 17, 2018.

Ward Engineering Group was retained to help analyze Treasure Hills proposed alternatives. Because of the extremely short time frame provided, Ward Engineering Group started their analysis while their contract was being prepared.

Per Park City purchasing policy; Council does need to approve any contracts over \$15,000 that is not anticipated in the current budget. On January 8, 2018, Ward Engineering provided a budget status showing they had expended \$17,500 to date. Staff recognized that they were over the \$15,000 limit. Because of the tight time frame and with the constantly changing scope of work as new alternatives were being proposed, there was no reasonable way to stop the analysis and obtain City Council prior approval without jeopardizing moving forward with the settlement agreement.

Park City's purchasing policy requires staff to go through a formal procurement process for any contract over \$25,000 and requires Council approval for any expenditure over \$15,000 that was not anticipated in the current budget, but;

Park City's Policies and Objectives (Part II – Contracting and Purchasing Policy), Section C, Paragraph D allows the following exceptions to the above requirements;

Emergency contracts which require prompt execution of the contract because of an imminent threat to the safety or welfare of the public, of public property, or of private property; circumstances which place the City or its officers and agents in a position of serious legal liability; or circumstances which are likely to cause the City to suffer financial harm or loss, the gravity of which clearly outweighs the benefits of competitive bidding in the usual manner. The City Council shall be notified of any emergency contract which would have normally required their approval as soon as reasonably possible.

The goal of this staff communication report is to satisfy the above requirement to notify City Council of this emergency contract. As noted previously, this emergency professional service agreement has been approved and signed by the City Manager.

The original scope of work for Ward Engineering Group included;

- Digitizing three (3) concept plans as provided by the developer so they can be downloaded into an AutoCad file format,
- With the AutoCad file, create plan and profiles of the roads showing slopes, soil export quantities, location of bridges/tunnels, while making reasonable connections into Lowell Avenue and Empire Avenue,
- Determine the concept plan that provided the best option to keep the road slope below 10%, allow fire access, and minimizing retaining walls and other appurtenances to the road,
- Provide a preliminary grading map/contour map of the site, provide slope analysis map and provide a map of the retaining wall heights.

By the end of the project, Ward Engineering Group had evaluated an additional ten alternatives for a total of 13 alternatives partially or fully analyzed.

Staff has reviewed the final fee for this Professional Service Agreement and finds it to be reasonable.

Department Review:

This report has been reviewed by City Manager, Budget, Planning and Legal. All issues have been resolved.

Funding Source:

Proposed funding for this road analysis by Ward Engineering Group is from the Park City's self-insurance fund. Because this work was completed in anticipation of a settlement agreement for Treasure Hill, staff identified the self-insurance fund as the appropriate source.

Hyperlink Exhibit – [Treasure Final Invoice](#)



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

This is an update on the status of the City's comprehensive Health and Safety Plan (HSP). In early 2015, Emergency Management was tasked with the development of a citywide comprehensive safety program for employees. Major components included establishing a diverse Safety Committee, Safety Policy, Safety Education Program, Safety Newsletter and a Health and Safety Plan that encompasses all policy requirements set out by the Federal Occupational Safety and Health Administration (OSHA) and the Utah Occupational Safety and Health (UOSH) division.

Respectfully:

Hugh Daniels,

City Council Staff Communication Report



Subject: Park City Municipal Corporation Health and Safety Update
Author: Hugh A. Daniels, CEM, UCEM
Mike McComb, EM Associate
Department: Emergency Management
Date: March 8, 2018
Type of Item: Informational

Background: This is an update on the status of the City's comprehensive Health and Safety Plan (HSP). In early 2015, Emergency Management was tasked with the development of a citywide comprehensive safety program for employees. Major components included establishing a diverse Safety Committee, Safety Policy, Safety Education Program, Safety Newsletter and a Health and Safety Plan that encompasses all policy requirements set out by the Federal Occupational Safety and Health Administration (OSHA) and the Utah Occupational Safety and Health (UOSH) division.

Update:

- Safety Policy Goal - *The goal is to facilitate a safe and healthful workplace, reduce workplace incidents and illnesses by involving employees and managers in identifying hazards, and suggesting ways to eliminate and prevent them from occurring. The Committee will conduct incidents reviews and attempt to identify root causes of accidents, and also suggest preventative measures, such as training and safety awareness programs.*
- A full set of mandatory, position-specific safety training requirements have now been in place for over 12 months, with more than 4,211 courses completed by staff to date, becoming OSHA/UOSH compliant. Each department has a Safety Education Manager to help staff complete their required courses in an online database.
- A comprehensive Health and Safety Plan (HSP) is in final draft form and is currently under review by the Safety Committee and department managers. The HSP lays out the city's health and safety program and includes all required OSHA/UOSH specific policies. A final document is expected to be in place by early spring.
- Over the last two and half years we have seen a significant downward trend in workers compensation claims and the costs of claims and with that has come some significant decreases in the cost of the City's workers compensation insurance.



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

Attached for your approval, please find the minutes for the February 22 and 28, 2018, City Council meetings. Thank you for your consideration.

Respectfully:

Michelle Kellogg, City Recorder



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

February 22, 2018

The Council of Park City, Summit County, Utah, met in open meeting on February 22, 2018, at 1:45 p.m. in the City Council Chambers.

SPECIAL MEETING

I. ROLL CALL

Attendee Name	Title	Status
Andy Beerman	Mayor	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Steve Joyce	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Polly Samuels McLean	Asst. City Attorney	Present
Bruce Erickson	Planning Director	Present
Laura Newberry	Planning Technician	Present

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

Mayor Beerman opened the meeting for those who wished to address the Council on items not listed on the agenda. No comments were given. Mayor Beerman closed the public input portion of the meeting.

IV. WORK SESSION

Planning Commission Interviews:

Mayor Beerman and the City Council interviewed Josh Hobson, Steven Hooker, Carol Anne Kret, Thomas Horton, Ed Wallace-Godycki, Mark Sletten, Sarah Hall, Jordan

Brody and John Kenworthy for the vacant seats on the Planning Commission. The applicants were told a decision would be made in the next few weeks.

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 4:10 p.m. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

CLOSED SESSION

Council Member Henney moved to adjourn from Closed Meeting. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, and Worel

V. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder



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

February 28, 2018

The Council of Park City, Summit County, Utah, met in open meeting on February 28, 2018, at 4:00 p.m. in the City Council Chambers.

SPECIAL MEETING

I. ROLL CALL

Attendee Name	Title	Status
Andy Beerman	Mayor	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Steve Joyce	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Michelle Kellogg	City Recorder	Present

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

Mayor Beerman opened the meeting for those who wished to address the Council on items not listed on the agenda. No comments were given. Mayor Beerman closed the public input portion of the meeting.

IV. WORK SESSION

Planning Commission Interviews:

Mayor Beerman and the City Council interviewed Jeff Batterson and Sebastian Ziesler for the vacant seats on the Planning Commission. The applicants were told a decision would be made in the next few days.

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 4:30 p.m. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

CLOSED SESSION

Council Member Henney moved to adjourn from Closed Meeting at 5:00 p.m. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, and Worel

V. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

Staff seeks authorization to secure professional services to assist in the location of undetected below ground leaks in the Park City water system. The City will pay \$41,500 for this service, with the option to conduct additional leak detection surveys up to \$100,000 in future years if additional surveys are warranted. This is the second of two contracts focused on leak detection. The first contract, for in-pipe leak detection in Upper Deer Valley, was authorized by Council on January 23, 2018.

Respectfully:

Jason Christensen, Water Resources Manager



City Council Staff Report

Subject: Acoustic Leak Detection
Author: Jason Christensen, Water Resources Manager
Department: Public Utilities
Date: March 8, 2018
Type of Item: Administrative

Summary Recommendation

Authorize the City Manager to enter into a contract, in a form approved by the City Attorney's office, with Pure Technologies US Inc. dba Wachs Water for acoustic leak detection of the Park City water system in an amount not to exceed \$141,500.

Executive Summary

Staff seeks authorization to secure professional services to assist in the location of undetected below ground leaks in the Park City water system. The City will pay \$41,500 for this service, with the option to conduct additional leak detection surveys up to \$100,000 in future years if additional surveys are warranted. This is the second of two contracts focused on leak detection. The first contract, for in-pipe leak detection in Upper Deer Valley, was authorized by Council on January 23, 2018.

The Problem

All water systems lose water to underground leaks that often are invisible from the surface. These losses represent decreasing energy efficiency and increasing water demand.

Background

- Water loss, the difference between water measured entering the system and water measured leaving the system, was identified in the City's [Water Conservation Plan](#) (pg. 35) as an area for additional efforts.
- Staff has also pursued this effort as part of our [Water & Energy Conservation Program](#). Reducing water loss reduces both our energy footprint and our water footprint.
- These actions also help inform an understanding of our current asset conditions, and our asset management plan.
- Assessing physical leaks is an important component of reducing loss.
- Water leaks create noise.
- Acoustic leak detection, as contemplated by this contract, will provide a good review of the condition of the system and should identify larger hidden leaks and inform future leak investigations.

Alternatives for City Council to Consider

1. **Approve the Request:** This will deploy Wachs Water to conduct an acoustic survey, and listen for leaks throughout the system.

Pros – Provides data on the condition of the system, and a list of leaks and estimated gallons per minute of each leak.

Cons – This approach is not guaranteed to locate leaks but has a high likelihood of doing so.

2. **Do Nothing:** This alternative would effectively eliminate consideration of conducting an acoustic leak survey of the system.

Pros – Funding would remain unspent.

Cons – Water would continue to be lost at a slowly increasing rate. The production and energy cost of the lost water will continue.

Analysis

Approach

As discussed above managing water loss is important for water conservation, asset management and energy conservation, in addition to benefits to the natural environment. This is the second of two contracts presented for Council consideration on leak detection.

1. [A previously approved contract](#) (pg. 46) which will provide an in-depth leak detection survey in the Upper Deer Valley Metered Zone.
2. This contract, which will provide a system wide acoustic leak detection review of the system to detect leaks.

Staff is recommending moving forward on this comprehensive program now, instead of waiting until fall for the results of the first leak detection study because

- this is a proven technology;
- water conservation is important to City Council and City staff alike; and
- the volume of daily water loss is significant.

While this is not a new technology, it will be the first comprehensive survey of the distribution system for leaks in about 15 years. If you are interested in learning more about how this system works you may review [this webpage and video from the Las Vegas Water District](#) for more information on acoustic leak detection.

Staff will provide Council with the results of this work, and the work in Upper Deer Valley Metered Zone in a report during the fall of 2018.

Contract Stages

The total contract award is \$141,500. If approved, staff would spend \$41,500 this year on acoustic leak detection. The remaining \$100,000 is for extra “work.” This means it is optional and not guaranteed to the vendor. It is available if it is determined that additional leak detection is warranted prior to the contract’s expiration on June 30, 2023.

Structuring the contract in this way reduces lead times and allows staff to test this technology. To execute a contract similar to this in accordance with Park City's purchasing policy requires about three to four months and around a week of staff time. By negotiating future terms during this contract efficiencies are gained. Such "extra" work is not guaranteed and is subject to the performance of the contractor and the technology. Staff retains the ability to seek out another service provider through City policies at any time.

Department Review

Public Utilities, Legal, and Executive.

Funding Source

Water user fees, specifically the Energy Capital Improvement Project fund.



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

Staff seeks authorization to secure professional services to continue to provide a water conservation and usage customer portal (i.e parkcity.watersmart.com.) The City will pay up to \$185,500 for five years of service. The cost per customer account is between \$5.75-\$7.00 per account per year; and the cost per year is approximately \$30,600.

WaterSmart will be adding Spanish language support in 2018, supporting Council's Social Equity goals. We will immediately offer the Spanish language version as soon as it is released.

Respectfully:

Jason Christensen, Water Resources Manager



City Council Staff Report

Subject: Water Conservation & Usage Customer Portal
Author: Jason Christensen, Water Resources Manager
Department: Public Utilities
Date: March 8, 2018
Type of Item: Administrative

Summary Recommendation

Authorize the City Manager to enter into a contract, in a form approved by the City Attorney's office, with WaterSmart Software Inc. for a water conservation and usage customer portal in an amount not to exceed \$185,500.

Executive Summary

Staff seeks authorization to secure professional services to continue to provide a water conservation and usage customer portal (i.e. parkcity.watersmart.com.) The City will pay up to \$185,500 for five years of service. The cost per customer account is between \$5.75-\$7.00 per account per year; and the cost per year is approximately \$30,600.

WaterSmart will be adding Spanish language support in 2018, supporting Council's Social Equity goals. We will immediately offer the Spanish language version as soon as it is released.

The Problem

Park City has successfully operated a leading edge water conservation and customer engagement portal in partnership with WaterSmart since 2013. Our contract with WaterSmart will end June 30, 2018. Execution of a new contract requires Council authorization.

Background

- Leveraging a customer portal to enhance engagement and water conservation is a goal in the City's [Water Conservation Plan](#) (pg. 35).
- Park City first contracted with WaterSmart to provide a customer portal on [December 5, 2013](#) (pg. 250).
- Council authorized a change order to extend the service for 3 years on [June 4, 2015](#).
- The City's contract with WaterSmart expires on June 30, 2018.
- Consistent with the City's Purchasing Policy, staff has requested and received proposals to provide the City with a customer portal.
- WaterSmart Software Inc. is staff's recommended vendor.
- This is a new contract with an existing vendor, not a contract extension or change order.

Alternatives for City Council to Consider

1. **Approve the Request:** This will continue customer portal services, without disruption and without the need for customers to re-enroll.
Pros – Supports Water Conservation and provides enhanced customer service.
Cons – Requires expending funds.
2. **Do Nothing:** This alternative would effectively end the City offering a customer portal
Pros – Funding would remain unspent.
Cons – The benefits created by a customer portal, such as tracking of hourly consumption, leak alerts, consumption threshold alerts, and others would end.

Analysis

- Staff issued an open Non-Bid Request for Proposals, and received three submittals. WaterSmart was the lowest cost proposal in terms of both one time deployment costs and annual operating costs.
- The cost for service actually decreases with this contract renewal.
 - In fiscal year 2018 we paid \$45,799 for customer portal service.
 - If Council authorizes this contract we will pay \$30,600 for service in fiscal year 2019.
- WaterSmart Software costs between \$5.75-\$7.00 per account per year. The lower cost represents current functionality. The higher cost represents potential further integration with financial services.
 - The City currently uses two portals; a [water conservation portal](#) and a [payment portal](#) each with its own username and password. Future enhancements range from allowing one way access from the WaterSmart portal to the financial portal so that a customer can pay their bill without a separate username and password to moving some of the financial portal functionality into WaterSmart creating more of a one stop shop.
 - These options will be evaluated over time, as financial payments trigger additional security precautions and can have impacts on how we use our financial software Tyler Eden.
- The community has responded positively to the WaterSmart portal,
 - 43.2% of our accounts have registered with WaterSmart. This is an extremely high percentage for a municipal opt in offering.
 - The system sent 1,312 automated leak alerts over the past 12 months. If each alert is a different account, this represents a quarter of all customers receiving a leak alert.
 - Allows the water department to send targeted messages to notify customers of service outages. These have been very positively received.
- WaterSmart will be adding Spanish language support in 2018, supporting Council's Social Equity goals.
- Maintaining a contractual relationship with our current vendor avoids the loss of all enrollments that would occur if we selected a different provider. I.e. a new provider would start from zero enrolled accounts.
- This is a five year contract for service.

Department Review

Public Utilities, Legal, and Executive.

Funding Source

User Fees; as made available in our Operations Budget.



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

The concept design for the relocation of the Park City golf maintenance building associated with the planned 3Kings Water Treatment Plant (3KWTP) has been presented to City Council. Staff is now prepared to proceed with the design process for the golf maintenance building. This staff report recommends authorization of a Professional Services Agreement (PSA) with Ward Engineering for the engineering services.

Respectfully:

Nicholas Graue, Water Project Engineer



City Council Staff Report

Subject: Golf Maintenance Building Engineering Services
Ward Engineering – Professional Services Agreement
Author: Nick Graue
Department: Public Utilities
Date: March 8, 2018
Type of Item: Administrative

Summary Recommendation

Staff recommends the Council to authorize the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with Ward Engineering Group, for Golf Maintenance Building Engineering Services in an amount not to exceed \$48,556.00.

Executive Summary

The concept design for the relocation of the Park City golf maintenance building associated with the planned 3Kings Water Treatment Plant (3KWTP) has been presented to City Council. Staff is now prepared to proceed with the design process for the golf maintenance building. This staff report recommends authorization of a Professional Services Agreement (PSA) with Ward Engineering for the engineering services.

Acronyms

The following acronyms and abbreviations have been used in this report:

3KWTP	3Kings Water Treatment Plant
MIW	Mining Influenced Water
RFQ	Request for Qualifications
SOQ	Statement of Qualifications

The Problem

The planned 3KWTP improvements require the relocation and construction of new golf maintenance building improvements. Design services for the golf facility are required.

Background

- The 3KWTP and associated improvements design services were, in conformance with the City procurement policy, solicited through a Request for Qualifications (RFQ) for consultant services on December 18, 2017. The RFQ was advertised on the City website, online at utahlegals.com, and in the Park Record during the period of December 18, 2017 through January 23, 2018.
- Statements of Qualifications (SOQ) were received on January 23, 2018 in response to the issued RFQ.
- Ward Engineering was selected by the Selection Committee to be the engineering design team for the Golf Maintenance Building.

Alternatives for City Council to Consider

1. Recommended Alternative:

Pros

Enables the 3KWTP project to progress without scheduling impacts

Cons

Allocates capital improvements costs that could be utilized for other purposes

Consequences of not authorizing services

Could delay the start of construction of the 3KWTP which could:

- Delay the 3KWTP project and expose the City to not meeting the Stipulated Compliance Order; or
- Require alternative solutions for golf equipment and personnel relocation to be pursued

Analysis

- Subsequent to Council direction to progress into the Schematic Design phase of the project, staff has developed and negotiated a scope of services and fees with Ward as included in the Professional Services Agreement.
- Site civil services requires a substantial amount of off-site utility and access road improvements which increases the design and construction services required. Staff feels that the rate structure and proposed fee, in an amount not to exceed of \$48,556.00, are usual and customary for services of this nature, scope, and expertise. A breakdown of the fee estimate, by phase, follows:
 - Schematic Design - \$9,625
 - Design Development - \$18,925
 - Construction Support Services - \$19,310
- The contract has been phased to meet the Schematic Design, Design Development, Construction Drawings, and Construction Support to align with the City's project management approach. Staff will issue a Notice to Proceed for each phase in accordance with Council direction.

Department Review

This report has been reviewed by representatives of Public Utilities, City Attorney's Office, and the City Manager's Office. Comments have been integrated into this report.

Funding Source

The funding for this contract is from water service fees, Lower Park RDA, and the Transit Fund. Partial funding has been approved as part of the 5 year CIP. Once cost estimates have been completed, additional funding for construction will be requested as part of the FY 19 budget process.

Attachments

- A Scope of Work
- B Fee Proposal

EXHIBIT A SCOPE OF SERVICES

ADDENDUM "A" SCOPE OF SERVICES

PARK CITY MUNICIPAL CORPORATION GOLF COURSE MAINTENANCE BUILDING

CIVIL / SITE ENGINEERING SERVICES

The following scope of work is based on the narrative provided by PCMC. Supplemental information is provided by Ward Engineering Group and identified by bold text.

Phase 0 – Schematic Design

The schematic design (SD) phase is intended to define the various components of the project as required to facilitate submittal to the Park City Planning Department for the Master Planned Development (MPD) and Conditional Use Permit (CUP) approval. It is assumed that the MPD and CUP will be processed concurrently.

To address the SD requirements, the Engineer team, **Ward Engineering Group (WARD)** may include: primary project management, site civil engineering and offsite civil engineering. Offsite civil engineering shall include all design work required to facilitate approximately 650 LF of public sewer line extension, 500 LF of public waterline extension and associated dry utilities required to serve the project from adjacent existing utilities.

Park City has independently hired an architect (Zehren and Associates), site surveyor (Ward Engineering) and a geotechnical engineer (GeoStrata). Engineer will be responsible for collaborating with all members of the Owner's team in regards to the Schematic Design of the Golf Maintenance Building.

Schematic Design Work Plan. During this phase, the dimensions and elevations of the buildings will be established and the building concepts will be refined. The landscape plan, exterior areas, and utility and drainage strategies will be developed further to provide the City a complete understanding of these areas, systems, and strategies.

WARD will generate a concept plan of utilities and drainage and initiate contact with the following entities.

- **Snyderville Basin Water Reclamation District**
- Private utility providers (gas, communication, power)
- **PCMC**
- Other stakeholders as directed by PCMU

WARD will initiate contact or assist PCMC in coordination with other stakeholders

- Irrigation Ditch Shareholders or ditch master (access road crossing)

EXHIBIT A - CONTINUED SCOPE OF SERVICES

SD Submittal Drawings. Specific drawings will include the following:

1. Site Massing Plan
2. Site Tree/Vegetation Preservation Plan
3. Site Plan
4. Grading and Drainage Plan
5. On-Site Utility Plan
6. Storm Water Management Plan (meet MS4 requirements)
7. Off-Site Utility Plan
8. Roof-over-Grading Site Plan
9. Certified Topographical Boundary Survey of the Existing Site (Owner Provided)
10. Proposed Plat (Owner Provided)
11. Aerial Photo (Owner Provided)
12. Current Title Report (Owner Provided)
13. Current Plat (Owner Provided)
14. Adjacent Property Owners within 300 feet (Owner Provided)

Schematic Design Report. Create a schematic design report for use by the Owner team and design team in understanding the overall design process and assumptions of the project.

Pre-MPD Coordination and Reviews. Participate in all required Pre-Master Planned Development (MPD) meetings which are expected to occur over the course of schematic design.

Code Analysis & Review of Regulations. Conduct a thorough code analysis and evaluate the project with respect to all applicable agencies as required. Provide support to the Owner during interface with all agencies having jurisdiction. Work to resolve all code or compliance issues. Any areas requiring special attention will be so noted and documented in the Schematic Design Report.

Drainage Analysis. Prepare a preliminary drainage study to include on-site detention requirements, runoff water quality and erosion control requirements.

Prepare Cost Estimate. Engineer will work with Zehren Architects to provide a rough order of magnitude project cost estimate at the 50% completion stage of SD, and provide an updated cost estimate at the completion of the SD Phase which reflects any selected alternatives and all alternatives to be determined in the Design Development Phase.

Phase 1 – Design Development

Collect and Review Existing Information. Engineer will meet with personnel from Park City to collect existing information pertinent to the project including previous studies, roadway information, storm drain information, water information, sanitary sewer information, dry utility information, GIS information, and other information pertinent to the project. Field investigations will be completed to gather data pertinent to the project.

Utility Investigation. Engineer will research existing utility records and record drawings for sewer, water, power (underground and overhead), telephone (underground and overhead), fiber optic lines, gas, cable TV (underground and overhead), storm water, drainage improvements and

EXHIBIT A - CONTINUED SCOPE OF SERVICES

irrigation to determine existing conditions that may impact the design of the project. Engineer will also gather utility location data from the various utility companies such as Rocky Mountain Power, Dominion Energy, Comcast, CenturyLink, All West Communications, etc. to provide copies of the design packages for review and inclusion of any project elements necessary to accommodate, relocate or replace existing dry utilities within the project area.

Field Survey. Engineer will coordinate with Ward Engineering who will perform topography survey for the project. All surface utilities will be located and inverts for storm drain and sewer will be collected. The extent of the existing road right-of-way from the parcel mapping will be shown on the utility plans.

Design Drawings. Engineer will prepare final site and mass grading plans and utility plans for the project. Ward Engineering will furnish the survey and Park City will furnish existing aerial photography for use as base mapping for the project. Site and mass grading plans will include cut and fill calculations. Utility plan and profile drawings will be prepared at a scale of approximately 1-inch equals 20 feet (half size sheets). Other details and drawings will be prepared as required, all construction drawings will be generated in AutoCAD format. Final construction drawings shall be submitted to the City in electronic format (pdf and AutoCAD).

For 60%, 90% and 100% review, electronic pdf review documents will be prepared.

Contract Documents. Engineer will prepare supplemental technical specifications to be used in conjunction with Park City's latest design standards and specifications. Park City will provide their EJCDC front end bid specifications to be used for the project, **which will be used in the Architect's Contract Documents Bid Book, and WARD will provide a Bid Schedule Supplemental, Measurement and Payment Supplemental, and any other site related special provisions to the Architect.** Specifications will be provided electronically (pdf and word) for use in bidding.

Cost Estimate. Engineer will prepare a civil construction cost estimate for the project. Cost estimates will be prepared and coordinate with Park City and Zehren Architects.

Phase 2 – Bidding and Construction Management

Bid Period Services. Engineer will be available to answer questions from prospective contractors during the bid period. Park City will handle bidding service in house.

Construction Engineering Support Services. An allowance will be assigned for Engineer to provide engineering support services to the City to include attending the pre-construction meeting, review of any requests for clarification/information, shop drawings, samples, or other submittals. Engineer will provide detailed sketches clarifying construction conflicts and/or design changes as requested by the City. Park City will furnish field inspectors for the project. **Additionally, WARD has accounted for one (1) four-hour site visit per week for 5 months to account for construction meetings, questions, and site resolutions, etc.**

Record Drawings. Engineer will coordinate with Ward Engineering to provide as-built survey for the project when construction is completed. Engineer will review redlined drawings from the Contractor and the City Inspector, which identify any changes in work for preparation of Record Drawings. Engineer will prepare record drawings using information provided by Contractor, the

EXHIBIT A - CONTINUED SCOPE OF SERVICES

as-built survey, and the City Inspector redlines. These will be delivered in electronic PDF, AutoCAD and City designated GIS format upon completion of the project.

Items Specifically Not Included

- **Landscape and Irrigation Design (by Architect)**
- **Driving Range Protection (by Architect)**

EXHIBIT B FEE PROPOSAL

FEE PROPOSAL

WARD ENGINEERING GROUP

Golf Course Maintenance Building - Civil / Site Engineering Services

Hourly Costs

Phase	Description	Position	Hours	Rate	Total Cost	Task Subtotal
0	Schematic Design *concept plan *agency coordination *submittal dwgs *design report *drainage analysis *cost estimates	Design Tech	35	\$95	\$3,325	
		Design Engineer	0	\$105	\$0	
		Project Engineer	30	\$110	\$3,300	
		Project Manager	20	\$150	\$3,000	
		Quality Control		\$150	\$0	
						\$9,625
1	Design Development *existing information *Investigations *design dwgs & reviews *contract documents * cost estimate	Design Tech	35	\$95	\$3,325	
		Design Engineer	90	\$105	\$9,450	
		Project Engineer	30	\$110	\$3,300	
		Project Manager	15	\$150	\$2,250	
		Quality Control	4	\$150	\$600	
						\$18,925
3	Bidding and Const. Management *bidding assistance *construction support *asbuilt survey *record drawings	Design Tech	20	\$95	\$1,900	
		Design Engineer	10	\$105	\$1,050	
		Project Engineer	80	\$110	\$8,800	
		Project Manager	40	\$150	\$6,000	
		Quality Control	4	\$150	\$600	
		One-Man Survey Crew	8	\$120	\$960	
						\$19,310
Total			421		\$47,860	\$47,860

Construction Services: account for one (1) four-hour site visit / construction meeting per week during construction for 5 months. This accounts for approximately \$9,000

Direct Expenses

Item	Description	Quantity	Rate	Total
1	Mileage	1,200	\$58/mile	\$696.00
2	Other Direct Expenses			\$0.00

Total Project Cost

\$48,556.00



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

Attached is a proposed list of City Council 2018 Liaison assignments. At times, various partner and intergovernmental agencies have sought confirmation of their Council liaisons. As always, staff is prepared to make any changes to the assignments during your meeting.

Respectfully:

Michelle Kellogg, City Recorder

ENTITY	Type	Primary or Co-Primary Liaison	Alternate	Staff
PCMC BOARD				
BOARD OF ADJUSTMENT (BOA)	Observing	"At will" attendance		Bruce Erickson
HISTORIC PRESERVATION BOARD	Observing	"At-will" attendance		Bruce Erickson
LIBRARY BOARD	Non-voting	Nann Worel	Lynn Ware Peek	Adriane Juarez
PUBLIC ART ADVISORY BOARD (attend qtrly)	Non-voting	Nann Worel	Andy Beerman	Jenny Diersen
PCMC COMMITTEE				
CITIZENS OPEN SPACE ADVISORY COMMITTEE (COSAC) (attend qtrly)	Non-voting	Andy Beerman		Heinrich Deters
FRIENDS OF THE FARM	Non-voting	Lynn Ware Peek		Denise Carey
PLANNING COMMISSION	Observing	At will attendance		Bruce Erickson
SPECIAL SERVICES CONTRACT SUBCOMMITTEE	Voting	Andy Beerman/Tim Henney		Nate Rockwood; Heinrich Deters
RDA TAXING ENTITY COMMITTEE	Voting	Andy Beerman		Diane Foster
RECREATION ADVISORY BOARD (RAB)	Non-voting	Lynn Ware Peek		Ken Fisher
SPECIAL EVENTS ADVISORY COMMITTEE (SEAC)	Non-voting	Becca Gerber	Steve Joyce	Jason Glidden; Jenny Diersen
YOUTH CITY COUNCIL	Non-voting	Matt Dias		Matt Dias
JOINT PC/SUMMIT COUNTY ORGANIZATION				
JOINT CITY/COUNTY ECONOMIC TASK FORCE	Non-voting	Steve Joyce/Becca Gerber		Jonathan Weidenhamer
HOUSING (Mtn. Lands Housing, Habitat, Summit County Task Force)	Non-voting	Nann Worel/Tim Henney		Anne Laurent
JOINT TRANSPORTATION ADVISORY BOARD (JTAB)	N/A	Lynn Ware Peek/Tim Henney		Alfred Knotts; Blake Fannesbeck
SENIOR CENTER (attend qtrly)	Non-voting	Nann Worel	Lynn Ware Peek	Rhoda Stauffer
SUMMIT COUNTY ORGANIZATION				
BASIN OPEN SPACE ADVISORY COMMITTEE (BOSAC)	Non-voting	Steve Joyce		Heinrich Deters
COUNCIL OF GOVERNMENTS (COG)	Voting	Andy Beerman		Jed Briggs
PARK CITY FIRE SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD	Voting – 4 year term	Tim Henney	Andy Beerman	Kurt Simister
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	Voting – 4 year term	Steve Joyce		Clint McAfee
SUMMIT COUNTY BOARD OF HEALTH	Non-voting	Nann Worel		Matt Dias
SUMMIT COUNTY SOLID WASTE PLANNING COMMITTEE	Non-voting	Tim Henney	Andy Beerman	Jim Blankenau
SUMMIT MOSQUITO ABATEMENT DISTRICT	Voting	Blake Fannesbeck		Blake Fannesbeck
PARTNER AGENCY				
COLORADO ASSOCIATION OF SKI TOWNS (CAST)	Voting	Andy Beerman/Becca Gerber		Matt Dias
ENVIRONMENTAL PROTECTION AGENCY (EPA)	N/A	Andy Beerman/Steve Joyce		Jim Blankenau
FEDERAL DELEGATION	N/A	Andy Beerman	Rotates depending on issue	Matt Dias
CENTRAL WASATCH COMMISSION	Voting	Andy Beerman		Matt Dias
MOUNTAINLANDS ASSOCIATION OF GOVERNMENTS (MAG)	Voting	Andy Beerman		Jed Briggs
OLYPMIC BID	N/A	Andy Beerman		Matt Dias
PARK CITY SCHOOL DISTRICT (PCSD)	Non-voting	Nann Worel/Andy Beerman		Diane Foster
ROCKY MOUNTAIN POWER	Non-voting	Andy Beerman		Luke Cartin
UTAH LEAGUE OF CITIES AND TOWNS (ULCT); LEGISLATIVE POLICY COMMITTEE	Voting	Andy Beerman		Matt Dias
WESTERN SUMMIT COUNTY WHOLESALE WATER IMPORTATION PROJECT (WSCWWIP)	Non-voting	Steve Joyce/Lynn Ware Peek		Clint McAfee; Tom Daley

<u>ENTITY</u>	<u>Type</u>	<u>Primary or Co-Primary Liaison</u>	<u>Alternate</u>	<u>Staff</u>
NON-PROFIT				
ARTS & CULTURE COMMITTEE	Non-voting	Nann Worel	Andy Beerman	Jenny Diersen
BRIGHT FUTURES	Non-voting	Becca Gerber	Lynn Ware Peek	Jonathan Weidenhamer
COMMUNITIES THAT CARE	Non-voting	Lynn Ware Peek	Nann Worel	?
HISTORIC PARK CITY Alliance (HPCA)	Non-voting	Lynn Ware Peek	Becca Gerber	Jonathan Weidenhamer
MENTAL WELLNESS ALLIANCE (Exec - NW; Steering - LWP)	Non-voting	Nann Worel	Lynn Ware Peek	Diane Foster
MOUNTAIN MEDIATION	Voting			Mark Harrington
NATIONAL ABILITY CENTER (NAC)	Non-voting	Nann Worel	Lynn Ware Peek	Bruce Erickson
PARK CITY AREA LODGING ASSOCIATION	Non-voting	Steve Joyce	Becca Gerber	Jonathan Weidenhamer
PARK CITY CHAMBER/BUREAU BOARD OF DIRECTORS	Non-voting	Steve Joyce		Matt Dias
PARK CITY HISTORICAL SOCIETY	Non-voting	Nann Worel		Anya Grahm
PARK SILLY SUNDAY MARKET	Non-voting	Lynn Ware Peek		Jason Glidden
PC TOTS	Non-voting	Nann Worel	Lynn Ware Peek	Lynn Ware Peek
PC UNIDOS	Non-voting	Lynn Ware Peek	Andy Beerman	?
PEACE HOUSE	Non-voting	Nann Worel		Rhoda Stauffer
PROSPECTOR SQUARE	Non-voting	Steve Joyce	Nann Worel	Matt Dias; Jonathan Weidenhamer
RECYCLE UTAH	Non-voting	Tim Henney	Nann Worel	Luke Cartin
REGIONAL TRAILS GROUP	Non-voting	Andy Beerman		Heinrich Deters
SUMMIT COMMUNITY POWERWORKS & Rocky Mountain Power	Non-voting	Nann Worel	Andy Beerman	Luke Cartin
SKI UTAH	Voting	Andy Beerman/Becca Gerber		Matt Dias
SUMMIT LANDS CONSERVANCY	Non-voting	Tim Henney	Andy Beerman	Heinrich Deters



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

The applicant is proposing that the City Council review and approve the application of a nine (9) lot Preliminary and Final Subdivision and a Plat Amendment on 9.034 acres, located at approximately the intersection King Road and Sampson Avenue within the City's Historic Residential (HR-1), Historic Residential-Low Density (HRL) and Estate (E) Districts. Proposed Lot 1 is within the E District and is 3.009 acres (131,083 square feet) in size. Proposed Lots 2 - 9 are within the HR-1 District and are each 0.104 acres (4,510 square feet) in size, totaling 0.832 acres (33,200 square feet).

On April 12, 2017, the Planning Commission reviewed the recently revised Alice Claim Subdivision and Plat Amendment. The Planning Commission forwarded a positive recommendation to the City Council (4-0). One Commissioner was absent, and one Commissioner was recused from the item.

On May 25, 2017, the City Council reviewed the application and continued the item to a future date based on direction provided by the Council during that meeting.

Respectfully:

Francisco Astorga, Senior Planner

City Council Staff Report

Subject: Alice Claim Subdivision & Plat Amendment
Project #: PL-08-00371
Author: Francisco Astorga, AICP, Senior Planner
Date: 08 March 2018
Types of Item: Legislative – Subdivision & Plat Amendment

Summary Recommendations

Staff recommends that the City Council hold a public hearing and consider approving the Alice Claim Subdivision and Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue, and Sampson Avenue, with the amended entrance way, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Topic

Applicant: King Development Group LLC 123-129 Ridge LLC
represented by Brad Cahoon, Marc Diemer, Gregg Brown,
and Jerry Fiat

Location: Alice Claim south of intersection of King Road, Ridge
Avenue and Sampson Avenue

Zoning: Historic Residential (HR-1), Historic Residential-Low Density
(HRL), and Estate (E) Districts

Adjacent Land Uses: Open Space and Residential (developed and undeveloped)

Reason for Review: Subdivisions/Plat Amendments require Planning
Commission review and recommendation to City Council.

Acronyms found in this Staff Report

HR-1	Historic Residential (District)
HRL	Historic Residential-Low Density (District)
E	Estate (District)
PCMC	Park City Municipal Corporation
CUP	Conditional Use Permit
SBWRD	Snyderville Basin Water Reclamation District
ROW	Right-of-Way

Proposal/Executive Summary

The applicant is proposing that the City Council review and approve the application of a nine (9) lot Preliminary and Final Subdivision and a Plat Amendment on 9.034 acres, located at approximately the intersection King Road and Sampson Avenue within the City's Historic Residential (HR-1), Historic Residential-Low Density (HRL) and Estate (E) Districts. Proposed Lot 1 is within the E District and is 3.009 acres (131,083 square feet) in size. Proposed Lots 2 - 9 are within the HR-1 District and are each 0.104 acres (4,510 square feet) in size, totaling 0.832 acres (33,200 square feet).

The proposal also includes four (4) open space lots, totaling 4.697 acres (204,612 square feet) consisting of Lot A, 2.069 acres (90,123 square feet); Lot B, 1.097 acres (47,791 square feet); Lot C, 0.004 acres (173 square feet); and Lot D, 1.527 acres (66,525 square feet). The proposal also includes a Plat Amendment, Parcel 4 which is 0.378 acres (16,486 square feet) that will remove existing lot lines on contiguous platted lots in the HR-L District encumbered by existing King Road and Sampson Avenue. If approved, Parcel 4 would be dedicated to the City for open space and roadway purposes. Parcel 5 consists of the Water Tank property as it extends from the water tank down to Sampson Avenue and serves as the main access to the lots as the majority of proposed Alice Court sits on it. Parcel 5 is owned by Park City Municipal Corporation (PCMC) and is not included in this subdivision as no development is being proposed although an easement is contemplated for the use of an access road on a portion of Parcel 5. The applicant requests to use this property to provide access. The applicant also requests Drive Lot A of 0.118 acres (5,150 square feet) which is the turn-around hammerhead area between Proposed Lot 1 and 2 for access. Proposed Drive Lot A is to be owned by the Applicant. The following table is a Lot by Lot break-out:

Table 1:

Description	Acreage	Combined Acreage
Estate Lot 1 (one single-family dwelling)	3.009	3.841
HR-1 Lots 2-9 (8 single-family dwellings)	0.832	
Parcel A (open space)	2.069	4.697
Parcel B (open space)	1.097	
Parcel C (open space)	0.004	
Parcel D (open space)	1.527	
Drive Lot A (turn-around hammerhead)	0.118	0.118
Parcel 4 (HRL Lots, to be open space and roadway)	0.378	0.378
Parcel 5 (City owned, not included in the subdivision)	1.540	N/A
Total		9.034

The updated submittal consists of +200 sheets as described below:

- Link A - [2017.02.01 Letter to the City](#)
- Link B - [Alice Claim Gully Plan w/ Modified Entry Project Description](#)
- Link C - [Easement Agreement No. 01062990](#)
- Link D - [Proposed Alice Claim Sub. & Plat Amendment Sheet 1](#)
- Link E - [Proposed Alice Claim Sub. & Plat Amendment Sheet 2](#)
- Link F - [Aerial](#)
- Link G - [Aerial 100 Scale](#)
- Link H - [Panoramic views](#)
- Link I - [Entry Plan Modified Entry](#)
- Link J - [Entry Plan King Road ROW Extended](#)
- Link K - [Road and walls on Public Land](#)
- Link L - [Alice Claim Subdivision Gully with Modified Entry-Vicinity & Zoning](#)

Link M - [Alice Claim Subdivision Gully with Modified Entry-Vegetative Cover](#)
Link N - [Alice Claim Subdivision Gully with Modified Entry-Slope Analysis Plan](#)
Link O - [Alice Claim Subdivision Gully with Modified Entry-Site Plan](#)
Link P - [Alice Claim Subdivision Gully with Modified Entry-Section Key Map](#)
Link Q - [Alice Claim Subdivision Gully with Modified Entry-Open Space & Trail](#)
Link R - [Alice Claim Subdivision Gully with Modified Entry- Zoning Map Diagram](#)
Link S - [Alice Claim Subdivision Gully with Modified Entry- Sections](#)
Link T - [Ridge Ave Plat Amendment Project Description](#)
Link U - [Ridge Ave Sub Property Exchange Enlargement](#)
Link V - [Proposed Ridge Avenue Plat Amendment](#)
Link W - [123 Ridge Avenue Survey](#)
Link X - [123 Ridge Ave Plat w Aerial](#)
Link Y.1 - [Density Review for Planning Commission](#)
Link Y.2 - [2017.04.28 Updated Density Review for Planning Commission](#)
Link Z - [Alice Claim Engineering Documents](#)
Link AA - [Alice Claim Build-ability Documents](#)
Link BB - [27 July 2016 Planning Commission Staff Report](#)
Link CC - [27 July 2016 Planning Commission Meeting Minutes](#)
Link DD - [12 April 2017 Planning Commission Staff Report](#)
Link EE - [12 April 2017 Applicant Presentation](#)
Link FF - [Color Site Plan Graphic](#)

Background

On July 27, 2016, the applicant received Planning Commission approval of a Conditional Use Permit (CUP) for three (3) retaining walls up to ten feet (10') in height to stabilize cut and fill slopes for the main entry. On that same date, the Planning Commission forwarded a positive recommendation of the then proposed Alice Claim Subdivision and Plat Amendment as conditioned, and forwarded a positive recommendation of the proposed Ridge Avenue Plat Amendment (property swap). On March 09, 2017, the City Council remanded the Alice Claim Subdivision and Plat Amendment because the applicant proposed a new entry plan that eliminated the need for retaining walls over six feet (6') in height (from final grade) that followed the existing entry into Alice Claim over 135 Ridge Avenue.

In the previous plan, the retaining walls were located on the west side of the development and were associated with access to the project from built King Road that is no longer needed. The Planning Commission approved the Conditional Use Permit on July 27, 2016 and that approval was appealed by two (2) parties. After the newly proposed access was acquired, via easement agreement, one (1) appeal was withdrawn. The applicant and the appellants stipulated to a stay of the other appeal as this revised Subdivision and Plat Amendment with the new entry does not require retaining walls over six feet (6') in height.

The applicant secured an access easement over adjacent property, 135 Ridge Avenue, so that they would not need to build their proposed retaining walls subject to the CUP, consisting of three (3) ten foot (10') retaining walls right at the entry of the project. On

February 1, 2017, the applicant submitted to the City a copy of their executed easement agreement which took place mid-January 2017 between the applicant and the property owner of 135 Ridge Avenue. The Alice Claim Subdivision and Plat Amendment application was amended in conjunction to the newly obtained easement agreement over adjacent property so that the construction of the retaining walls at the entry is no longer necessary.

On March 9, 2017, the City Council remanded the Alice Claim Subdivision and Plat Amendment to the Planning Commission, stayed the appealed CUP, and continued Ridge Avenue Plat Amendment to a date uncertain.

On April 12, 2017, the Planning Commission reviewed the recently revised Alice Claim Subdivision and Plat Amendment. The Planning Commission forwarded a positive recommendation to the City Council (4-0). One Commissioner was absent, and one Commissioner was recused from the item.

On May 25, 2017, the City Council reviewed the requested Subdivision and Plat Amendment and continued the item to a future date. The City Council identified concerns that needed to be addressed relating to the following:

- Overall neighborhood context for platting and subdivisions
- Residential and construction traffic
- Public safety concerns including fire
- Construction mitigation plans
- Conditions of approval on sewer and water.
- Potential flood plan impact (from City Engineer)

Please refer to the following Subdivision/Plat Amendment staff reports and minutes listed below for the history of this application, most recently being:

- October 8, 2014 [Planning Commission work session](#) and [minutes](#)
- April 8, 2015 [Planning Commission meeting](#) and [minutes](#)
- June 10, 2015 [Planning Commission meeting](#) and [minutes](#)
- July 8, 2015 [Planning Commission meeting](#) and [minutes](#)
- July 22, 2015 [Planning Commission meeting](#) and [minutes](#)
- August 12, 2015 [Planning Commission meeting](#) and [minutes](#) (Negative recommendation forwarded to City Council)
- October 8, 2015 [City Council work session meeting](#) and [minutes](#)
- October 29, 2015 [City Council meeting](#) and [minutes](#) (Application amended and remanded back to Planning Commission)
- December 9, 2015 [Planning Commission work session](#) and [minutes](#)
- May 25, 2016 [Planning Commission meeting](#) and [minutes](#)
- July 13, 2016 [Planning Commission meeting](#) and [minutes](#)
- July 27, 2016 [Planning Commission meeting](#) and [minutes](#) (Positive recommendation forwarded to City Council)

- March 9, 2017 [City Council meeting](#) and minutes (Application amended and remanded back to Planning Commission)
- April 12, 2017 [Planning Commission meeting](#) and [minutes](#) (Positive recommendation forward to City Council)
- May 25, 2017 [City Council meeting](#) and [minutes](#) (Continued to a date uncertain)

Please refer to the following Conditional Use Permit staff reports and minutes listed below for the history of this application, most recently being:

- June 10, 2015 [Planning Commission meeting](#) and [minutes](#)
- July 8, 2015 [Planning Commission meeting](#) and [minutes](#)
- July 22, 2015 [Planning Commission meeting](#) and [minutes](#)
- August 12, 2015 [Planning Commission meeting](#) and [minutes](#) (Denial)
- May 19, 2016 [City Council meeting](#) (CUP Denial remanded back to Planning Commission)
- May 25, 2015 [Planning Commission meeting](#) and [minutes](#)
- July 13, 2016 [Planning Commission meeting](#) and [minutes](#)
- July 27, 2016 [Planning Commission meeting](#) and [minutes](#) (Positive recommendation forwarded to City Council)
- March 9, 2017 [City Council meeting](#) and minutes (Application amended and remanded back to Planning Commission)

Based on the discussions of the June 10, 2015, and July 22, 2015 Planning Commission meetings, staff prepared findings for denial. On August 12, 2015 the Planning Commission forwarded a negative recommendation to the City Council. Also on August 12, 2015, the Planning Commission denied the submitted Conditional Use Permit for retaining walls over six feet (6') in height. Within the ten (10) day appeal period, the applicant submitted an appeal of the denied CUP.

On October 8, 2015, the City Council held a work session discussion regarding the Subdivision/Plat Amendment. The applicant amended their application with an updated plan, the "Gully Site Plan" concept which was presented by the applicant to the City Council. Based upon the changes to the plan, the City Council remanded the application with the updated Gully Site Plan back to the Planning Commission on October 29, 2015. The Applicant worked on updating their submittals based on the amended plan and asked for this first hearing to be schedule on May 25, 2016. On May 19, 2016, the City Council remanded the appeal of the denied CUP back to the Planning Commission for review and Action because the CUP and the Subdivision/Plat Amendment are inextricable intertwined.

On May 25, 2016 the Gully Site Plan was presented to the Planning Commission. The update was similar to the Alternative B presented years back to the Commission. The Commission indicated that the applicant was moving in the right direction; however, they had concerns with the retaining wall.

In preparation for the July 13, 2016 Planning Commission meeting, the applicant

submitted four (4) separate responses addressing the Planning Commission concerns made on May 25, 2016. During this meeting, the Applicant presented the hyperlinked [presentation](#) which also included the following [simulation](#). The Planning Commission made several comments regarding the proposed Gully Site Plan and a motion was made during the July 13, 2016 Planning Commission meeting to continue the applications to the July 27, 2016 Planning Commission meeting and to direct Staff to prepare findings of fact, conclusions of law, and conditions of approval for positive recommendation (Subdivision and Plat Amendment) and approval (Conditional Use Permit).

During the July 27, 2016 Planning Commission meeting, the proposal was discussed at length and the Planning Commission approved the Conditional Use Permit, forwarded positive recommendations to the City Council for the Alice Claim Subdivision/Plat Amendment and the Ridge Avenue Plat Amendment (property swap), after changes were made to the drafted findings of fact, conclusions of law, and conditions of approval for positive recommendation (Subdivision and Plat Amendment) and approval (Conditional Use Permit).

District Purpose

The purpose of the Historic Residential Low-Density District is to:

- A. reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
- B. provide an Area of lower density Residential Use within the old portion of Park City,
- C. preserve the character of Historic residential Development in Park City,
- D. encourage the preservation of Historic Structures,
- E. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and
- G. define Development parameters that are consistent with the General Plan policies for the Historic core.

The purpose of the Historic Residential-1 District is to:

- A. preserve present land Uses and character of the Historic residential Areas of Park City,
- B. encourage the preservation of Historic Structures,
- C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

The purpose of the Estate District is to:

- 1) allow very low density, environmentally sensitive residential Development which:
 - preserves ridge tops, meadows, and visible hillsides,
 - preserves large, cohesive, unbroken Areas of Open Space and undeveloped land,
 - preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development,
 - mitigates geologic and flood hazards,
 - protects views along the City's entry corridors, and
 - decreases fire risk by keeping Development out of sensitive wild land interface Areas.
- 2) incorporate pedestrian trail linkages between and through neighborhoods; and
- 3) encourage comprehensive, efficient, Compatible Development which results in distinct and cohesive neighborhoods through application of the Sensitive Lands Ordinance.

Analysis

The applicant requests that the City review and approve the *entry-modified* development proposal for the Alice Claim property that has been coined the "*gully site plan*." The *entry-modified gully site plan* illustrates the lots to be relocated to the bottom of the canyon found onsite. The gully site plan consists of nine (9) residential lots. The current gully site plan is similar to previous Plan B which was the most preferred plan by the Planning Commission. The only change to the application from what was reviewed and approved by the Planning Commission on July 27, 2016 is the entry way to the project. The Lot configurations remain the same.

The resulting land pattern is more compatible with the pattern found throughout the Historic District. The gully site plan proposes eight (8) lots of record at the bottom of the canyon with four (4) on each side. Each lot is exactly 0.104 acres (4,510 square feet) or 2.41 Old Town lots. A standard Old Town lot is 1,875 square feet, which is the minimum lot size in the HR-1. Each lot is restricted, as shown on the proposed plat, to a maximum Building Footprint of 1,750 square feet (which is equivalent to the maximum standard Building Footprint Formula found in the Land Management Code). Proposed Lot 1 within the Estate District is 3.009 acres (131,083 square feet) in size. The applicant indicates that it will have a maximum disturbance area of approximately 0.15 acres (6,534 square feet).

The applicant notes that the *gully site plan with modified entry* preserves several existing large evergreen trees, moves home sites down into the bottom of the gully, clusters the home sites closer together, reduces the amount of disturbance within the subject property, provides trail access, places the lots on less steep areas, and makes the lots compatible with the surrounding neighborhood. Vehicular access to the property is via existing King Road and then uses the driveway on 135 Ridge Avenue. The access to the property is a significant improvement over the access recommended for approval by the Planning Commission which was based on the submitted updated

request by the applicant. The applicant, several times, updated the Planning Commission its advancement in their request to obtain this easement over the neighboring site. The updated modified entry was also encouraged by the Planning Commission. The easement has now been granted by the at property owner. The new modified entry does not require retaining walls greater than six feet (6') in height; therefore, the project/proposal does not require a Conditional Use Permit and its associated site disturbance.

The applicant requests the access road to align onto the existing City property along the existing gravel road that then crosses an easement over applicant's property to the water tank. The existing road is currently constructed at approximately 14% grade and the applicant requests to place asphalt on the road at the same gradient with a maximum of 14% slope. Access to all lots, and to re-platted lot 1 of the Ridge Avenue Subdivision, will be from this private road. The applicant shows a hammerhead turn-around designed for emergency vehicles proposed across from Lot 1 of Alice Claim.

The applicant requests to dedicate to the City, Parcel 4 consisting of 0.378 acres (16,486 square feet), platted lots within the HRL District that contains the existing King Road. The applicant also submitted a plan to make improvements to the existing intersection. According to the applicant, their traffic engineer has demonstrated that the addition of 9 houses in this area has minimal traffic impact.

The applicant states that as part of the cleanup project, the drainage channel that runs through the site and carries seasonal run off was completely relocated and reconstructed as a rip rap channel. That channel will be piped and relocated beyond fifty feet (50') from the Proposed Lot 1. Utility services are located near the entry point to the site. The applicant's engineer has studied the projected water pressure to all home sites in the previous plans in detail and found that all lots will have adequate pressure for domestic use and fire suppression. The newly proposed gully site plan with modified entry lowers the houses, some by as much as seventy feet (70') in elevation, further improving water pressure to the houses. The Applicant's engineer will work with the City Engineer to assure utilities for the Alice Claim subdivision will not conflict with other utilities and can be provided in accordance with the City standards.

The site is currently used by recreation enthusiasts to access several recreational trails. Access to these trails will be allowed to continue across Alice Claim and enhanced with trail signage and trailhead markers. Large portions of the site will be platted as open space or no disturbance areas, and prohibited for development.

Estate Lot

In the Estate District, the proposed Subdivision creates one (1) lot of record consisting of 3.009 acres (131,083 square feet). A single-family dwelling is an allowed use in the Estate District. The minimum lot area for a single-family dwelling in the Estate District is three (3) acres. The proposed lot meets the minimum lot area for single-family dwellings in the Estate District. A duplex dwelling is an allowed use in the Estate District. The minimum lot area for a duplex dwelling in the Estate District is six (6)

acres. The proposed lot does not meet the minimum lot area for duplex dwelling; therefore, a duplex dwelling would not be allowed.

The minimum lot width allowed in the Estate District is one hundred feet (100'). The shortest lot width is approximately 235 feet. The proposed lot meets the minimum lot width requirement in the Estate District. Table 2 shows applicable development parameters in the E District:

Table 2:

LMC Regulation	Requirements
Front/Side/Rear Yard Setbacks	The minimum Front, Side and Rear Yard for all Structures is thirty feet (30'). The Planning Commission may vary required yards in Subdivisions and Master Planned Developments. In no case shall the Planning Commission reduce Side Yards to allow less than ten feet (10') between Structures.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-eight feet (28') from Existing Grade.
Building Height Exception	Gable, hip, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.

Historic Residential Lots

In the HR-1 District, the proposed Subdivision creates eight (8) lots of record consisting of 4,510 square feet, each. A single-family dwelling is an allowed use in the Historic Residential-1 District. The minimum lot area for a single-family dwelling in the HR-1 District is 1,875 square feet. The proposed lots meet the minimum lot area for single-family dwellings. A duplex dwelling is a conditional use in the Historic Residential-1 District. The minimum lot area for a duplex dwelling in the HR-1 District is 3,750 square feet. The proposed lot meets the minimum lot area for duplex dwellings. Conditional uses are reviewed and approved by the Planning Commission.

The minimum lot width allowed in the Historic Residential-1 District is twenty-five feet (25'). The proposed lot widths of the HR-1 District lots vary from 41.91 to 62.89 feet. The proposed lots meet the minimum lot width requirement. Table 3 shows applicable development parameters in the Historic Residential-1 District:

Table 3:

LMC Regulation	Requirements
Building Footprint	All lots: 1,750 square feet, maximum based on lot size.
Front/Rear Yard Setbacks	Lot 4 & 5: 10 feet minimum, 20 feet total. Lot 2, 3, 6, 7, 8, & 9: 12 feet minimum, 25 feet total. Based on lot depth per LMC table 15-2.2.
Side Yard Setbacks	Lot 2, 3, 6 & 7: 5 feet minimum, 10 feet total. Lot 8 & 9: 5 feet minimum, 14 feet total. Lot 4 & 5: 5 feet minimum, 18 feet total.

	Based on lot width per LMC table 15-2.2a.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.
Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery [...].
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate [...].
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required [...].
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.

All dwellings in the HR-1 District will need to go through the Historic District Design Review (HDDR) process as described in the LMC. HDDRs are reviewed and approved by the Park City Planning Department. Staff anticipates, based on the submitted slope analysis, that all lots, except Proposed Lot 2, will require Steep Slope Conditional Use Permit review. As indicated in the LMC, Steep Slope CUP review is required for development over grades that are thirty percent (30%) or greater. Steep Slope Conditional Use Permits are reviewed and approved by the Park City Planning Commission. Staff does not make this determination until specific site plans are prepared in conjunction with required site surveys for development of each lot through the HDDR application process.

--Updated Access--

Currently, access to the property is proposed to be gained through the existing Woodside Gulch road, thus avoiding the need to build a new road where the un-built right of way exists; access has been secured over the private property at 135 Ridge Avenue making this modified access possible. Applicant indicates that the existing road, internal drive, will be widened to City standards and drainage improved. In order to accomplish these improvements, a retaining wall is proposed that is not higher than six feet (6'). The proposed access to the Alice Claim Subdivision is at a point, where essentially four (4) existing roadways meet, King Road, Sampson Avenue, Ridge Avenue, and Woodside Gulch.

As indicated on the June 10, 2016 Staff Report:

The Applicant does not propose to dedicate streets within the proposed development to the City but will complete the proposed Alice Court to meet City Standards for emergency access and parking. If the Applicant decides to offer the streets for dedication at a later date, all of the streets will need to meet all City Standards, including right-of-way widths, minimum street widths, cul-de-sac standards, stubbed street standards, grading requirements, etc. (Even if the streets are offered for dedication, the City is not required to accept the dedication). *All of the roads within the proposed subdivision are proposed to be private drives at this time. Private drives shall not exceed 14% gradients and the applicant has shown the drives meeting this requirement*

at 14% or less.

The existing City's easement for access has been revised on the plat to incorporate trails and the City's access easement changed by the Alice Court road. The Applicant requests City Council's approval to give them an access over the City's property through Alice Court, which will have water lines, storm drainage, sewer, etc. as well as use of the City property for the Alice Court road. This will need to occur prior to plat recordation and is **listed as a condition of approval. Staff finds that the proposed access is much better as the formerly proposed access that created another driveway/road east of existing Woodside Gulch which no longer necessitates the need to construct three (3) ten foot (10') retaining walls.**

Restriction due to Character of the Land
[LMC § 15-7.3-19\(D\)](#) indicates the following:

RESTRICTIONS DUE TO CHARACTER OF THE LAND. Land which the Planning Commission finds to be unsuitable for Subdivision or Development due to flooding, improper drainage, Steep Slopes, rock formations, Physical Mine Hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, geologic hazards, utility easements, or other features, including ridge lines, which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the Subdivision and/or its surrounding Areas, shall not be subdivided or developed unless adequate methods are formulated by the Developer and approved by the Planning Commission, upon recommendation of a qualified engineer, to solve the problems created by the unsuitable land conditions. The burden of the proof shall lie with the Developer. Such land shall be set aside or reserved for Uses as shall not involve such a danger.

The Applicant has provided information regarding the mitigation of potential hazards due to the Steep and Very Steep Slopes. Staff had previous concerns on developments over 40% slopes with the soils and massing of houses. The Geotechnical report reviewed by the City Engineer demonstrated that the soils are acceptable and staff finds that the Steep Slope CUPs in the HR-1 District will mitigate the massing of houses on such steep slopes and the Planning Commission will have full review of those applications just as they have previously with other lots that are steep within the HR-1 District.

Staff had concerns for existing mine hazards that may be open as a historic mine shaft exists on this property to which the applicant submitted the Geotechnical Consultation Letter - December 2006 demonstrating that the mine shaft is filled. Any structures near the mine shaft shall be setback ten feet (10') if the mine shaft is filled, which the current plans and engineer's letter show that it is filled. The mine shaft needs to be shown on the plat. The geotechnical report (which addressed the site holistically considering all steep slopes and not individual house locations) and mine shaft conditions report (which is just about the mine) and indicates that the ground is stable, with bedrock below. The

City Engineer found that the report reflects that the ground conditions, existing mine shaft, and slopes are safe to build upon. Prior to Building permit approval, the applicant will be required to submit Geotechnical reports for individual sites which meet the City's Engineer's approval. After the City Engineer's office reviews of the geotechnical report and future review of each structure by the Planning Commission for Steep Slope CUPs, staff recommends allowing the applicant to develop on such steep slopes with the conditions of approval listed in the Draft Ordinance.

Ridgelines and Clustering

The proposed updated gully site plan with modified entry brings the eight (8) dwellings towards the bottom of the gulch. Staff does not find that ridgeline development is requested. The gully site plan with modified entry complies with General Subdivision Requirements (LMC 15-7.3-2(E)) Open Space which states:

Units should be clustered in the most developable and least visually sensitive portions of the Site with common open space corridors separating clusters. This applies to both multi-family and single family projects. The open space corridors should be designed to coincide with Significant Vegetation and in many cases, should be left in the natural state.

The applicant responded to concerns raised by the Planning Commission during the April 8, 2015 meeting questioning the '*build-ability*' of the proposal as it relates to LMC § 15-7.3(D) Requirements for Improvements, Reservations, and Design. The applicant wrote a response to the following items:

- Flooding
- Improper Drainage
- Slopes
- Rock Formations
- Mine Hazards
- Potential Toxic Waste
- Adverse Earth Formations or Topography
- Wetlands
- Geologic Hazards
- Utility Easements
- Ridgeline

Water Delivery

The City's Department of Public Utilities has made the Planning Department aware that all of the Alice Claim property proposed for development may not be serviceable by the current City water system due to low water pressure. The low water pressure is due to the small elevation difference between the proposed development's elevation and Woodside Water Tank's elevation. The applicant was informed about this issue and is responsible for modeling water service to the development and if it is still insufficient they will need to provide a remedy. The applicant has prepared a water model addressing the limitations of the current water system on the proposed development, including factors such as the ability to meet: acceptable water system pressures and fire flow requirements to each home site (indoor and outdoor pressures are not adequate), the Fire Marshal's site specific requirements, and Division of Drinking Water regulations).

The applicant is to confirm the elevation of each of the proposed building sites to determine the affected sites and either redesign the project accordingly, or work with the Department of Public Utilities to determine the best solution. At the time of this report, the Department of Public Utilities, Fire, Building and Engineering have received a revised letter from the applicant's engineer addressing the previously submitted Water Model that will meet the City's requirements. Any revisions to the previously submitted model will need to meet acceptable water pressure flows in order for the subdivision to meet water requirements. **This is listed as a specific condition of approval.**

Water Reclamation District

Snyderville Basin Water Reclamation District (SBWRD) had concerns regarding the placement of the sewer lines in relation to the retaining walls and in relation to other utilities. In October 2017 the applicant submitted all applicable documentation to file a Line Extension Agreement with SBWRD. The utility design could affect the layout of the subdivision, and if any changes are made to the layout of the subdivision upon SBWRD's approval, this approval shall be null and void and an application to amend the draft ordinance and plat shall need to be submitted and be reviewed and go through the entire process including internal review, Planning Commission and City Council review.

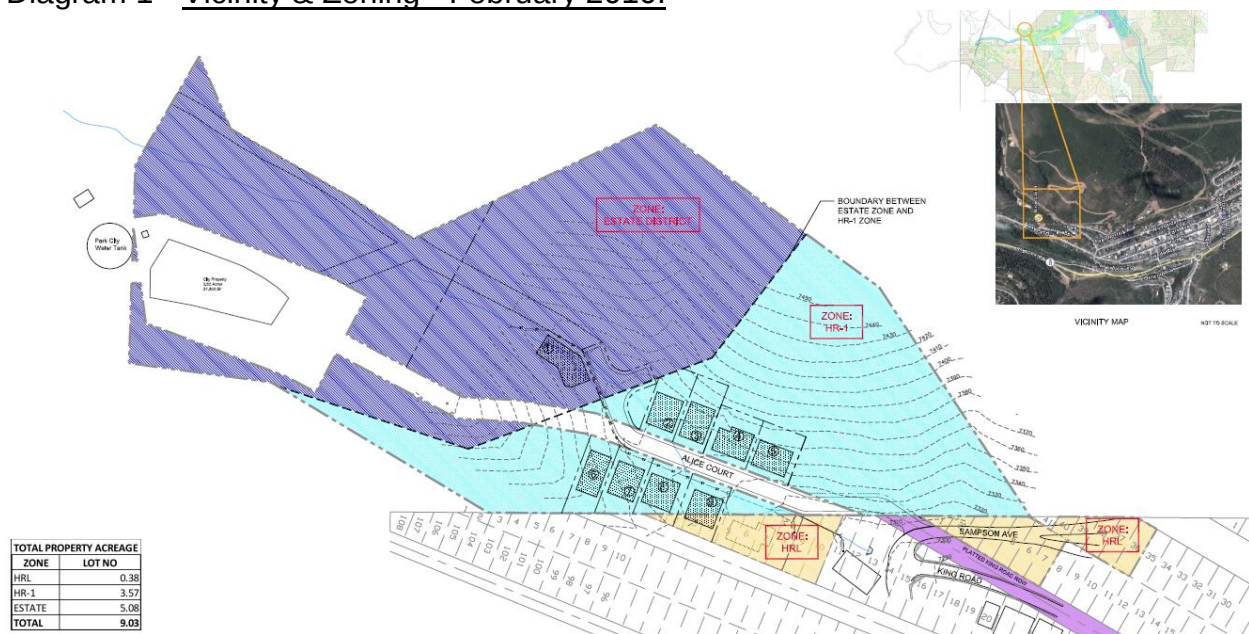
Density

On June 17, 2016, the applicant submitted the their density explanation, which contains the applicant's supporting documentation regarding this topic including the July 27, 2005 work session Staff Report, October 30, 2008 Applicant's Memo to the Legal Dept., January 20, 2009 City e-mail correspondence from Legal Dept. to the Applicant, and County Plat Maps with the outline of the site.

The entire project site consists of the following:

- 12 HRL Old town lots: Lot 1, 2, 3, 4, 5, 6, 7, 36, 38, 39 & 40, within Block 77 of the Millsite Reservation. None of these lots meet the minimum lot area required for development consisting of 3,750 square feet. This combined HRL area consists of 0.38 acres (16,486 SF). These lots also contain built King Road and Sampson Avenue.
- Parcel no. PC-S-55 consisting of approximately 8.65 acres (5.08 acres in the Estate District and 3.57 acres in the HR-1 District).
- Parcel no. PC-S-55-X (Parcel 5) is the City owned property consisting of 1.540 acres. A good portion of this site is in the Estate District while the other portion is in the HR-1 District. This parcel is not part of the project.

Diagram 1 - Vicinity & Zoning - February 2016:



The density associated with these three (3) areas, excluding the City owned parcel, is as follows assuming that optimal conditions for development exist and that **every requirement** in the Land Management Code required can be met:

- HR-L Old Town platted lots consisting 16,486 SF. The minimum lot area is 3,750 SF. Hypothetically, based on minimum lot area only, the site could accommodate 4 HR-L District lots; however, these lots also contain built King Road and Sampson Avenue.
- HR-1 area consisting of 3.57 acres or 155,509 SF. The minimum lot area is 1,875 SF. Hypothetically, based on minimum lot area only, this site could accommodate 82 HR-1 District lots.
- Estate area consisting of 5.08 acres. The minimum lot area is 3.0 acres. Hypothetically, based on minimum lot area only, this site could accommodate one (1) Estate District lot.

One must understand that the entire site contains various challenges including, but not limited to, access, slope, ridgeline protection, built roads, etc., and that the density

provided above is not vested or entitled as the entire Estate, HRL, and HR-1 areas require subdivision approval. Development over the HR-L area requires plat amendment approval as not one (1) lot of record currently meets the minimum lot area of that District.

Significant Vegetation

The Land Management Code indicates the following regarding vegetation protection in the HR-1 District Chapter 2.2 and Estate District Chapter 2.10:

15-2.2-10 Vegetation Protection & 15-2.10-10 Vegetation Protection

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 15-3-3 and Title 14.

The current proposal does not request to remove any trees. Staff is concerned that three (3) coniferous trees will be affected as their corresponding drip-lines are shown on the proposed retaining wall. Planning Staff acknowledges the practice that whenever an improvement is placed within the drip-line of a tree, it affects its life expectancy. Staff recommends that the applicant submit the caliper size of this tree to document its measurement. In working with the applicant regarding tree removal, specifically for the former plan, the applicant committed to a tree its replacement ratio of four to one (4:1) and the extensive site clean-up and re-vegetation.

Staff recommends keeping the same standard should the retaining wall construction affect the existing vegetation. Staff recommends adding the following condition of approval:

- Existing Significant Vegetation and mature landscaping shall be preserved per a tree preservation plan completed by a certified arborist and approved by the City prior to issuance of a building permit. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Council Requested Updates

During the May 25, 2017 the City Council meeting the Council requested updates on the following items:

- Overall Neighborhood Context. The Ridge Avenue extends from King Road to Daly Avenue with a 180 degree curve. There are twenty five (25) sites within Ridge Avenue. The requested research Staff only included land with access or adjacent access to Ridge Avenue. Staff did not include lots that fronted on Daly Avenue or King Road. The entire study site, Ridge Avenue, is within the Historic Residential Low Density (HR-L) District.

The first component in having a buildable lot is meeting the minimum (District) lot area and frontage on a platted ROW (or appropriate access easement). The minimum lot area in the HR-L District is 3,750 square feet (0.086 acres). The sites in the study are further divided into the following:

- Nine (9) re-platted lots of record, buildable lots
- Two (2) miscellaneous sites
 - 1 Old Town lot with an existing single-family dwelling
 - 4 Old Town lots with an existing single-family dwelling built over two (2) lot lines
- Eight (8) sites/parcels with development potential. They meet the minimum lot area and have frontage on a platted ROW. These parcels may need future Plat Amendment depending on site constraints and possible proposal.
 - One (1) Plat Amendment proposal is currently being reviewed by the City. Applicant request five (5) lots from nine (9) Old Town lots and twenty-one (21) partial lots.
- Five (5) parcels currently do not have development potential as the site have individually insufficient area (minimum are of 0.085 acres) and/or they do not have frontage on a platted ROW. These sites could be developed, if they are reconfigured with adjacent land.

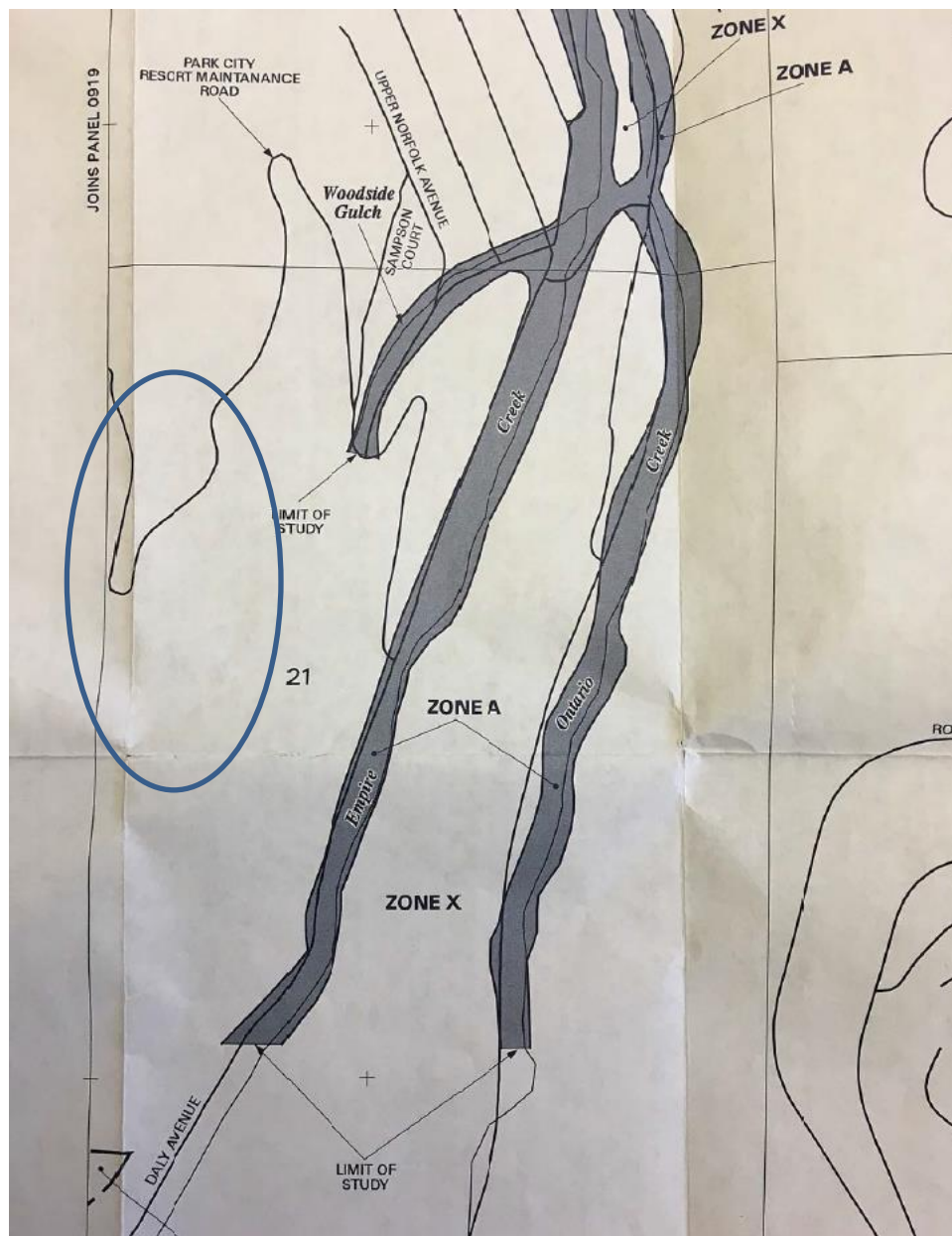
The study prepared by staff is found here and is listed as Exhibit J – Ridge Avenue Development Map & Exhibit K – Ridge Avenue Development Table

- Residential and Construction Traffic. The roads and intersections Level of Service (LOS) do not appear to be impacted due to the proposal.
 - Two (2) accidents in the 7 years at the intersection of King and Ridge. Both minor and slide offs
 - Local roads have a capacity of 2,000 trips per day (max of 2,500 trips per day)
 - 2006 King Avenue trip counts were 300 trips per day,
 - 9 homes will add 6 to 10 trips per day – 54 to 90 trips daily,
 - Currently 131 homes on King, Ridge, Sampson, Upper Norfolk and the upper section of Woodside (assumed all would use King Avenue for

- access)
 - Current occupancy is 1/3 of homes. Take ½ for over-estimate – 393 to 655 trips per day,
 - Alice Claim, at 100% occupancy adds 54 to 90 trips per day,
 - Total with Alice Claim is 447 to 745 trips per day. Well within the anticipated capacity of King Avenue,
 - Alice Claim increases the trips by 6.9%
 - This does not take into consideration the construction phase of the project.
- Wildfire Hazards / Construction Mitigation. The Applicant submitted a proposal related to fire and construction mitigation. The proposal has been reviewed by Building Department Staff and will be fine-tuned for each individual permit. The proposal is in line with best practices.
- Sewer and Water Conditions of Approval. The applicant filed Line Extension Agreement with the SBWRD on October 3, 2017. The applicant provided preliminary utility plan to the City on November 1, 2017 (physical copies). The applicant updated their water distribution model on September 19, 2017. The conditions below, addressing sewer and water, ensures that the applicant's proposal completes the proper submittals at the appropriate time of development, as determined by the appropriate review entities.
 - Sewer system design and service will need to meet Snyderville Basin Water Reclamation District's (SBWRD) requirements and receive final design approval by SBWRD before the proposed plat can be signed by SBWRD. If the sewer system design requires a substantial change, as determined by SBWRD, Planning Director and City Engineer, to the layout of this subdivision plat, this approval shall be null and void and an application to amend the Ordinance and plat shall need to be submitted and be reviewed and go through the entire process including internal review, Planning Commission and City Council review. (Prior to plat recordation).
 - The proposed water system will need to receive written approval from the Building and Engineering Departments in order for the subdivision to meet water requirements prior to plat recordation. If the water system requires a substantial change to the proposed subdivision configuration, as determined by the Planning Director and City Engineer, this approval shall be null and void and an application to amend the Ordinance and plat shall be submitted, a reviewed, and go through the entire process including internal review, Planning Commission and City Council review.
- Potential Flood Plain Impact. The Applicant submitted an Assessment of Debris Potential. A Flood Plain Study has not been submitted. The current condition of approval indicates the following:

- This development is located upstream of the FEMA Flood Plain Studies. A study shall be completed extending the FEMA Flood Plains through this development **prior to plat recordation**. Any lots located in a FEMA Zone A will require an Elevation Certificate showing the lowest occupied floor is at or above base flood elevation prior to building permit approval.

The map below is a portion of FEMA Flood Insurance Rate Map (FIRM) panel 938 of 1250. The study area was limited to the border of the subject site and it did not include the proposed area. It would seem that the subject site would indeed be within Flood Zone A based on the width of the flood zone as shown on the map below:



Good Cause

The LMC defines Good Cause as the following:

Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Planning Staff finds there is good cause for this Subdivision/Plat Amendment with the appropriate items described in the analysis being incorporated as conditions of approval. There may be future geographical visual impacts to the City as a result of this application with respect to additional site stabilization, proposed retaining walls, and other unforeseen issues related to development within steep slope areas that can be addressed at the time of Steep Slope Conditional Use Permit applications. The proposed access is much better as the formerly proposed access that created another driveway/road east of existing Woodside Gulch which no longer necessitates the need to construct three (3) ten foot (10') retaining walls.

Department Review

SBWRD continues to express concern with lack of sewer lateral design but the applicant will need to continue to work with them until all requirements are satisfied in order for SBWRD to sign the plat. Each of these concerns has been incorporated into conditions of approval.

Notice

On January 31, 2018 the site was posted, courtesy notice was mailed to property owners within 300 feet, and legal notice was published in the Park Record, all in accordance with requirements of the Land Management Code. On January 26, 2018 the item was noticed on the state's public notice website, also in accordance with requirements of the Land Management Code

Public Input

Public comment was taken during the various past meetings held to discuss the project. The various Planning Commission meeting minutes (see links provided above) reflect public input received on these proposals to date. Any public comment received prior to this meeting will be forwarded to the City Council. See Exhibit D – Public Comments.

Alternatives

- The City Council may approve the Alice Claim Subdivision and Plat Amendment as conditioned or amended; or
- The City Council may deny the Alice Claim Subdivision and Plat Amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the Alice Claim Subdivision and

Plat Amendment.

- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

Process

This application is for a major Subdivision and Plat amendment as defined in LMC § 15-7.1-3(A)(2). A major Subdivision requires a Preliminary Plat and a Final Plat although the Planning Commission may, at its sole discretion, combine the required hearings for both preliminary and final Subdivision Plat approval. Staff is recommending the hearings be combined and a final Subdivision Plat is considered. The approval or denial of a subdivision and plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 1-18. Any new structure may require a Steep Slope CUP and all will require a Historic District Design Review. A Building Permit is publicly noticed by posting of the permit.

Significant Impacts

There are no immediate significant fiscal impacts to the City from this application. If construction on the site was permitted, it will require a detailed Construction Mitigation Plan (CMP) to protect existing development located near the proposed subdivision. Site stabilization might also be an important consideration depending upon the amounts of vegetation proposed to be removed as a result of the proposed development. A geotechnical report has been previously submitted and reviewed. Previous mining activities, strong ground motion, slope stability, debris flow and avalanche, shallow bedrock and perched groundwater are the most significant engineering geology and geotechnical aspects which could affect design and construction at the site. Most, if not all of the lots in the HR-1 District will require Steep Slope Conditional Use Permits. Each house, including the house within the Estate District, will require a Historic District Design Review prior to house design and construction.

Consequences of not taking the Suggested Recommendation

The lots and parcels would remain as is and no construction could take place.

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider approving the Alice Claim Subdivision and Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue, and Sampson Avenue, with the amended entrance way, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Updated Exhibits (Printed)

Exhibit A - Draft Ordinance

Attachment 1 – Proposed Subdivision and Plat Amendment

Exhibit B - Former Entry

Exhibit C - Updated Entry

Exhibit D – Public Comments

Exhibit E – Applicant's Responses to City Council Requests

Exhibit F – Proposed Construction Mitigation
Exhibit G – Proposed Fire Mitigation
Exhibit H – Entry Photo Simulation
Exhibit I – Gully Site Plan (July 2017)
Exhibit J – Ridge Avenue Development Map
Exhibit K – Ridge Avenue Development Table

Updated Plans

[Civil Improvement Drawing Set \(October 2017\)](#)
[Water Distribution Model \(August 2017\)](#)
[Assessment of Debris Flow Potential \(July 2017\)](#)
[Site Sections \(July 2017\)](#)
[Site Sections Key Map \(July 2017\)](#)
[Open Space and Trails Plan \(July 2017\)](#)
[Snow Storage Graphic \(July 2017\)](#)

Hyperlinks

Link A - [2017.02.01 Letter to the City](#)
Link B - [Alice Claim Gully Plan w/ Modified Entry Project Description](#)
Link C - [Easement Agreement No. 01062990](#)
Link D - [Proposed Alice Claim Sub. & Plat Amendment Sheet 1](#)
Link E - [Proposed Alice Claim Sub. & Plat Amendment Sheet 2](#)
Link F - [Aerial](#)
Link G - [Aerial 100 Scale](#)
Link H - [Panoramic views](#)
Link I - [Entry Plan Modified Entry](#)
Link J - [Entry Plan King Road ROW Extended](#)
Link K - [Road and walls on Public Land](#)
Link L - [Alice Claim Subdivision Gully with Modified Entry-Vicinity & Zoning](#)
Link M - [Alice Claim Subdivision Gully with Modified Entry-Vegetative Cover](#)
Link N - [Alice Claim Subdivision Gully with Modified Entry-Slope Analysis Plan](#)
Link O - [Alice Claim Subdivision Gully with Modified Entry-Site Plan](#)
Link P - [Alice Claim Subdivision Gully with Modified Entry-Section Key Map](#)
Link Q - [Alice Claim Subdivision Gully with Modified Entry-Open Space & Trail](#)
Link R - [Alice Claim Subdivision Gully with Modified Entry- Zoning Map Diagram](#)
Link S - [Alice Claim Subdivision Gully with Modified Entry- Sections](#)
Link T - [Ridge Ave Plat Amendment Project Description](#)
Link U - [Ridge Ave Sub Property Exchange Enlargement](#)
Link V - [Proposed Ridge Avenue Plat Amendment](#)
Link W - [123 Ridge Avenue Survey](#)
Link X - [123 Ridge Ave Plat w Aerial](#)
Link Y.1 - [Density Review for Planning Commission](#)
Link Y.2 - [2017.04.28 Updated Density Review for Planning Commission](#)
Link Z - [Alice Claim Engineering Documents](#)
Link AA - [Alice Claim Build-ability Documents](#)
Link BB - [27 July 2016 Planning Commission Staff Report](#)

Link CC - [27 July 2016 Planning Commission Meeting Minutes](#)
Link DD - [12 April 2017 Planning Commission Staff Report](#)
Link EE - [12 April 2017 Applicant Presentation](#)
Link FF - [Color Site Plan Graphic](#)

Exhibit A - Draft Alice Claim Subdivision and Plat Amendment

Ordinance 2018-08

AN ORDINANCE APPROVING THE ALICE CLAIM SUBDIVISION AND PLAT AMENDMENT, LOCATED AT THE INTERSECTION OF KING ROAD, RIDGE AVENUE, AND SAMPSON AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Alice Claim Subdivision and Plat Amendment located at the intersection of King Road, Ridge Avenue, Sampson Avenue, and Woodside Gulch, have petitioned the City Council for approval of the Alice Claim Subdivision and Plat Amendment; and

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

WHEREAS, proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on October 25, 2006, January 28, 2009, February 25, 2009, April 8, 2015, May 27, 2015, June 10, 2015, July 8, 2015, July 22, 2015, August 12, 2015, December 9, 2015, May 25, 2016, July 13, 2016, July 27, 2016, and April 12, 2017 to receive input on the proposed subdivision; and

WHEREAS, on October 8, 2015, October 29, 2015, March 9, 2017, May 25, 2017, February 15, 2018, and March 8, 2018 the City Council held a public hearing on the proposed Alice Claim Subdivision; and

WHEREAS, on October 29, 2015, and March 9, 2017 the City Council remanded amended application on the proposed Alice Claim Subdivision back to Planning Commission; and

WHEREAS, on April 12, 2017, the Planning Commission forwarded a positive recommendation to the City Council; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Alice Claim Subdivision and Plat Amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Alice Claim Subdivision and Plat Amendment, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The subject site is located at the intersection of King Road, Ridge Avenue, and Sampson Avenue (approximately), within the Historic Residential (HR-1), Historic Residential-Low Density (HR-L), and Estate (E) Districts.
2. The proposal includes nine (9) lots on approximately 9.034 acres which will not be allowed to be subdivided further.
3. The property is composed of "metes and bounds" parcels and contiguous platted lots.
4. A City water tank and land owned by the City is adjacent to the subject property on the south end, and a City-owned parcel bisects the subject property.
5. The applicant previously undertook a voluntary remediation of the regulated soils on the site, which included soil remediation both in the Alice Claim 8.49 acre portion and within a 1.7 acre portion of the adjoining City property.
6. The owner secured legal access through an easement to the property through the Woodside Gulch access, land privately owned.
7. As proposed, the access will not require retaining walls greater than six feet (6') feet; therefore, a CUP would not be required.
8. The Woodside Gulch stream runs through the property and any changes to the stream will require a Stream Alteration Permit. The Applicant will need to obtain a Stream Alteration Permit from applicable state and/or federal agency. Any changes to the stream may also require an amendment to the Voluntary Clean-up Program remediation with the Utah Department of Environmental Quality.
9. The property, which was once the site of the Alice Lode Mine, was previously the site of mining activities, which have since undergone recent remediation.
10. A Voluntary Clean Up of the property was initiated by the Applicant.
11. Most of the remainder of the site has mature stands of oak, maple and aspen trees in addition to areas of smaller shrubs and grasses.
12. A culvert for the stream is proposed in order to meet the fifty foot (50') setback regulations from streams within the Estate District, otherwise the culvert would not be necessary.
13. This development is located upstream of the FEMA Flood Plain Studies.
14. The applicant does not request any setback reductions from the Planning

Commission for the Estate District Lot.

15. Water Service is available and as proposed can meet required water pressure to all of the proposed development sites (proposed Lots) within the development.
16. A Debris Flow Study has been completed for the stream to determine if a debris basin is required.
17. Existing trails are shown on the plat and granted a public easement.
18. Proposed utility plans have been submitted and shall be reviewed / processed prior to plat recordation.
19. The access road and its easement is proposed over 10% grades and will not be eligible to be converted to public ROWs in the future.
20. Building pads / limits of disturbance are shown on the proposed plat (Attachment 1). All other property as open space should be protected by conservation easement held by the City and the HOA to maintain the land.
21. The proposed access road with utilities is required to be a minimum of twenty feet (20') wide. The access road grades are proposed to be fourteen percent (14%).
22. Public trails are shown on Attachment 1 with a 15' public recreational trail easement.
23. The proposed lot within the Estate District is 3.009 acres.
24. The proposed eight (8) lots within the HR-1 District are 4,510 square feet each.
25. A geotechnical report has been reviewed by the City Engineer for the overall site but individual geotechnical reports have not been submitted for each lot.
26. The applicant owns other adjoining properties within the Historic Residential Low-Density (HRL) District. Two (2) of these contiguous properties are lots 1 and 2 of the Ridge Avenue Subdivision.
27. The existing encumbered Lots 1-7 and 36-40, Block 77 of the Millsite Reservation will be dedicated to the City upon plat recordation as they currently have a road over them.
28. The proposed lots, as positioned, are to avoid ridgelines and allow for drives that contour with the topography in order to meet the required grades.
29. The existing mine shaft on the property is currently filled as stated on the site

plan dated May 18, 2015.

30. The application for the Alice Claim subdivision was deemed “complete” by the Planning Department on May 23, 2005.
31. Between 2006 and 2009, the Planning Commission conducted three (3) work sessions to discuss the project and visited the property during two site visits.
32. On October 8, 2014 the Planning Commission conducted a site visit and work session to discuss the history and 2009 site plan proposed for this project.
33. The Applicant submitted a revised site plan, plat and all required submittals for the subdivision and plat amendment on January 23, 2015.
34. The Planning Commission reviewed the request and held public hearings on April 8, 2015, June 10, 2015, July 8, 2015, and July 22, 2015.
35. During this time consisting of October 2014 and July 2015 the applicant submitted further revisions to the plat to address City concerns as well as to address plat discrepancies.
36. On August 12, 2015 the Planning Commission forwarded a negative recommendation to the City Council.
37. On October 8, 2015 the City Council reviewed the proposal.
38. On October 29, 2015 the applicant submitted an amended site plan which moved the lots closer to the gully. The City Council reviewed that amended site plan and remanded the application back to Planning Commission for their review.
39. The Planning Commission held a work session on December 9, 2015.
40. The Planning Commission held public hearings and reviewed the updated proposal on May 25, 2016, July 13, 2016, July 27, 2016, and April 12, 2017.
41. After Applicant secured access on Woodside Gulch and proposed a modification to the Application based on the new access, the City Council remanded the updated gully site plan with modified entry back to Planning Commission on March 9, 2017.
42. The Planning Commission held a public hearing and reviewed the updated proposal with the new access through Woodside Gulch, privately owned property, on April 12, 2017.
43. The City Council held and reviewed the updated proposal with the new access through Woodside Gulch, privately owned property on May 25, 2017 and March

8, 2018.

44. In order for all site improvements to be completed, the applicant must either complete all site improvements prior to plat recordation or provide adequate financial guarantees for completion.

Conclusions of Law

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

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, **prior to recordation of the plat.**
2. The applicant will record the subdivision and plat amendment at the County within two (2) years from the date of City Council approval. If recordation has not occurred within two (2) years' time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council. If the plat is not recorded within this time period, it shall be null and void and any resubmittal shall be a new application which is subject to all review requirements, zoning restrictions and subdivision regulations at the time of the submittal.
3. Recordation of this plat and completion and approval of final Historic District Design Review and Steep Slope Conditional Use Permit, if required, applications are required prior to building permit issuance for any construction of buildings within this subdivision. Completion and approval of final Historic District Design Review applications are required prior to building permit issuance for any construction of retaining walls.
4. Lot 1 in the Estate District shall be subject to Historic District Design Review process (prior to building permit approval).
5. Modified NFPA 13-D sprinklers shall be required for new construction by the

Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation. (Added as plat note 18 on proposed plat).

6. Snow storage of roads and private drives shall be addressed and approved by the City Engineer throughout the development **prior to plat recordation**. Snow storage sites cannot discharge immediately into the stream. (City Engineer to review updated snow storage plan prior to plat recordation in conjunction with all other applicable utilities, improvements, etc.).
7. Sewer system design and service will need to meet Snyderville Basin Water Reclamation District's (SBWRD) requirements and receive final design approval by SBWRD before the proposed plat can be signed by SBWRD. If the sewer system design requires a substantial change, as determined by SBWRD, Planning Director and City Engineer, to the layout of this subdivision plat, this approval shall be null and void and an application to amend the Ordinance and plat shall need to be submitted and be reviewed and go through the entire process including internal review, Planning Commission and City Council review. **(Prior to plat recordation)**.
8. The proposed water system will need to receive written approval from the Building and Engineering Departments in order for the subdivision to meet water requirements **prior to plat recordation**. If the water system requires a substantial change to the proposed subdivision configuration, as determined by the Planning Director and City Engineer, this approval shall be null and void and an application to amend the Ordinance and plat shall be submitted, a reviewed, and go through the entire process including internal review, Planning Commission and City Council review.
9. There shall not be any further subdivision of any additional lots in this subdivision. A plat note shall reflect this condition. (Added as plat note 9 on proposed plat).
10. All state requirements must be met, state permits including Stream Alteration Permit will be required for the culvert construction. Culvert shall be installed by the applicant **prior to plat recordation**.
11. The culvert will be owned and maintained by the City. (Dedication of drain line and easement added to proposed plat).
12. This development is located upstream of the FEMA Flood Plain Studies. A study shall be completed extending the FEMA Flood Plains through this development **prior to plat recordation**. Any lots located in a FEMA Zone A will require an Elevation Certificate showing the lowest occupied floor is at or above base flood elevation prior to building permit approval.

13. A completed Hydrology and Hydraulics Study is required to identify the culvert's size, and upstream / downstream impacts **prior to plat recordation**. Any identified impacts from the Study must be addressed and approved by the City Engineer prior to culvert construction.
14. The culvert inlet shall be at least fifty feet (50') away from any structure on Lot 1. (Added as plat note 22 on proposed plat).
15. A Debris Flow Study must be completed **prior to plat recordation** for the stream to determine if a debris basin is required. (Submitted on November 1, 2017).
16. Limits of disturbance as shown on Attachment 1 shall be clarified on the **plat prior to plat recordation** to be able to quantify the square footage upon which shall remain in place and no changes shall be made. All other property shall be restricted as open space and/or protected by 3rd party conservation easement. (This area has been identified on the proposed plat).
17. All engineering design for utilities must be approved prior to plat recordation. The utility plan will need to be submitted showing how each of the wet and dry utilities will be able to be placed within the development with required separations or with special conditions as approved by the proper regulatory agencies and approved by the City Engineer **prior to plat recordation**.
18. Any roads over 10% grades will not be eligible to be converted to public Rights-of-Way in the future. (Added as plat note 24 on proposed plat).
19. Drives (private road / Fire Department access road) shall provide twenty feet (20') wide of clear space to meet Fire Code. If parking impacts this twenty feet (20') wide clear space, it will not be allowed and shall be signed "No Parking". Roads less than twenty-six feet (26') wide shall be marked "No Parking" on both sides of the road. Fire District access shall be noted and identified on the recorded plat. (Added as plat note 11 on proposed plat).
20. The Applicant will need to receive City Council's approval to provide access and utility easement over the City's property for Alice Court and where they may cross water lines, storm drainage, sewer lines, etc. This will need to occur **prior to plat recordation**.
21. Applicant shall provide recommendations to the City Engineer for alterations to the King Road and Alice Court intersection that optimizes turning movements and minimizes conflicts for emergency vehicles, **prior to plat recordation**.
22. The Applicant will need to receive, from the Utah Department of Environmental Quality (UDEQ), under the UDEQ Voluntary Cleanup Program, a final Certificate of Completion for remediated soils within the Applicant's property prior to building permit approval.

23. If a Site Management Plan is required for the UDEQ Certificate of Completion, the UDEQ approved Site Management Plan must be submitted to the Building Department prior to building permit approval.
24. Public trails are shown with a 15' public recreational trail easement. (Added as plat note 3 on proposed plat).
25. Any structures built near the existing mine shaft shall be setback at least ten feet (10') if the shaft is filled up to the ground surface with soil and/or gravel and at least forty feet (40') setback if the shaft is not filled. The mine shaft shall be shown on the plat and the setback noted. (Mine shack and setback is shown on proposed plat).
26. If the site plan is substantially altered, as determined by the SBWRD, Planning Director, and City Engineer, due to any utility redesign or retaining wall redesign or other unforeseen issues, this approval shall be null and void and an application to amend the Ordinance and plat shall need to be submitted and be reviewed and go through the entire process including internal review, planning commission and city council review.
27. All Public Improvements, except the Lot 1 culvert, may be completed after plat recordation but prior to the first building permit. A financial guarantee, inspections fees, and executed agreement for all public improvements shall be submitted and approved prior to permitting.
28. City utility maintenance access is required across the drives for Lots A. (Added as plat note 2 on proposed plat).
29. Individual water booster or fire sprinkler system pumps to increase water pressure shall not be allowed, unless approved by the Fire Marshal . (Added as plat note 4 on proposed plat).
30. Individual geotechnical reports will be required for each lot prior to issuance of a building permit. (Added as plat note 12 on proposed plat).
31. Significant vegetation / mature trees that will be lost due to the development shall be approved by the Planning Department and be replaced in kind or with three (3) smaller trees as close to the original location as possible within one (1) year of tree removal.
32. No duplexes shall be allowed. (Added as plat note 13 on proposed plat).
33. Existing utility and access easements may be added, adjusted, vacated or remain in their current location. Changes to these easements and/or addition of easements shall be shown on the plat. (Added as plat note 14 on proposed plat).

34. The Alice Claim development exceeds one (1) acre and shall meet the requirements of the municipal separate storm sewer system (MS4) storm water program. Each lot within this common development shall be required to obtain a MS4 storm water permit prior to any construction activity. (Added as plat note 15 on proposed plat).

35. Applicant shall provide to Chief Building Official a plan showing defensible space for wildland fire mitigation around each structure.

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

PASSED AND ADOPTED this 8th day of March, 2018

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

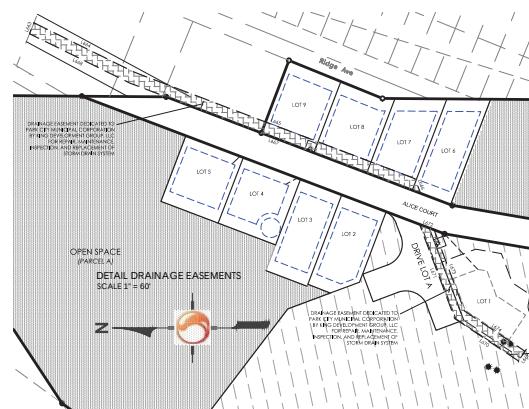
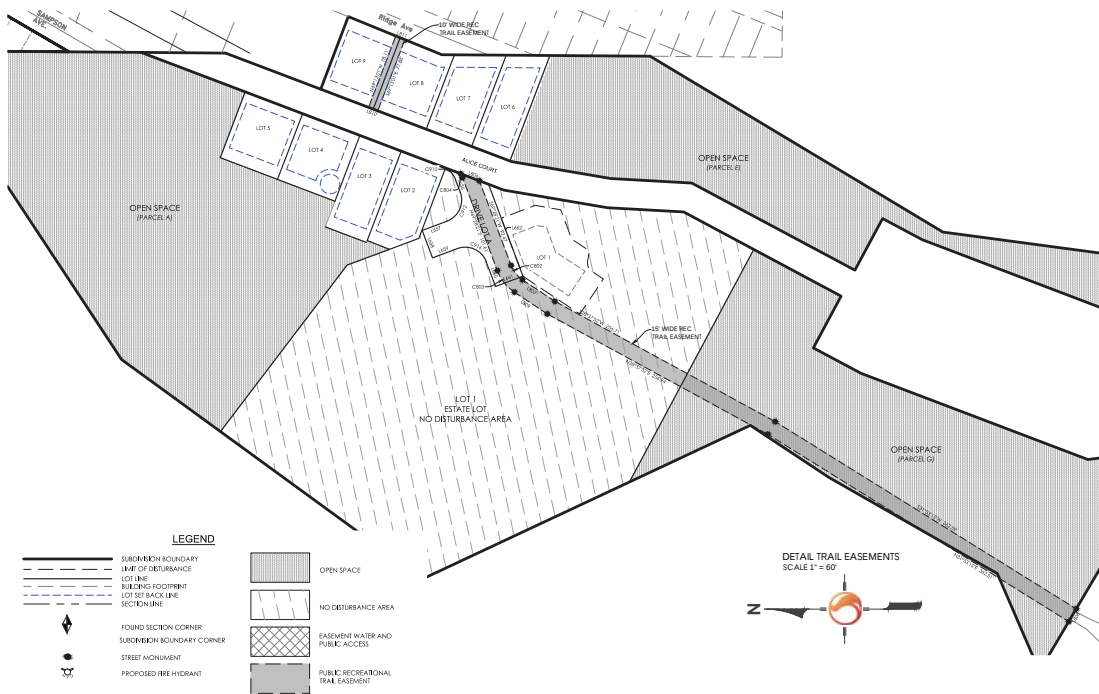
Mark Harrington, City Attorney

9/19/2017 11:01 AM Edlen, Scott



ALICE CLAIM

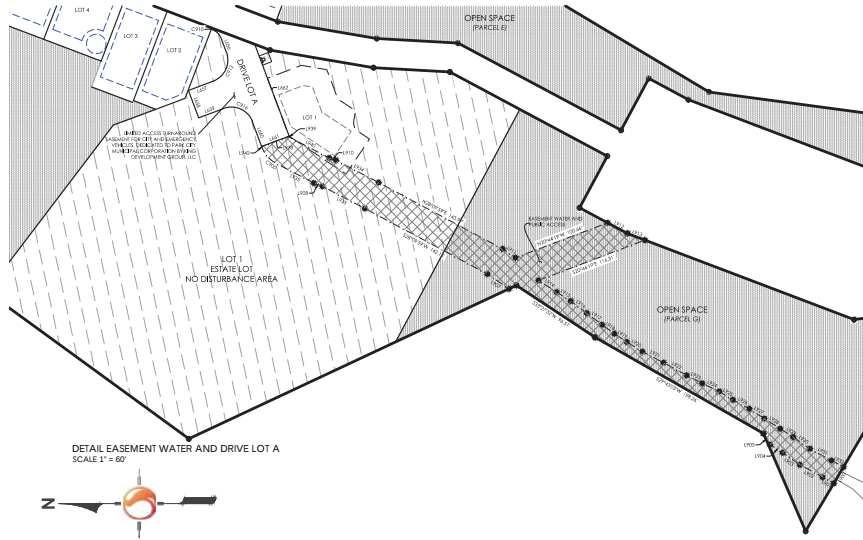
LOCATED IN THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



TRAIL EASEMENT CURVE TABLE				
CURVE #	BEARING	LENGTH	DELTA	CHORD BEARING
C001	S 89° 59' 59" W	19.32	19.32	S 89° 59' 59" W
C002	S 89° 59' 59" W	19.32	19.32	S 89° 59' 59" W
C003	S 89° 59' 59" W	19.32	19.32	S 89° 59' 59" W
C004	S 89° 59' 59" W	19.32	19.32	S 89° 59' 59" W

TRAIL EASEMENT CURVE TABLE				
CURVE #	BEARING	LENGTH	DELTA	CHORD BEARING
C005	S 89° 59' 59" W	19.32	19.32	S 89° 59' 59" W
C006	S 89° 59' 59" W	19.32	19.32	S 89° 59' 59" W
C007	S 89° 59' 59" W	19.32	19.32	S 89° 59' 59" W
C008	S 89° 59' 59" W	19.32	19.32	S 89° 59' 59" W

DRAINAGE EASEMENT CURVE TABLE				
CURVE #	BEARING	LENGTH	DELTA	CHORD BEARING
C009	S 89° 59' 59" W	19.32	19.32	S 89° 59' 59" W
C010	S 89° 59' 59" W	19.32	19.32	S 89° 59' 59" W
C011	S 89° 59' 59" W	19.32	19.32	S 89° 59' 59" W
C012	S 89° 59' 59" W	19.32	19.32	S 89° 59' 59" W



DRIVE LOT A LINE TABLE			
LINE #	LENGTH	BEARING	DIRECTION
L055	13.42	S 89° 59' 59" W	
L056	26.99	N 89° 59' 59" W	
L057	30.00	S 89° 59' 59" W	
L058	27.00	S 89° 59' 59" W	
L059	27.00	S 89° 59' 59" W	
L060	27.00	S 89° 59' 59" W	
L061	20.00	S 89° 59' 59" W	
L062	100.45	N 89° 59' 59" W	

DRIVE LOT A CURVE TABLE				
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING
C013	23.00	19.32	19.32	S 89° 59' 59" W
C014	23.00	19.32	19.32	S 89° 59' 59" W
C015	23.00	19.32	19.32	S 89° 59' 59" W

WATER PUBLIC EASEMENT ACCESS LINE TABLE			
LINE #	LENGTH	BEARING	DIRECTION
L063	13.42	S 89° 59' 59" W	
L064	26.99	N 89° 59' 59" W	
L065	30.00	S 89° 59' 59" W	
L066	27.00	S 89° 59' 59" W	
L067	27.00	S 89° 59' 59" W	
L068	27.00	S 89° 59' 59" W	
L069	20.00	S 89° 59' 59" W	
L070	100.45	N 89° 59' 59" W	

WATER PUBLIC EASEMENT ACCESS CURVE TABLE				
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING
C016	23.00	19.32	19.32	S 89° 59' 59" W
C017	23.00	19.32	19.32	S 89° 59' 59" W
C018	23.00	19.32	19.32	S 89° 59' 59" W

SHEET
2 of 2

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

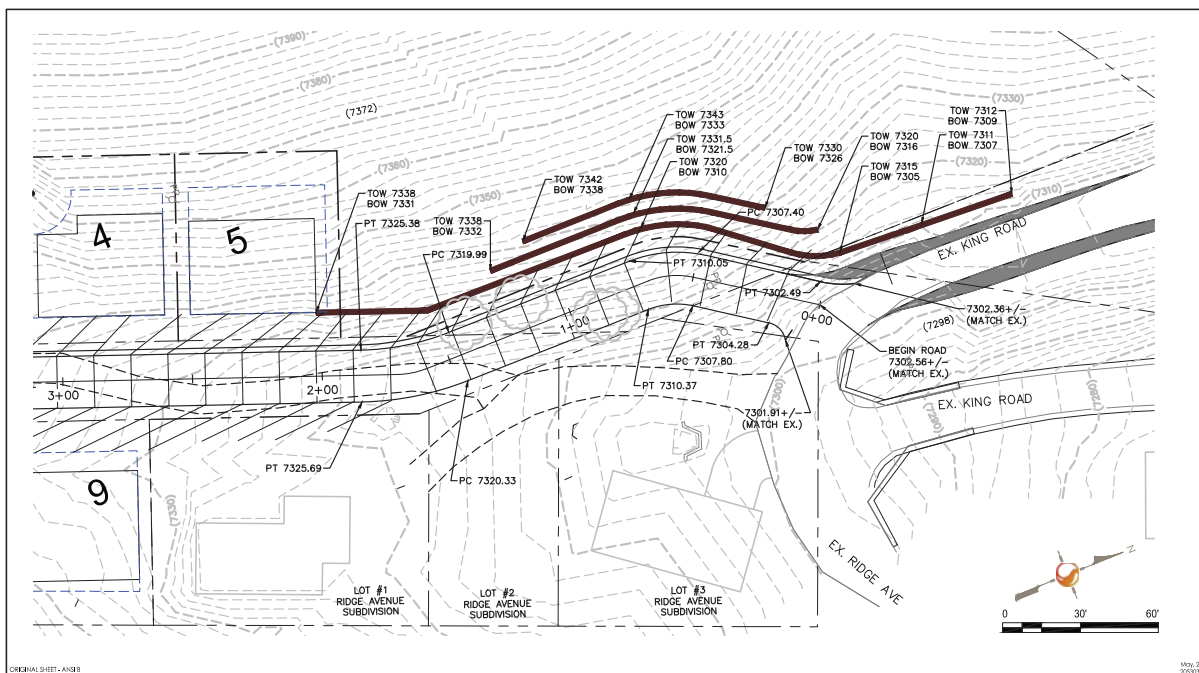


Stantec Consulting Services Inc.
3955 S 700 E Ste. 300
Salt Lake City, UT 84106
Tel: 801.561.0090
Fax: 801.566.1471
www.stantec.com

Project Number	PRJ 20230307
Revision	01
Drawn By	BD
Checked By	BD
Date	09/13/17
Scale	AS SHOWN
Date Revis	09/13/17
By	BD
Date	09/13/17

RECORDED #
STATE OF UTAH, COUNTY OF SUMMIT, BEING PART OF THE
REQUEST FOR RECORDATION OF THE
DATE: 09/13/17 BY: BD
COUNTY RECORDER

Exhibit B - Former Entry



ORIGINAL SHEET - A-1081



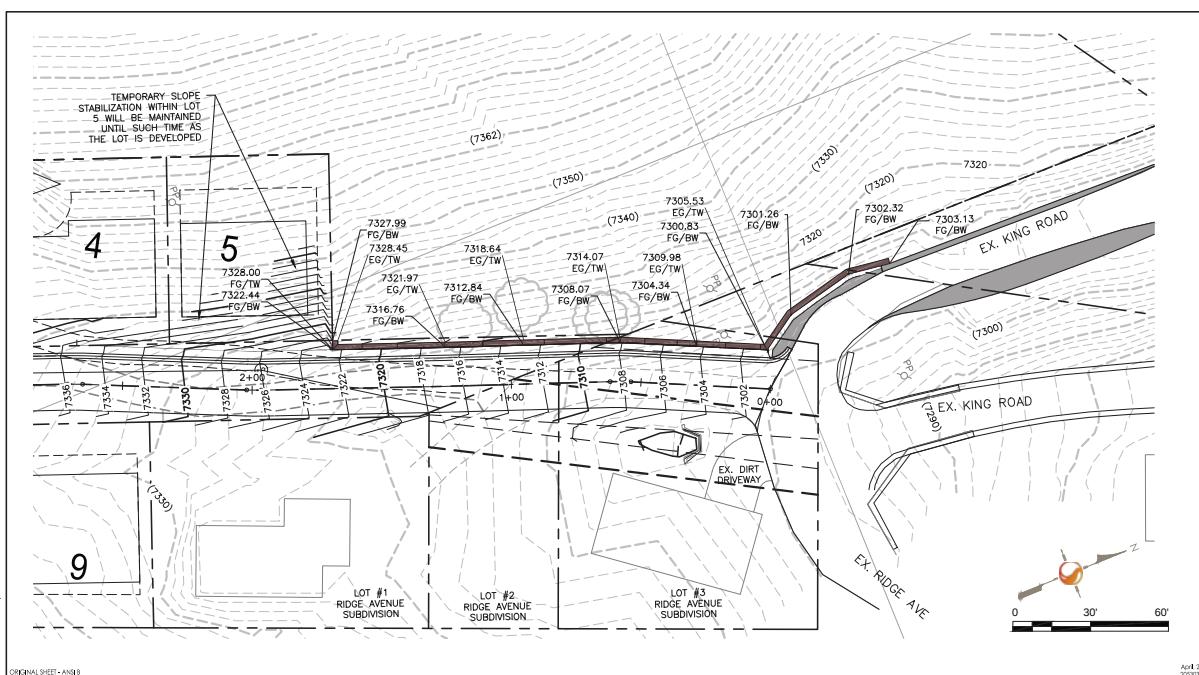
3995 South 700 East, Suite 300
Salt Lake City UT
Tel. 801.261.0090
www.stantec.com

Client/Project
KING DEVELOPMENT LLC.
ALICE CLAIM
PARK CITY, UTAH

Scale
1" = 60'

Title
PREVIOUS ENTRY PLAN

Exhibit C - Updated Entry



ORIGINAL SHEET - A-1081



3995 South 700 East, Suite 300
Salt Lake City UT
Tel. 801.261.0090
www.stantec.com

Client/Project
KING DEVELOPMENT LLC.
ALICE CLAIM
PARK CITY, UTAH

Scale
1" = 60'

Title
PROPOSED ENTRY PLAN

Exhibit D - Public Comments

Francisco Astorga

From: Bruce Erickson
Sent: Wednesday, October 07, 2015 4:10 PM
To: Francisco Astorga
Subject: FW: Alice Claim Proposed Development
Attachments: image1.JPG; ATT00001.txt

PUBLIC INPUT

Bruce M. Erickson, AICP

Planning Director
Park City Municipal Corporation
Park City, Utah

-----Original Message-----

From: Karen Anderson
Sent: Wednesday, October 07, 2015 2:33 PM
To: Bruce Erickson
Subject: FW: Alice Claim Proposed Development

Bruce,

I received this email from a resident who wants to make his opinion known to Council but is unable to be at Council meeting tomorrow night. Matt said
To forward it to you.

Karen

-----Original Message-----

From: John Vrabel [mailto:jvdesign@comcast.net]
Sent: Wednesday, October 07, 2015 1:38 PM
To: Karen Anderson
Subject: Alice Claim Proposed Development

Wednesday October 7th 2015

To: Park City Council Membership
C/O Karen Anderson

Fm: John Vrabel Resident
143 Upper Norfolk Avenue

Re: AliceClaim (proposed)
Development

Dear Park City Council Members:

I am writing to express my strong opposition to the proposed Alice Claim development, as I will be unable to attend the October 8th City Council meeting.

Having attended many of the prior Planning Commission meetings re the proposed Alice Claim development, I would like to recall the last Planning Commission meeting dealing with the Alice Claim in which Bruce Eriksen presided. The developer presented his points and the commission members followed with comments related to those points. First I was very impressed by the commission members' thorough responses and second on the quality of their overall knowledge of the subject.

At this point Bruce Eriksen suggested that because of the unusually long time this project, in its various aspects, has been before the Planning Commission, it was important that the Planning Commission members bring current, 'for the record', their overall comments regarding the (proposed) Alice Claim development.

I was not only extremely impressed with the commission's overall scope and thoroughness of their responses and especially as to how this development specifically related to the city's design and building requirements, but I was also proud of how well the Commission, in my opinion, represented the best interests of Park City.

In closing, I strongly urge you as City Council Members to rely on the Planning Commission's professionalism and expertise as the development guardians of our City. Thank you.

Warmest Regards,

John Vrabel
Park City Property Owner & Resident since 1968.

The Alice Claim:



Brooke Hontz
PO Box 2128
Park City, Utah 84060
brooke@dalysummit.com

Charlie Wintzer
Wintzermc@aol.com

12/7/2015

RE: Alice Claim aka Alice Lode Subdivision and Plat Amendment, Gully Site Plan Discussion PL-08-00371

Dear Planning Commission:

Thank you for forwarding a negative recommendation to the City Council on the Alice Claim applications a few months ago. Please consider thoroughly reviewing and referencing all of the previous issues that have been brought forth since 2005 that have not been addressed in any of the plans including this “new” gully plan and putting these issues on record, again, as part of the December 9th 2015 work session.

As you are aware, by Land Management Code, the Commission is required to review Chapter 7.1 – Subdivision Procedures, 7.3 (A)-(C) Subdivision Policy and Section 1.112 Good Cause when processing a Subdivision application (at a minimum). At all of your previous meetings the Commission has addressed these requirements. In particular, Commissioner Band has provided specific language regarding the deficiencies of the character of the land in this application that it cannot be subdivided safely to meet the Subdivision and Good Cause Standards, with other Commissioners in support. As a Commission, public health safety and welfare are mandatory elements of review and cannot be ignored. To make a clean record for the applicant and the public, I am requesting you clearly list the numerous inadequacies of this application that still remain unaddressed and incapable of being fixed with a density over the allowed one lot.

In this application a slope map has been provided that is extremely valuable information proving that good cause to create 8 new lots from one platted lot does not exist. Lots 1, 3,4,5,6 and 7 all are partially or entirely over **50% slope**. A steep slope CUP cannot mediate the increase of density from one to 8, as the development impacts are much larger than just the amount of soil that will be removed and retention of earth that will take place. As required by the LMC we need to pay “particular attention to the arrangement, location and width of Streets, their relation to sewerage disposal, drainage, erosion, topography and natural features of the Property, location of Physical Mine Hazards and geologic hazards, Lot sizes and arrangement, the further Development of adjoining lands as yet un-subdivided, and the requirements of the Official Zoning Map, General Plan, and Streets Master Plan, as adopted by the Planning Commission and City Council.

It would be helpful in this work session to again indicate clearly that King and Ridge roads are located outside of their platted location for some or all of their entire length. The capability of these roads to support the existing platted rights of homes (which are very few) plus 8 more lots is impossible. Other traffic, transportation and civil engineers have deemed the new 6 road intersection and the additional 8 un-platted lots as unwise and unsafe. Respectfully the public has repeatedly submitted testimony

regarding the health, safety and welfare negligence of a plan that puts forth 9 lots related to the roads, traffic, and also fire danger. I have personally met with Scott Adams of the Park City Fire District regarding this project and showed the previously submitted application and the entire area's roads, current development and platted but unbuilt lots. He had not been contacted by Park City Municipal to discuss the plan although the public had asked questions and submitted issues and the Commission had queried the former staff member about them. In our meeting he did not feel comfortable with servicing the 9 lots when presented with the entire area's information (the platted lots on Ridge, Anchor and King).

In efforts to be productive for the Planning Commission and the Applicant, the time has come for better records that summarize findings. It would be so helpful to have the Planning Commission direct staff to create a table of all of the issues brought up over the 10 year period this application has been in front of this body AND DID NOT ASK FOR A RECCOMENDATION. The work has been done over and over again by many members of the public and the different Planning Commissioners and never followed through with by staff or the applicant. The Planning Staff typically does not create task lists or summaries of input because applications typically don't turn on and off over a ten year period. I believe this is the 9th Planning Commission work session since 2005 (with only 2 Public Hearings during the same time). The Applicant has gone back and forth on a plan and not made substantial progress with the legislative process based on their volition. Here's an example of what staff could create – this is only a fraction of the list of issues:

Issue	Direction	Date	Findings
Does Application meet HR-1 Zone standards	Review each lot and site plan against code requirements	12/9/15	To be presented at next Planning Commission Meeting
What version of LMC and General Plan is the new Gully plan under and does the PC and the Public have access to those documents	Arguments have been made by the applicant that they are under a pre-2007 code and current General Plan. Is this accurate?	7/2015	City Attorney to present findings at next Planning Commission meeting
Fire District – Does fire district agree to support this plan with the complete understanding of ALL platted lots, per the requirement of the LMC	Planning Commission member plus staff member Meet with Scott Adams with the area plat.	Fill in	Fill in
Mine Shaft	Determine if mitigation and explanation is satisfactory to Plan Commish.		
GeoTech	Determine if mitigation and explanation is satisfactory to Plan Commish.		
Traffic	Review impacts of 9 lots		

	versus 1, include traffic generation, steep slopes and winter conditions		
Adequacy of King and Ridge to serve the property	Review impacts of 9 lots versus 1, include traffic generation, steep slopes and winter conditions		
Sewer	Review entire site for acceptable service with Sewer District – with Planning Commissioner		
Does Application meet Subdivision Purpose, standards? Purpose of HRL, E, SLO and Chapter 7 Subdivision	Review each lot and site plan against code requirements	7/2015	Each Planning Commissioner to create list against code requirements
Does Application meet good cause?	Review each lot and site plan against code requirements	7/2015	Each Planning Commissioner to create list against code requirements

Thank for your continued hard work. We appreciate all that you do.

Best regards,
Brooke Hontz
Charlie Wintzer

Francisco Astorga

From: Carol Sletta <cbsletta@gmail.com>
Sent: Wednesday, December 09, 2015 2:10 PM
To: Francisco Astorga
Subject: Fwd: Alice Claim - "Gully" Plan

Francisco, Here's the email I sent to the Commission. I understand no action will be taken, but will the Commission be taking public input? I am hoping my email will suffice as it will be difficult for me to attend this evening.

Carol Sletta

----- Forwarded message -----

From: Carol Sletta <cbsletta@gmail.com>

Date: Tue, Dec 8, 2015 at 4:17 PM

Subject: Alice Claim - "Gully" Plan

To: adam.strachan@parkcity.org, nann.worel@parkcity.org, melissa.band@parkcity.org,
douglas.thimm@parkcity.org, john.phillips@parkcity.org, preston.campbell@parkcity.org,
steve.joyce@parkcity.org

Good afternoon:

Before your work session on Wednesday, I just wanted to take this opportunity to once again express my concern about the intersection that will be created with the access to the Alice Claim Subdivision.

King Road, Ridge Avenue and Sampson Avenue "as is" illustrates the Historic Old Town feel of Park City; adding the large retaining walls and an intersection would change the look of this historic neighborhood forever.

I respectfully disagree with the City Engineer who states that there is not a fatal flaw in the intersection. I am concerned about emergency vehicle access as well as navigating traffic to and from the ski area via Upper King Road and the existing traffic in the neighborhood, not to mention an addition of nine residences.

If you haven't done so, I suggest you drive up King Road, turn right, then visualize turning left into the proposed entry to the subdivision.

Thank you.

Respectfully,

Carol B Sletta

135 Sampson Avenue

[435 640 1595](tel:4356401595)

cbsletta@gmail.com

Francisco Astorga

From: Joy Berry <joy@joyberry.org>
Sent: Friday, May 20, 2016 4:45 PM
To: Francisco Astorga
Cc: KIM DENKERS Owner
Subject: Ridge Ave Plat Amendment

Hi Francisco,

I own the home at 141 Ridge Avenue and I am very concerned about the new project with the Alice Claim at the intersection of King Road & Ridge Avenue.

My property is at that intersection and the town is already using a very large portion of my land for the Ridge Road and if anymore is taken from me for this new subdivision I will be damaged tremendously.

How can I see the plans they have submitted for this Alice Claim project?

As you can imagine; I am opposed to this project.

Please call me.

Joy Berry

Cell: 949-500-7009

Francisco Astorga

From: Kathryn Deckert <deckertkathryn@gmail.com>
Sent: Sunday, May 22, 2016 11:21 PM
To: Francisco Astorga
Subject: Alice Lode Subdivision
Attachments: I have been a resident on Daly Avenue for the past thirty five years.docx

Francisco I am unable to attend the Planning Commission meeting 5/25/16. Please include my concerns regarding this property and send to planning commissioners.j Thanks so much

Kathryn Deckert 102 Daly Avenue

I have been a resident on Daly Avenue for the past thirty five years. I also lived for a time on King Road prior to Daly Avenue. I have lived all told for about 45 years at this end of town witnessing the evolution of change . The status of this neighborhood has slowly evidenced new growth and housing but now is also a venue for recreationalists, bikers, and hikers to access trails.

This is not a static neighborhood where an occasional vehicle saunters up the street. It is an area where bikers, hikers, children, pets, are actively participating outside their homes. None of the streets have been enlarged to help sustain this level of activity and as a resident I don't want to see changes in the streets as they reflect the historically nature of this part of town. Three new homes were built off of Ridge Avenue last summer compromising resident's ability to navigate around their neighborhood. Two more new excavations have just occurred off of Ridge adding to the impact of new residential growth. Now we are contemplating adding another 9 homes at the top of King Road. These roads are at their maximum capacity to accommodate parked cars in the winter months, while residents drive around the piled up snow especially on King Road. Please please take into account the additional new homes just built and in the process of being built. Think again about King Road impacted with cement trucks, back hoes and large excavation machinery. It is a dangerous situation and an overload on current residents.

I suggest the Alice Lode Subdivision proposal reflect the safety, welfare and health of the neighboring community and limit the size of this project to 1 or 2 homes.. Also I believe that there should be discussion as to how long the developer anticipates the intrusions of this project will last for the neighborhood.

Traffic impacts abound in our town; please let's begin to live the talk and reduce traffic impacts by reducing density on this project. Thank you.

Kathryn Deckert
102 Daly Avenue

Subject: **Alice Claim Subdivision**

I'd like to take this opportunity to thank the Planning Commission for all the time they've taken to thoroughly review and evaluate this project in the past, and now again. I am curious: As a member of the public who has made numerous comments on this project, along with many others, in the past; **how are our comments kept as reference materials?** And for that matter, the Commissioners' comments? **Years of important testimony has been given and I was wondering how that information is made available to the current Planning Commission.**

As I reviewed the packet for the three Alice Gully Project items on the agenda, I thought: Why three items on the agenda? If the first is not approved, there's no need for #2 or #3. Guess it must be procedural.

1) Alice Claim Subdivision and Plat Amendment

Why should the City approve this project? **Adding density would benefit only the developer.** Is there good cause for this project? Does it benefit the City? The neighborhood? As I understand it, it is one parcel that must meet very specific requirements to be subdivided into more lots; and it's not a land use right to have more lots in this case. **Both the public and Commissioners have made arguments that must be reviewed and resolved to meet the subdivision standards.**

Approving this project would set a precedent, encouraging future developers to increase the density on the remaining parcels and hillsides in Historic Old Town Park City.

Public Safety: Viewing Document (**EXHIBIT J**) prepared by FEHR & PEERS to show Emergency Vehicle Turning Movement, just confirms to me the inherent danger of this intersection by adding access to Alice Claim. The applicant offering land at the corner adds no benefit. **Exhibit J does not reference the severe pitch or grade of this intersection.**

Adding a stop sign at the uphill corner of King Road and Ridge only reconfirms to me that drawing something doesn't mean it works. I'd like to see any passenger vehicle, dump truck, cement truck, or PC Mountain Resort vehicle come to a complete stop on the uphill of King Road, then proceed (whether left or particularly right) in the winter. I would even question the ability of any vehicle, particularly a large vehicle, to stop on a dry day on the uphill, then safely proceed.

Having lived on Sampson Avenue since 1980, I respectfully disagree with the applicant's traffic engineer and our City Engineer when they state that nine homes have negligible traffic impact in this area. (Exhibit N)

Many public safety concerns have been expressed over the course of the Planning Commission meetings. **Future Planning Commissions will have a hard time using public health, safety and welfare standards to appropriately limit lands not suitable for development, if the Planning Commission ignores them here.**

To: Park City Planning Commission
Subject: **Alice Claim Subdivision**

May 25, 2016

2) CUP for Retaining Walls

The three-10'- step back walls, totally 30 feet, is not the desired look for Historic Old Town Park City. Rather than a paragraph describing the walls, we need to see a realistic/accurate drawing of the retaining wall(s) from the vantage point of, say, the center of the intersection: **Like a superimposed wall to scale on a photo of the hillside.**

If approved, this **sets a precedent for future development.** Permitting these walls in Historic Old Town Park City would give the undesirable look of, say, Deer Crest.

3) Property Swap 123 Ridge and Lot 1

No need to address. Swapping these two triangular parcels has no purpose unless project is approved.

Alice Claim Gully Subdivision does not belong in Historic Old Town Park City.

Respectfully,



Carol B Sletta
135 Sampson Avenue

Francisco Astorga

From: Makena Hawley
Sent: Tuesday, July 05, 2016 8:30 AM
To: Kirsten Whetstone; Francisco Astorga; Anya Grahm; Adam Strachan; Laura Suesser; Melissa Band; Douglas Thimm; John Phillips; Preston Campbell; Steve Joyce
Cc: 'jvdesign@comcast.net'
Subject: FW: Density Development

Public comment forwarded from Mr. John Vrabel at 143 Norfolk Avenue.

Thank you,
makena

Makena Hawley
Park City Planning Department
445 Marsac Avenue, PO Box 1480
435.615.5065

View our 2016 Play Magazine online and plan your best summer yet! Summer program registration opens April 1st:
www.parkcityrecreation.org

From: John Appleseed [mailto:jvdesign@comcast.net]
Sent: Tuesday, July 05, 2016 8:22 AM
To: Makena Hawley
Subject: Fwd: Density Development

Sent from my iPhone

Begin forwarded message:

From: John Appleseed <jvdesign@comcast.net>
Date: July 4, 2016 at 1:26:48 PM MDT
To: bruce.erickson@parkcity.org
Cc: kirsten@parkcity.org, fastorga@parkcity.org, anya.grahn@parkcity.org,
adam.strachan@parkcity.org, laura.suesser@parkcity.org, melissa.band@parkcity.org,
douglas.thimm@parkcity.org, john.phillips@parkcity.org, preston.campbell@parkcity.org,
steve.joyce@parkcity.org
Subject: Density Development

Dear Bruce, Planners, and members of the
Park City Planning Commission:

I saw you (Bruce) jogging up the Sampson Avenue hill last week. Did you happen to notice the two high rises under construction to your right (west side of Sampson)? These are huge buildings especially in Park City's Historic (HR1) district.



(This photo shows 2 projects on Sampson Avenue. Note jogger to the left)

One area of what I call 'Excessive Density' should not lead to another area nearby just because it appears that it is now the 'norm' and/or that a 'president has been set.'

The reaction of visitors to our neighborhood, when they see what is under construction is nothing short of 'astonishment!'



(These are 2 projects, the left-upper has our neighborhood's first elevator. The right-lower, sits almost in front of, albeit lower, than, the elevator house)

This huge size/density, is the reason for my note.

It is my hope that we as a City should not repeat this situation up in Woodside Gulch, on the Alice Claim.

The developer is entitled to a density of ONE, which came with his purchase of the property.

It is my contention that even one is too much for this steep, pristine, park-like area.

Please consider the potential OVERLOAD to King Road.

Further, what if in the future, Vail elects to develop its property at the 'angle station?' What will the traffic on King Road be then? Can Vail's development in that area be denied? I think not, but perhaps the density can be limited.



Woodside Gulch - Alice Claim

Who benefits besides the developer, with the Alice Claim development?

Increasing traffic/density in this historic part of old town on these narrow roads dose not benefit the City.

It dose not benefit the current property owners in the neighborhood. Rather, this development is problematic.

Heaven forbid if we have a normal or big winter in the future. How will emergency vehicles respond then? Will the City be at future risk legally, for allowing this potential congestion?

In closing please consider the long term effects on our City by your decisions. Do you want the high density Woodside Gulch/Alice Claim development to be part of your legacy? Or do you want your legacy to be one of preserving this open, park-like space for the benefit of all?

Thank you,
Kind Regards and Love
John Vrabel
143 Norfolk Avenue resident
since 1968.

Sent from my iPhone

Francisco Astorga

From: Carol Sletta <cbsletta@gmail.com>
Sent: Wednesday, July 13, 2016 8:01 AM
To: Kirsten Whetstone; Francisco Astorga; Anya Grahm; Adam Strachan; Laura Suesser; Melissa Band; Douglas Thimm; John Phillips; Preston Campbell; Steve Joyce; Bruce Erickson
Subject: Alice Claim

Planning Commissioners and Staff:

I am compelled each time this application is brought before you, to bring up a couple of points.

Landscape Walls -- I was hoping to see the walls superimposed on a photo (taken from the proposed 5-point intersection) of the side of the mountain where the walls are to be built so that it would be clear as to what the retaining walls would actually look like. **Exhibit 1 Retaining Wall Illustration is distorted and does not accurately emphasize the actual visual impact of the wall(s). The side of the mountain where the walls are proposed is where there are large evergreens and other well established vegetation naturally preventing erosion and providing a beautiful Old Town landscape.**

I believe the "erosion issue" that was mentioned at the May meeting refers to where the area was disturbed when the water line was installed (and not re-vegetated upon completion), and not from some form of erosion that the proposed retaining walls will correct.

Improvement of King Road and intersection. Recommending a stop sign at the steepest section of the uphill of King Road makes no sense and attempting to widen the intersection will damage the historic, Old Town character of the neighborhood. **Who makes the decision to change the profile of a street in Historic Park City to accommodate a development?**

When is it enough? When is it determined that there is NO GOOD CAUSE? How much more can the neighborhood of King Road, Ridge Avenue, Sampson Avenue, and Upper Norfolk withstand? Adding nine homes will bring an excessive number of vehicles to the neighborhood, especially during construction, and then after with garbage/recycling pickups, deliveries, and the comings/goings of residents and their support personnel. In addition, what kind of light pollution will nine houses along with street lights, bring to the neighborhood? Snow removal, snow storage, and emergency vehicle access is also a serious concern. **At what point does CUPs and subdivision development take precedence over an established historic Old Town neighborhood?**

Thanks for your dedication and commitment.... **And, please think about the big picture....the picture of our quirky, funky, historic old town neighborhood.**

Respectfully,

Carol B Sletta
135 Sampson Avenue

Brooke Hontz
Daly Avenue
PO Box 2128, 84060
brooke@dalysummit.com

Charlie Wintzer
McHenry Avenue
Wintzermc@aol.com

Tom Gadek
Daly Avenue

Holger and Ellie Vogel
Daly Avenue

Carol B Sletta
Sampson Avenue

Kathryn Deckert
Daly Avenue

Michelle Skally Doilney
James A. Doilney
Sampson Avenue

4/4/2017

RE: Alice Claim aka Alice Lode Subdivision and Plat Amendment Planning Commission review

Dear Planning Commission:

Please find the letter below that we provided to the City Council on March 8th, 2017 regarding the proposed Alice Claim/Alice Lode project.

At the March 9, 2017 Council meeting, the project was remanded back to the Planning Commission as part of a procedural requirement to have the Commission review the proposed changes to the plan due to a redesigned access into the desired subdivision.

Thus far, a summary of the key actions on this application over the past three years have included the following:

- 1) a recommendation of denial to the Subdivision and CUP by the Planning Commission – with a complete “findings of fact and conclusions of law” to support that denial;
- 2) an edited plan with the same density but lots locations altered remanded back to you after the applicant presented a new plan to City Council at their Council hearing;
- 3) a recommendation of approval of the Subdivision and approval of the retaining wall CUP by the Planning Commission of the edited plan;

- 4) an appeal filed by interested parties on the approval of the CUP for the retaining walls;
- 5) an agreement for an easement across an access into the proposed subdivision, altering the site plan and reducing the retaining walls;
- 6) an agreed upon stay of the appeal of the CUP pending the outcome of the Subdivision Plat;
- 7) the remand of the Subdivision Plat with the new access to the Planning Commission.

As stated in our letter to the Council below, we believe the progress made on the plan by eliminating the unnecessary 5th point of convergence in that very tight canyon is the best solution for this site. However, it continues to be our opinion that the other areas of concern with the plan, some of which were highlighted in the initial 2015 denial, continue to not be addressed. We believe that these issues ranging from wildfire hazard to traffic, and safety to code compliance will need to be addressed in order to comply with City's adopted Subdivision Standards.

As the final undeveloped (some platted, some un-platted) parcels come before you for discussion, they all are required to meet the same standards based on their zoning and the proposal of the developer. Please recognize this review of the Alice parcel as a continued opportunity to use the tools provided to you – that will require replication for all others planning to make proposals in the future. A failure to utilize the standard now does not benefit the community as we face challenges ahead.

Thank you.

Sincerely,

Brooke Hontz
Charlie Wintzer
Tom Gadek
Holger and Ellie Vogel
Carol B Sletta
Kathryn Deckert
Michelle Skally Doilney
James A. Doilney

3/8/2017

RE: Alice Claim aka Alice Lode Subdivision and Plat Amendment

Dear City Council:

We support the proposed action of remanding the Alice Claim Subdivision Plat application to the Planning Commission for their review while staying the CUP for the proposed retaining walls. The progress made by the applicant and their neighbors to eliminate a 5th ingress and egress in that location and reduce the overall impact of the retaining walls is both supported and appreciated. Utilizing the existing driveway located at the top of King Road eliminates two of the major issues with the whole project. We appreciate the significant improvement of this new proposal and easement location.

The purpose of this letter is to preserve our rights to comment on the Subdivision application going forward. Instead of a presentation and public comment at the March 9, 2017 meeting, where you've planned on sending it back to the Commission prior to your review, we'd like to provide the broad issues herein and be prepared to speak when the plan comes back in front of you for decision. Our desire is to allow the Planning Commission to complete their process as a recommending body, then to provide direct comment to you on any remaining issues we may have.

As you may recall, the first time a Planning Commission ever (since the first submittal in 2004) provided a recommendation to you on this Subdivision Plat was in 2015 – and it was a negative recommendation. The applicant chose to present an alternative plan, called the “new gully plan” to City Council instead of the denied plan at their public hearing in front of you, which you immediately remanded back to the Planning Commission.

Although the revised access plan is a huge improvement to traffic and safety concerns at the King/Ridge/Sampson etc. intersection, there continue to be unaddressed issues that mandate attention in order to provide an approval. To be clear, density remains an issue. The creation (which is why a subdivision is required) of 9 new lots where there currently is one parcel is driving the requirements for a subdivision application review – which must meet the City's standards.

In both written letters/presentations and in public testimony we have identified the following thematic issues which still need to be addressed:

1. Land Management Code Purpose
2. Subdivision Code
3. Zoning Standards (including but not limited to standards, purpose, vegetation, wildlife)
4. What year/code the application is required to follow, and General Plan (2004-2017)?
5. Density
6. Lot and building pad locations
7. Good Cause
8. Traffic
9. Public Health, Safety and Welfare
10. Slope
11. Vegetation
12. Snow removal and storage
13. Old Town Streets

14. Wild land/Urban Interface Public Safety
15. Restrictions due to the Characteristics of the land
16. Public Services (water and sewer, etc)
17. Adjacent potential development

We will plan on addressing these issues when the application is in front of you again for your decision.

Thank for your continued hard work. We appreciate all that you do.

Best regards,

Brooke Hontz
Charlie Wintzer
Holger and Ellie Vogel
Carol B Sletta
Kathryn Deckert
Michelle Skally Doilney
James A. Doilney

Dear Mayor Thomas and City Council,

I oppose the Alice Claim approval for many reasons, but my comments here mostly focus on density.

Please remand the Alice Claim approval to the Planning Commission to re-consider density and, potentially, reduce the project down from nine lots to three or four lots for the following reasons:

- The nine lot number was never evaluated. It appears nine lots were chosen to avoid MPD requirements including workforce housing requirements.
- An approval would be discretionary and pro-growth. A denial would not violate a vested right.
- Additional density beyond the two existing lots can only be achieved if the Council votes to grant the seven lot density increase and donate a city owned Right of Way.
- Increasing density from the legal two lots to nine lots is not an appropriate, required, or entitled increase. The proposed roads and area infrastructure, as detailed in fire, road, traffic, and neighborhood resident objections over years of meetings, will not serve the needs of existing or proposed new residents (or construction). Roads and infrastructure can't be adjusted to serve the increase.

I support increasing the density by one or two lots to mitigate city legal risks. Applicant indicates he received encouragement to do environmental work from city staff. Applicant also claims non-Council approved Planning Commissioner statements recognize he's owed for having done this work. Mitigation work should not have been encouraged or negotiated under implied future considerations and privileges without Council approval. I'd far prefer that the canyon had remained an environmental hazard or been cleaned up in a business-neutral manner versus approving the nine lot density.

I feel it's bad public policy to add discretionary density in the upper King Road area. Last winter King Road was blocked due to snow related problems at least 20 periods for our family, including a jack-knifed semi once blocking it. During those periods the only access, Ridge Road, had only one lane open due to snow, occasionally forcing me to back up 100 to 300 feet to allow an oncoming vehicle to pass.

Please do not approve this pro-growth density increase.

James Doilney

To City Council Members:

Our neighborhood has put in three years of effort in trying to mitigate the effects that the Alice Claim will have on our quality of life both during the building process and after the new subdivision is completed.

Two summers ago we all endured the thundering noise of dump trucks, backhoes, and front loaders while three new homes were built on King Road and the Vail projects were built up on the mountain. This onslaught of construction traffic began at 7am and finished at 6 or so with nearby Daly and Ridge also used as access to these projects. In no way did this promote the safety, and welfare of the residents. Anyone living through this would have readily agreed it was an intolerable dangerous intrusion in our neighborhood. Past history involved 3 incidents that I recall where brakes were lost or construction material rolled off of trucks that caused extensive damage to residences unfortunately in the path. So here we are again with a pending 9 lot subdivision proposed for a one parcel piece of land that will also put the safety and welfare of current residents at risk as truckloads of soil are hauled away for the evacuation of 9 homes up and down a narrow steep 12% road. One way to reduce this dangerous situation is to uphold the LMC which states that the purpose of the HR1 zone is to reduce density that is accessible only by substandard roads so that these roads are not impacted beyond their reasonable carrying capacity. A reduction of density would greatly mitigate these impacts to current residents and follow the intent of the LMC. And as it relates to fire suppression and access and egress issues it makes safety sense and more closely abides by dictates of the Wildlands/Urban Code.

The developer has used as good cause for approval the installation of a water line into the platted Park City Parcel of around 25 lots and possible access. I find this NOT good cause as this adds more stress to our substandard roads. This will be very difficult as a planning dilemma if another subdivision is opened up at this end of town.

Please also take the time to walk up to McHenry or Ontario and have a good visual of the land that these homes will sit on and see for yourselves how much of the land will be given over to structures and how this landscape now gives relief from the structures below and adds to the inviting mystery of the forest behind it. Nine homes will alter forever more of our precious mountain vistas which are rapidly disappearing. This doesn't support our Community Vision Plan as was identified by our citizenry and elicited by our government from its residents. Maintaining our natural environment with discretion can be applied by our governing bodies which sends a message to our citizenry that they are being heard. A reduction in density will leave more of the land intact and our Community Vision will be validated.

Thank you for listening and considering our concerns. Let's use reasonable discretion as the last of our spaces are impacted by development pressure by

insisting on reasonable development that meets the welfare, safety and Community Vision of our residents.

Kathryn Deckert
102 Daly Ave

Brooke Hontz
PO Box 2128
Park City, Utah 84060
brooke@dalysummit.com

Dear Honorable Council Members,

I appreciate the opportunity to be able to present evidence against the approval of a 9-lot subdivision in the most limited access location within our historic Old Town. As someone who has sat on Planning Commission, actively processes development projects, and continues to be an advocate for appropriate development; I see so many facets of this project that it is challenging to convey in one letter and brief presentation to you on Thursday all of the aspects that I feel you should take into account prior to decision making.

In summary, I am requesting that you deny the Alice Claim Subdivision and Plat Amendment and Ridge Avenue Plat Amendment based on the fact that the Alice application does not meet many of the requirements of the Subdivision Standards.

The process of land Subdivision is a specific, codified, regulated set of standards an Applicant must go through in order to achieve a density and vesting they can then sell or build. The Subdivision standard is written to give great leniency and diligence responsibility to the City to review and consider in approving all plats. In each and every case where a Subdivision is being requested, Applicants are required to adhere to the exact same set of rules. Yet every parcel of land is not the same. Some land has existing platted lots within the area desired to restate and resize a Subdivision. Some land has vested rights granted to it because of public benefits or other items that have been provided. I am asking that you look specifically at this land, this parcel and its surroundings, and hold it to the standards it is required to meet.

In this case, we are looking at one meets and bounds parcel that was an assemblage of previous mining claims. The zoning placed on the land over the years by the City includes at least 3 different zoning districts with their standards affecting the regulations of certain portions of the parcel. This one lot of approximately 9 acres is requesting to become more lots – to a total of nine lots. In order to go from one to 9 lots, each aspect of each proposed lot and the entire subdivision must meet the Subdivision standards AND the underlying zoning regulations. After you read the proposed findings of fact and conditions and factor in the Planning Commission positive recommendation – it would seem like an uphill battle to even suggest that the Plat does not meet these Subdivision and Zone requirements. The fact is if you read the entirety of the regulations required to be met, and not postpone some items and entirely skip others, there is enough proof to deny this application.

In the following sections the portion of the code not in compliance or the issue that needs to be addressed is numbered with the supporting information listed at the end of the code sections in italics, as many of the requirements list the same things or overlap. The code list is organized beginning with broad overarching themes in the Purposes and narrows to precise issues reflected in the code. In referenced code sections, the code has been copied directly from the City's online page and underline added only for emphasis.

1. The proposed Alice Claim Subdivision does not meet the purpose of the LMC.

TITLE 15 - LAND MANAGEMENT CODE (LMC) CHAPTER 1 - GENERAL PROVISIONS AND PROCEDURES

15-1 -2. STATEMENT OF PURPOSE. The LMC is designed, enacted, restated and reorganized to implement the goals and policies of the Park City General Plan, and for the following purposes:

(A) To promote the general health, safety and welfare of the present and future inhabitants, Businesses, and visitors of the City,

(E) To allow Development in a manner that encourages the preservation of scenic vistas, environmentally sensitive lands, Historic Structures, the integrity of Historic Districts, and the unique urban scale of original Park City,

(G) To prevent Development that adds to existing Geologic Hazards, erosion, flooding, degradation of air quality, wildfire danger or other conditions that create potential dangers to life and safety in the community or that detracts from the quality of life in the community,

2. The proposed Alice Claim Subdivision does not meet the Subdivision General Provisions.

15-7 SUBDIVISION GENERAL PROVISIONS

15-7-2 PURPOSE. The purpose of the Subdivision regulations is:

(A) To protect and provide for the public health, safety, and general welfare of Park City.

(C) To provide for adequate light, air, and privacy, to secure safety from fire, flood, landslides and other geologic hazards, mine subsidence, mine tunnels, shafts, adits and dump Areas, and other danger, and to prevent overcrowding of the land and undue congestion of population.

(F) To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public requirements and facilities.

(G) To provide the most beneficial relationship between the Uses of land and Buildings and the circulation of traffic, throughout the municipality, having particular regard to the avoidance of congestion in the Streets and highways, and the pedestrian traffic movements appropriate to the various Uses of land and Buildings, and to provide for the proper location and width of Streets and Building lines.

(I) To ensure that public facilities are available and will have a sufficient capacity to serve the proposed Subdivision, Resubdivision, or Lot Line Adjustment,

(J) To prevent the pollution or degradation of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; to minimize Site disturbance, removal of native vegetation, and soil erosion; and to encourage the wise Use and management of natural resources throughout the municipality in order to preserve the integrity, stability, and beauty of the community and the value of the land,

15-7-3 POLICY.

(B) Land to be subdivided or re-subdivided, or Lot lines that shall be adjusted therein, shall be of such character that it can be used safely for Building purposes without danger to health or peril from fire, flood, landslide, mine subsidence, geologic hazards, or other menace, and land shall not be subdivided, re-subdivided, or adjusted until available public

facilities and improvements exist and proper provision has been made for drainage, water, sewerage, and capital improvements such as schools, parks, recreation facilities, transportation facilities, and improvements.

(C) The existing and proposed public improvements shall conform and be properly related to the proposals shown in the General Plan, Streets Master Plan, Official Zoning Map, and the capital budget and program of Park City, and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in the adopted Uniform Building and Housing Codes, the Land Management Code, General Plan, Official Zoning Map, and capital budget and program of Park City.

3. The proposed Alice Claim Subdivision does not meet the Preliminary or Final Subdivision Plat requirements.

15-7.1-5 PRELIMINARY SUBDIVISION PLAT

(D) PLANNING COMMISSION REVIEW OF PRELIMINARY PLAT. The Planning Commission shall study the Preliminary Plat and the report of the Staff, taking into consideration requirements of Land Management Code, any Master Plan, site plan, or Sensitive Land Analysis approved or pending approval on the subject Property. Particular attention will be to the arrangement, location and width of Streets, their relation to sewerage disposal, drainage, erosion, topography and natural features of the Property, location of Physical Mine Hazards and geologic hazards, Lot sizes and arrangement, the further Development of adjoining lands as yet un-subdivided, and the requirements of the Official Zoning Map, General Plan, and Streets Master Plan, as adopted by the Planning Commission and City Council. The Planning Commission shall make a finding as to whether there is Good Cause in approving the preliminary plat.

(G) PUBLIC IMPROVEMENTS. The Planning Commission may require that all public improvements be installed and dedicated prior to the signing of the final Subdivision Plat by the Chairman of the Planning Commission. If the Planning Commission elects not to require that all public improvements be installed and dedicated prior to signing of the final Subdivision Plat by the Chairman of the Planning Commission, the amount of the Guarantee, in compliance with the requirements of the Land Management Code, shall be established by the Planning Commission based upon the recommendation of the City Engineer, which shall be submitted by the Applicant at the time of Application for final Subdivision Plat approval. The Planning Commission shall require the Applicant to indicate on both the Preliminary and Final Plat all roads and public improvements to be dedicated, all special districts for water, fire, and utility improvements which shall be required to be established or extended, all City approved Street names and addresses, and any other special requirements deemed necessary by the Planning Commission in order to conform the Subdivision Plat to the Official Zoning Map and the Master Plans of Park City.

(H) EFFECTIVE PERIOD OF PRELIMINARY APPROVAL. The approval of a Preliminary Plat shall be effective for a period of one (1) year at the end of which time final approval on the Subdivision must have been obtained from the Planning Commission, and the Final plat shall be signed and filed with the County Recorder within one (1) year of approval. Any plat not

recorded within the period of time set forth herein shall be null and void, and the Developer shall be required to resubmit a new Application and plat for preliminary approval subject to all new review requirements, zoning restrictions and Subdivision regulations.

Applicants may request time extensions of the approval of a Preliminary Plat by submitting a request in writing to the Planning Department prior to expiration of the approval. The Planning Director shall review all requests for time extensions of Preliminary Plat approvals and may consider the request when the Applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request. Change in circumstance includes physical changes to the Property or surroundings. Notice shall be provided consistent with the requirements for Preliminary Plat in Section 15-1-12.

The Commission may hold a public hearing on the time extension for a Preliminary Plat approval. Such hearings shall be noticed in accordance with the requirements of Section 15-1-12 of the Land Management Code.

4. The proposed Alice Claim Subdivision does not meet the Purpose of the HRL or the Estate District Zoning requirements.

15-2.1-1 Purpose

The purpose of the Historic Residential Low-Density (HRL) District is to:

- A. reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and

15-2.10-1 Purpose

The purpose of the Estate (E) District is to:

- A. allow very low density, environmentally sensitive residential Development which:
 - 6. decreases fire risk by keeping Development out of sensitive wild land interface Areas.

5. The proposed Alice Claim Subdivision does not meet the standard of Good Cause.

1.112 GOOD CAUSE.

Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

The following bulleted list contains the reasons why the proposed Alice Claim subdivision does not meet the standards listed above. Many of the code portions listed are related or overlap so the list below is intended to respond to all sections 1-5 above.

- *The slope of the access road, the driveways and most of each of the proposed nine (9) lots is very steep and will require significant cuts and fills to complete the development. The slope map provided with the Gully Plan proves that good cause to create 8 new lots from one platted lot does not exist. Lots 1, 3,4,5,6 and 7 all are partially or entirely over 30% slope, some are entirely over 45% slope. These are the flattest and best locations within this property to place homes, but when you are adding so many you add more slope impact. A steep slope CUP cannot mediate the increase of density from one to 8, as the development impacts are much larger than just the amount of soil that will be removed and retention of earth that will take place.*
- *Development of the nine (9) lots on the property may require future variances to the Land Management Code due to the difficulty of development on the proposed lots and the steep to very steep slopes.*
- *All roadways near the proposed subdivision are substandard streets. The Streets master plan says that “Roadways which are severely substandard pose real life and safety hazards, which should receive top priority. The most pressing problems exist in the old part of town. It may be appropriate in the most critical areas to prohibit additional development until roadway improvements are assured”.*
- *King Road is the proposed main access to the nine lots. King Road is a steep and narrow street (15 feet at narrow portion) that is mostly built outside its platted location.*
- *To make King Road safer, the road would need to be widened. Widening King Road may not be possible due to required eminent domain procedure and the cost of the buyout of the land holders.*
- *Ridge Avenue is the “secondary access” named in the staff report, and will be needed by all residents of the area during certain periods of the year for egress.*
- *Ridge Avenue is a road entirely built outside its platted location on private property of multiple lot owners.*
- *Ridge Avenue currently has one home that uses the road for primary access and is a substandard street that is extremely narrow and acts currently as a secondary access to King Road.*
- *Ridge Avenue is a narrow street that is often covered by debris and mud during the year, especially during runoff in the winter and spring.*
- *Widening Ridge Ave and King Road is necessary for safety – yet completely against our Vision and General Plan.*

- *Snow removal on both King Road and Ridge Avenue may be difficult or delayed during winter months.*
- *Hazardous vehicle and pedestrian conditions exist on King Road and Ridge Ave when snow and/or slippery conditions are present. The winter of 2017 was a great demonstration of unsafe winter road conditions on King, Ridge and Daly Ave.*
- *The Streets Master Plan indicates that Ridge Avenue, in the section where the proposed subdivision is located, should be widened by 7.5 feet; however the City does not own the land on either side of the road to enlarge it and would need to spend taxpayer money to support the private developers need to widen the road.*
- *Ridge Avenue should remain narrow to protect the pattern of development in Old Town while also protecting public health, safety and welfare by keeping traffic limited and speed low and as specified in the Streets Master Plan.*
- *Built Ridge Avenue is adjacent to a very steep cliff and the reasonably anticipated detrimental effects of more traffic on the road cannot be substantially mitigated by the application to achieve compliance with Public Safety and Welfare standards.*
- *The desire for a second ingress and egress into this site; while important for life, health, safety and welfare, also demonstrate the unsuitable nature of development in the area where the home sites are placed. The creation of another access in and out add a new access for other adjacent lots to potentially develop, further increasing the fuel level and the number of homes in a substandard location.*
- *The Traffic Impact Study and Traffic Considerations Letter dated July 7, 2015 from Fehr and Peers do not discuss how the total day trips will affect the width and safety of King Road and Ridge Ave. Peak travel is not the only, or the most important, factor for a development located at the end of a very steep dead end street with icy and slippery hazardous conditions during the winter months.*
- *In the letter provided by Fehr and Peers transportation planner on July 7, 2015 to the Applicant, Fehr and Peers indicate there will be an additional 114 trips per day from the 9-lot development.*
- *The Fehr and Peers transportation planner on July 7, 2015 letter does not indicate when the traffic counts were taken which is an important factor in determining if the figures are realistic to conditions in Park City.*
- *Total trips per day IS a relevant way of looking at traffic for a road and traffic engineers are required to understand that element of the development in order to size a roadway appropriately. Peak hour counts are typically used when discussing intersections. While the intersections at the top and bottom of King and Hillside and Main are all important in this discussion; the roadway widths of King and Ridge and all of the roads to get to those substandard roads are the issue. I stand by my statement that 114 additional vehicle trips are an unacceptable amount of traffic for these roads. No additional traffic generation is safe in this area.*

- *Typical roadway conditions used by the ITE and typical TIS utilize clear conditions with warm dry weather – think Phoenix AZ. They do not, unless stated in the assumptions of the report use cold, icy, snowy conditions which affect the report findings.*
- *The snow, steep grades, length of steep grades, short sight lines/distance and narrowness of the road (which gets narrower in the winter) are all key elements that must be taken into account in a traffic impact study and reasonable analysis.*
- *The clear issue with traffic remains that there is a lot of traffic generated by this Application for a one and a portion lane sub-standard road with a long steep grade and no outlet. This traffic has to go to the end of a dead end and add additional traffic to our roads which residents of Park City found to have unsatisfactory levels of service this winter. Assuming this subdivision would open the door and access to other lots in the area; it is feasible to assume 390 additional vehicle trips a day up and down King, Ridge and Daly.*
- *The City recently imposed an additional fee for water users located at certain elevations and above. The stress and cost on the existing water delivery system is not covered by the current impact fees or usage fees charged. Adding more users at this higher elevation, where not already permitted, causes undue additional strain.*
- *The Sewer District has concerns regarding the placement of the sewer. The sewer design could affect the entire layout of the subdivision and if any changes are made to the layout of the subdivision upon SBWRD's approval.*
- *Land Management Code Section 15-7.3-1(D) shall apply, and states: "Land which the Planning Commission finds to be unsuitable for Subdivision or Development due to flooding, improper drainage, Steep Slopes, rock formations, Physical Mine Hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, geologic hazards, utility easements, or other features, including ridge lines, which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the Subdivision and/or its surrounding Areas, shall not be subdivided or developed unless adequate methods are formulated by the Developer and approved by the Planning Commission, upon recommendation of a qualified engineer, to solve the problems created by the unsuitable land conditions. The burden of the proof shall lie with the Developer. Such land shall be set aside or reserved for Uses as shall not involve such a danger."*
- *According to Brent Bateman (Utah's Office of the Property Rights Ombudsman), related to steep slope development there can be "a compelling countervailing public interest" if analysis deems the proposed development unsafe.*
- *The Fire District has not been given the historic Plat information showing the entire neighborhood and unbuilt platted lots adjacent to the proposed subdivision. This information is required for the City to provide in order to review the "further Development of adjoining lands as yet un-subdivided". Without this information, the ability to service the area and protect us from fire danger is unaddressed. In my meeting with the Fire District this was of concern for this project. I will present the existing Plats and exhibits on Thursday to clearly identify the risk of this element alone.*

- *The requirements of emergency access; while important for life, health, safety and welfare, also demonstrate the unsuitable nature of development in the area where the home sites are placed. The fire requirements further the impervious surface required, remove more vegetation and show a future secondary access that should never be approved as dictated by our existing Streets Master Plan.*
- *In some cases it seems logical to allow someone to sort out water delivery details post subdivision approval. In this case it is ludicrous. Before the subdivision and CUP can move forward a solution that works for the applicant and water provider needs to be determined, including costs. The effects of the design may impact where homes go, sizes, number of bathrooms, etc. By not dealing with this now you are setting the City up for failure if the applicant feels they cannot get water service they need to serve the newly subdivided lots.*
- *Similar to water, the City should not approve this subdivision prior to the applicant working out a solution with SBWRD and the City Engineer. Some of the solutions proposed may require eminent domain, which SBWRD's board has said they will not consider. Other solutions may require elements of design which the City Engineer has said in the past that he will not approve. The complexities of this site are significant and deserve answers that the LMC and Subdivision regulations require the City to follow.*
- *The current site has a significant amount of vegetation and trees on the steep slopes, many of which are also providing stabilization of soil. It is a reasonably anticipated detrimental effect that the proposed density would involve the removal of some of the existing trees and significant vegetation, which cannot be substantially mitigated by the proposal or the imposition of reasonable conditions.*
- *The environmental clean-up was required by the State and Federal governments for the site to even be considered for use as a residential development. Moving the contaminated material to a local site just a few miles from the Property to be reburied saved the Applicant significant funds and allowed them to participate in removing waste they might not have been able to afford. Good Cause is not removing the toxic remnants of the mining industry on the property so you can develop.*
- *A condition extending the one year LMC requirement for Plat expiration has been updated to allow the applicant more time with no public input. See Conditions of approval: The applicant will record the subdivision and plat amendment at the County within two (2) years from the date of City Council approval. If recordation has not occurred within two (2) years" time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.*
- *The cumulative burden of the location, steep terrain, slopes of development, ingress and egress, vegetation removal, traffic increases, garbage and recycling increases, potential to increase development in a sensitive area and on a ridgeline, fire hazard, sewer and water provision issues, are all related to increasing the allowed use of the site from one home to nine. Please consider the tools provided by the Subdivision requirements to limit this density.*

In closing, there is no good cause for this plat amendment given the arguments raised and discussed above. As additional pressures are placed upon our community, it is appropriate to use the power entrusted to you to review and assess the rights of proposed projects while keeping the rights of other property owners in sight. This parcel does have property rights associated with it – and as part of the State and City process – they are required to apply following the codified standard to increase or perfect those rights. In this case, the ask is too great for the sensitive historic wildland interfacing portion of our town. Please help keep Park City – Park City.

Best regards,

Brooke Hontz

435 640 1941
Park City, Utah 84060

Francisco Astorga

From: Katie Madsen
Sent: Wednesday, May 24, 2017 2:35 PM
To: Andy Beerman; Becca Gerber; Cindy Matsumoto; Jack Thomas; Nann Worel; Tim Henney
Cc: Diane Foster; Matt Dias; Anne Laurent; Francisco Astorga; Bruce Erickson
Subject: FW: Please forward to City Council Members - Alice Claim - May 25, 2017 Meeting

From: Carol Sletta [mailto:cbsletta@gmail.com]
Sent: Wednesday, May 24, 2017 10:48 AM
To: Katie Madsen
Subject: Please forward to City Council Members - Alice Claim - May 25, 2017 Meeting

Katie, Kathryn Deckert told me you can send this off to Council. If there are any problems, just let me know. Thank you very much...Carol Sletta cell 435 640 1595 cbsletta@gmail.com

To: City Council

Park City Old Town will continue to see construction probably forever. Every current house has the option of remodeling, and as we've seen, many have involved excavation and massive construction. And that's the property owner's right as long as they follow the City's guidelines. Each one of these potential remodels means more construction traffic.

Now, we are looking at the Alice Claim "Gully Plan" which involves a Meets & Bounds parcel where the developer wishes to create a subdivision of nine (9) homes. What is the good cause that would benefit Park City by adding this density to Old Town? Where is the community vision? As I understand "good cause" from Staff, the Council will have to agree that this project provides positive benefits and mitigates negative impacts, including: resolving existing issues and non-conformity, addressing issues related to density, and preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Additional traffic once nine homes are complete will impact the neighborhood greatly, but the construction traffic is devastating. Let me give you a route I see from the top of King Road. (I have followed many dump trucks over the years):

Drive down King Road (12% grade)(passing the very steep Upper Norfolk) to intersection of King Road, Park Avenue, and Main Street, turn left onto Main Street, turn right onto Swede Alley (where the new Brew Pub outdoor facility is to be built), down Swede Alley (past China Bridge, parking lots and bus terminal where pedestrians cross for access to Main Street) to Heber Avenue, right on Heber Avenue, right on Deer Valley Drive, roundabout, head north on Deer Valley Drive. turn right onto Bonanza Drive, right onto Kearns Blvd (hwy 248), past three schools.

From what I understand, King Road, Sampson Avenue, Ridge Avenue and Upper Norfolk are all considered substandard streets. Without any engineering experience one can see they are very narrow and steep. How can the City deliberately abuse our streets by allowing one lot to go to nine? I think most of the Council members are familiar with the neighborhood. Please envision the impact of nine additional homes, with potential nightly

rentals, maintenance, housekeeping and the normal daily traffic of life in this neighborhood. Let's weigh the benefit to the developer against the detriment to the residents of Park City, and in particular, the Old Town neighborhood.

I have lived in Park City well over 40 years, and have seen many accidents involving construction vehicles. Over the years I have seen semis jackknifed at King and Ridge, runaway dump trucks, gridlock involving individual cars and all kinds of construction vehicles trying to navigate on these narrow streets. I contacted the PCPD asking for records of traffic issues in the neighborhood. Their record keeping does not allow this kind of information to be readily available. I do know from neighbors that there was a huge issue on King Road involving construction vehicles during Sundance. There are traffic and safety issues in the summer, but when it snows, the danger escalates.

Another part of this discussion that concerns me are the lots along the ridge between the Meets & Bounds parcel and Ridge Avenue. These lots do not have road access. What happens if the Alice Claim Subdivision is approved and opens the door to access to these lots; the potential density is staggering.

Over the years the neighbors have been active in speaking at the Planning Commission meetings expressing their many concerns regarding this project. **I ask you to please look at this project for what it is, and to whose benefit? We need and depend on you to maintain the integrity and safety of Old Town and its neighbors. Thank you.**

Respectfully,
Carol Sletta
135 Sampson Avenue

2/8/18

To: Park City Council

From: Jim and Michelle Doilney

Re: February 15, 2018 Alice Claim public hearing

We object to King Development's proposed Alice Claim Subdivision and Plat Amendment for the following reasons:

- An approval would constitute a density increase in an Old Town area already burdened with too much traffic, increasing health and safety risks;
- The proposal requires the city to abandon its rights of way, without which building Alice would be impractical;
- Alice Claim's 40+ existing platted lots are unbuildable under normal city standards;
- While King Development *may* deserve some density beyond its two buildable lots to help it recover its environmental clean up costs, going from two to nine grossly overcompensates King, and no one has been able to explain how nine lots are justified; and
- Approving this project, which imposes risks and losses on our neighborhood, will cost votes on the expected Treasure bond election which itself resulted from ill-advised Treasure project approval in exchange re-organization of its un-buildable platted lots.... Why would rational citizens vote for a bond to pay to eliminate similar density if you just create more for King Development?

King Road, Alice's main access, is already almost impassable due to both general snow and construction congestion many days each year. During winter 2016-17 on 20++ occasions it was totally blocked to us by vehicles/trucks unable to move in the snow (including a jack-knifed trailer truck at the top of King Road). On any snowy day, even in this lean snow year, we often do not use King Road due to winter visitor and construction vehicles inadequately experienced/equipped for winter. During winter 2016-17 this often caused us to use the 400' long, single lane Ridge Road on over 50% of our trips....sometimes requiring a dangerous 300' back up because the on-coming vehicle/driver was unable not back up.

We have many other concerns, but we will let our neighbors explain those.

Thank you

Jim and Michelle

Francisco Astorga

From: Tom Gadek <tgadek@tearsolutions.com>
Sent: Wednesday, February 28, 2018 7:43 PM
To: Francisco Astorga
Cc: brooke hontz
Subject: Alice Claim file to add to Council package for March 8 meeting
Attachments: AliceClaimCityCouncilMarch2018FINAL.pdf

Dear Francisco

Attached is an analysis of the risk associated with development of the Alice Claim subdivision. Could you kindly add it to the package

I plan to attend ad speak to the issue

Thank you

Tom

Tom Gadek, PhD
CEO and President
TearSolutions, Inc.
tgadek@tearsolutions.com
510-914-1896

This email and any attachments thereto may contain private, confidential and privileged material for the sole use of the intended recipient. Any review, copying, or distribution of this email (or any attachments thereto) by others is strictly prohibited. If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments thereto.

Risks Inherent to Subdivision and Development of the Alice Claim

- Alice Claim property is currently undeveloped wildland
- Development of a subdivision on the Alice Claim will bring this parcel and those above it into the Wildland Urban Interface (WUI).
- A fire in Park City at the WUI is inevitable. Old Town is particularly susceptible.
- PCFD recognizes the risk of poor Emergency access at the WUI (PCFD.org)
- These risk factors include:
 - single access/ egress point and
 - long, narrow, winding and steep access in a Wildland Fire at the WUI
- Development in Park City at the WUI, particularly above substandard Old Town roads represents an increased and unacceptable risk to the community
- The Park City City Council and the Developer have a responsibility to the life, safety and general welfare of the future residents of the proposed Alice Claim

Quantifying the Risk

- 1991 fire in Oakland CA
 - destroyed 3642 homes in terrain similar to Old Town
 - 25 fatalities in the fire area
 - 11 of the fatalities occurred in a 10 minute period in a huge traffic jam on Charring Cross Road
- Charring Cross Road was 12 feet wide, not capable of both access and egress
- Built in 1920's, not brought up to standards when 21 homes built in 70's and 80's.
- Similar to Park City's Ridge, Sampson and King neighborhood roads and Alice Claim Subdivision
- Risk of home destroyed by fire in Charring Cross Neighborhood ($21 / 3642 = 0.58\%$)
- Risk of death in Charring Cross Neighborhood ($11 / 25 = 44\%$)
- Risk of death per household in Charring Cross Neighborhood ($11 / 21 = 52\%$)
- Risk of death per household in the overall fire area ($25 / 3642 = 0.69\%$)

100X INCREASE IN RISK OF DEATH

In Charring Cross neighborhood above 12 foot wide substandard road vs the rest of the fire area

Additional Warnings to Park City

- 2013 Rockport fire
 - Density far below Park City and Old Town
 - Fewer residents
 - Some residents were blocked from self evacuation by the fire
- 2017 Santa Rosa fire
 - Burned neighborhoods similar to Old Town and Park Meadows
 - Fire believe started by power lines arching over in the wind
- 2017 Park City fire at intersection of US40 and Hwy 248
 - Started by power lines arching over in the wind.
 - Easy emergency vehicle access prevented spread
 - No access/ egress conflicts

Road Access to the Alice Claim

The Alice Claim can only be reached via King Road, Sampson Avenue and Ridge Avenue



- **ALL ROADS** leading to the Alice Claim are steep winding and substandard in width
 - Park City Fire Department acknowledges enhanced risk of single access/ egress point and long, narrow, winding and steep access in a Wildland Fire at the WUI (<https://www.pcf.d.org/guides/community-wildfire-plan/>)
 - Summit County and the State of Utah have adopted the Wildland Urban Interface Code
 - The WUI code requires subdivisions to have at least 2 access/ egress points.
 - Park city is considering re-adopting the Utah WUI code

Road Access to the Alice Claim

- The Applicant/ Developer suggests Sampson, Ridge and King provide 3 independent routes of access/ egress



Road Access to the Alice Claim

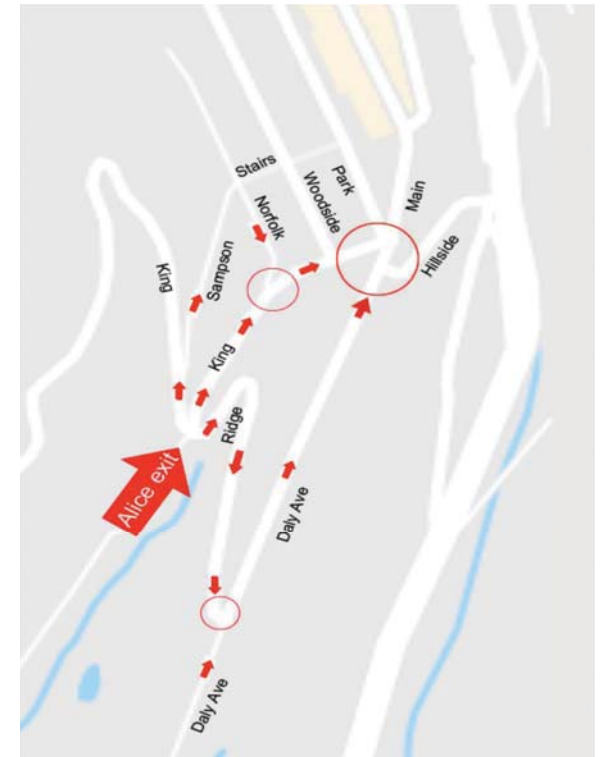
However, these routes are not 'independent' and meet downstream at the confluence of King, Daly, Hillside and Park.



This intersection is an Old Town 'choke point' and gridlocked for 2 hrs during Sundance 2016.

None of these roads is suited for two way traffic, particularly in a wildland fire.

Higher risk situation than Charring Cross Rd



Effect of the Proposed Alice Claim Subdivision on the Health, Safety and Welfare of the Park City Community

- A wildfire at the Wildland-Urban Interface in Park City is inevitable
- Emergency fire resources will be overwhelmed
- Citizens will be evacuating involved areas
- Emergency and Fire vehicles will be responding
- Park City has an evacuation plan to turn Hwy 224 and Kearns one way out
 - *This plan does not extend to the Alice Claim
- Narrow, winding substandard roads leading to the Alice Claim will not allow simultaneous emergency vehicle access and resident egress.
- The community living above King Road, Ridge Avenue and Sampson Avenue will be at increased risk for loss of property, injury and loss of life relative to their neighbors who live below these substandard roads.

Review of the Alice Claim Proposal under the LMC

The Park City Land Management Code (LMC) REQUIRES:

The Park City City Council and the Developer each have a responsibility to the life, safety and general welfare of the future residents of the proposed Alice Claim Subdivision

15-1-2A. To promote the general health, safety and welfare of present and future inhabitants or visitors

15-1-2G. To prevent Development that adds to existing.... Wildfire danger or other conditions that create potential dangers to life, and safety in the community

15-7-6.The Developer has the duty.... To the safety and general welfare of the future Lot Owners in the Subdivision and of the community at large.

15-7.1-5D. PLANNING COMMISSION REVIEW OF PRELIMINARY PLAT.....taking into consideration requirements of the LMC,.... Particular attention will be given to the arrangement, location and width of Streets, their relation to... the further Development of adjoining lands as yet un-subdivided and the requirements of the Official Zoning Map, General Plan, and Streets Master Plan

15-7.1-6C. PLANNING COMMISSION AND CITY COUNCIL REVIEW OF FINAL SUBDIVISION PLAT.... Particular attention will be given to the arrangement, location and width of Streets, their relation to... the further Development of adjoining lands as yet un-subdivided and the requirements of the Official Zoning Map, General Plan, and Streets Master Plan

Recommendation to Deny the Alice Claim Development, Subdivision and CUP

The Park City Land Management Code (LMC) REQUIRES the City and Developer:

Provide positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: **providing public amenities and benefits, resolving existing issues and non-conformities**, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and **furthering the health, safety, and welfare of the Park City community**.

The location of the proposed Alice Claim above a maze of substandard roadways and the proposed single roadway entrance to the Alice Claim Subdivision are known enhancements to the risk of death and destruction for current and future residents as well as future visitors and are inconsistent with the Park City LMC and the Life, Safety and General Welfare of residents (LMC 15-1-2 A, 15-1-2 G, 15-7-2 C, 15-7-6, 15-7.1-5 D, 15-7.1-6 C and additional sections of the LMC).

Consequently, Fact, Conclusion of Law, and Conditions of Approval require the Council's denial of the Alice Claim development and CUP based on concerns over public health, safety and welfare until existing issues and non-conformities are addressed.

Specific Park City LMC Requirements Regarding the Alice Claim Subdivision and CUP

Park City Website | Books | Manage

Municipal Code 445 Marsac Ave, Park City, UT 84060 / 435.615.5007

15-1-2 Statement Of Purpose
The LMC is designed, enacted, restated and reorganized to implement the goals and policies of the Park City General Plan, and for the following purposes:

- A. To promote the general health, safety and welfare of the present and future inhabitants, businesses, and visitors of the City.
- G. To prevent development that adds to existing geologic hazards, erosion, flooding, degradation of air quality, wildfire danger or other conditions that create potential dangers to life and safety in the community or that detracts from the quality of life in the community.

15-7-2 Purpose
The purpose of the Subdivision regulations is:

- C. To provide for adequate light, air, and privacy, to secure safety from fire, flood, landslides and other geologic hazards, mine subsidence, mine tunnels, shafts, adits and dump areas, and other danger, and to prevent overcrowding of the land and undue congestion of population.

15-7-6 Conditions
Regulation of the Subdivision of land and the attachment of reasonable conditions to land Subdivision is an exercise of valid police power delegated by the state to this municipality. The Developer has the duty of compliance with reasonable conditions for design, dedication, improvement, and restrictive Use of the land so as to conform to the physical and economical Development of Park City and to the safety and general welfare of the future Lot Owners in the Subdivision and of the community at large.

15-7-1-5 Preliminary Subdivision Plat

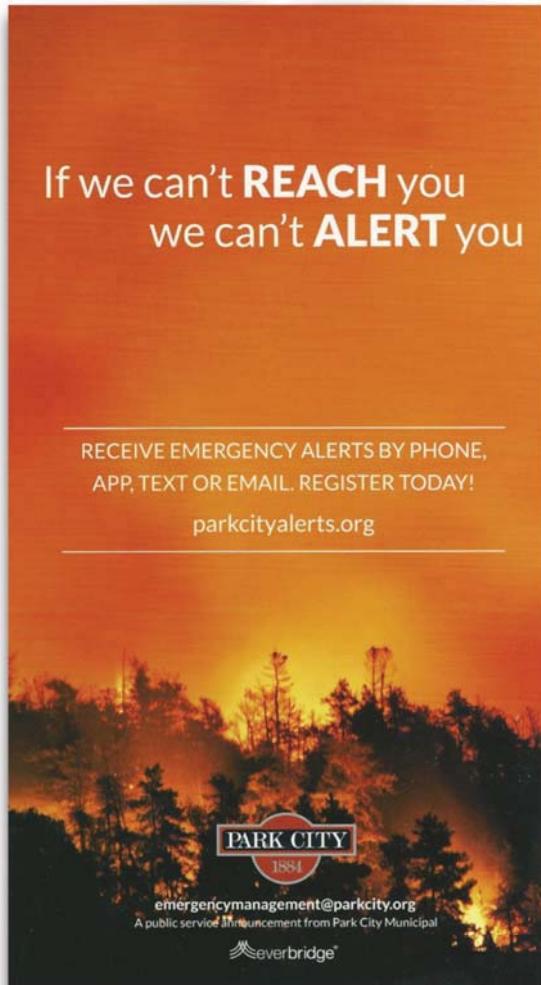
- D. **PLANNING COMMISSION REVIEW OF PRELIMINARY PLAT.** The Planning Commission shall study the Preliminary Plat and the report of the Staff, taking into consideration requirements of Land Management Code, any Master Plan, site plan, or Sensitive Land Analysis approved or pending approval on the subject Property. Particular attention will be given to the arrangement, location and width of Streets, their relation to sewerage disposal, drainage, erosion, topography and natural features of the Property, location of Physical Mine Hazards and geologic hazards, Lot sizes and arrangement, the further Development of adjoining lands as yet un-subdivided, and the requirements of the Official Zoning Map, General Plan, and Streets Master Plan, as adopted by the Planning Commission and City Council. The Planning Commission shall make a finding as to whether there is Good Cause in approving the preliminary plat.

15-7-1-6 Final Subdivision Plat

- C. **PLANNING COMMISSION AND CITY COUNCIL REVIEW OF FINAL SUBDIVISION PLAT.** The Planning Commission shall review the Final Subdivision Plat and the report of the Staff, taking into consideration requirements of the Land Management Code, the General Plan, and any Master Plan, site plan, or Sensitive Lands Analysis approved or pending on the Property. Particular attention will be given to the arrangement, location and width of Streets and their relation to sewerage disposal, drainage, erosion, topography and natural features of the Property, location of Physical Mine Hazards and Geologic Hazards, Lot sizes and arrangement, the further Development of adjoining lands as yet un-subdivided, requirements of the Preliminary Plat (if a Preliminary Plat was required), and requirements of the Official Zoning Map and Streets Master Plan, as adopted by the Planning Commission and City Council.

It is Time to Cast the Die for Park City

- The annual traffic surges in the southern end of Old Town for Sundance and The Arts Festival provide the Council with firsthand knowledge of how easily the streets of Old Town gridlock.
- This year, during Sundance, with two police officers present on foot, the intersection of Daly, Main, Hillside and King was gridlocked for more than an hour for no apparent reason.
- An emergency situation, such as the wildland fire shown in the Park City Emergency Management brochure will gridlock the streets. Drivers may be forced to flee on foot.
- With approximately 50% of the housing rented to visitors with no firsthand knowledge of the Old Town streets, the situation will only be worse than you may imagine.
- **YOU KNOW THERE IS A PROBLEM! PLEASE DON'T ADD TO IT!**



100X INCREASE IN RISK OF DEATH

Expert Analysis of the Oakland Fire on its 20th Anniversary

“The lesson here is to resist making concessions on initial development patterns, lot configurations, road alignments or infrastructure standards.”

“Emergency ingress and resident egress are critical and should not be compromised.”

“Once a neighborhood is populated, fire response will have to adapt to these initial approvals and may always be compromised. Access, lot size and the footprint of development cast the die for every community.”

Analysis by Kenneth S. Blonski, Cheryl Miller and Carol L. Rice. Published in Wildfire Magazine, the journal of the International Association of Wildland Fire, HISTORY: Tunnel Fire, 20 Years After. Sept 23, 2011. <http://wildfiremagazine.org/2011/09/history-tunnel-fire-20-years-after/>



August 28, 2017

Via email: fastorga@parkcity.org

Mr. Francisco Astorga
Park City Planning Department
445 Marsac Ave
Park City, UT 84060

Re: Alice Claim responses to City Council requests

Dear Francisco,

I write on behalf of King Development Group, LLC in connection with its pending subdivision plat amendment applications that received positive recommendations for approval from the Planning Commission.

On May 25, 2017, the City Council held a hearing on the applications. In moving to continue the applications, the City Council listed a number of requests. Below is the list of requests transcribed from a recording of the hearing and King’s response to each item:

Beerman (4:48:40) Motion: “Continue this item to a date uncertain pending more information

- ITEM: On the overall neighborhood context for potential platting and subdivisions
 - **RESPONSE: Planner Francisco Astorga agreed to provide this information.**
- ITEM: Traffic studies both residential and construction; we would like further information on those particularly on the construction traffic.
 - **RESPONSE: See attached memorandum outlining mitigation measures proposed for construction traffic.**
- ITEM: Wildfire hazards, would like a representative from the fire department or fire district here.
 - **RESPONSE: The Applicant has met with Mike Owens, Park City Fire District along with Dave Thacker, Chief Building Official and Matt Cassel, City Engineer to review mitigation measures for potential wildfire hazards. The attached memorandum outlines these proposed mitigation measures. Mr. Owens is invited to the next hearing.**
- ITEM: Potential construction mitigation plan
 - **RESPONSE: See attached memorandum outlining mitigation measures proposed for construction traffic.**
- ITEM: Worel (4:49:22): Do you want information on conditions of approval where they are talking about the sewer lateral design and water model to see if they are adequate and if they have to be revised? – add to motion

- **RESPONSE: The Applicant and its experts met and consulted with you, Dave Thacker, Chief Building Official and Matt Cassel, City Engineer. See attached sewer design and final water model.**
- ITEM: Beerman (4:50:07): We want City Engineer here for the street discussion
 - **RESPONSE: Matt Cassel is invited to next hearing. The Applicant and its experts met and consulted with you, Dave Thacker, Chief Building Official and Matt Cassel, City Engineer regarding traffic issues.**
- ITEM: Beerman (4:50:14): So with the addition of sewer,
 - **RESPONSE: See attached sewer design and final water model.**
- ITEM: Worel: (4:50:15) And Water, and a FEMA Flood Plain Study
 - **RESPONSE: The Applicant and its experts met and consulted with Matt Cassel, City Engineer regarding flood and debris flow issues. See attached flood and debris flow study by engineer Gus Sharry.**
- ITEM: Thomas (4:50:28) I'd say with consultation with our engineer experts with regard to all those things
 - **RESPONSE: The Applicant and its experts met and consulted with Matt Cassel, City Engineer. See attached flood and debris flow study by engineer Gus Sharry.**
- ITEM: Beerman (4:52:46): I would like to amend my motion to remove the request for the FEMA study; although, I would like the city engineer to give us a preliminary opinion on potential flooding.
 - **RESPONSE: Matt Cassel is invited to next hearing. The Applicant and its experts met and consulted with Matt Cassel, City Engineer. See attached flood and debris flow study by engineer Gus Sharry.**

Please include this information in your staff report to the City Council. Should you have any questions, please contact me any time.

Thank you for your consideration.

Respectfully,
Marc Diemer
Associate Principal



DHM Design Corporation

Gregg E Brown
Director of Special Projects



DHM Design SMA

cc: King Development Group, LLC
Bradley R. Cahoon, Esq.



LANDSCAPE ARCHITECTURE | LAND PLANNING | ECOLOGICAL PLANNING | URBAN DESIGN

August 28, 2017

Via email: fastorga@parkcity.org

Mr. Francisco Astorga
Park City Planning Department
445 Marsac Ave
Park City, UT 84060

Re: Alice Claim Proposed Construction Mitigation

Dear Francisco:

We write on behalf of the applicant, King Development Group, LLC, to submit the following proposed construction mitigation measures for the Alice Claim development. These applicant imposed requirements are in addition to the standard requirements imposed by the Park City Land Management Code.

The size of the Alice Claim property provides room and flexibility for construction mitigation onsite that will minimize offsite impacts for residents. Further, King Development has a proven record of adherence to construction mitigation.

Due to the size of project and land area available, construction staging, deliveries and contractor parking will be much easier to coordinate in a safe and convenient manner all within the Alice Claim property, when compared to construction on small individual lots in the historic districts. During construction of homes, un-built lots within the Alice Claim subdivision may be used for staging and storage. This will allow significant amounts of excavated materials to remain within the project and not require removal from the project only to be returned for backfill as is the case on many historic district projects. Construction materials may be stored within the project boundary as well. This will eliminate the need for daily delivery vehicles clogging neighborhood roads.

The Applicant has demonstrated the ability to successfully manage construction operations in a safe and non-obtrusive manner during the extensive work done in 2009 to remove mine tailing-impacted soils from this site without incident.

Additionally, except as otherwise exempted or allowed by the Chief Building Official, specific mitigation measures will include:

1. Construction mitigation plans will be prepared for each building permit as required by the Code.
2. Materials that need to be removed or delivered to the site, such as concrete, sub-base materials and asphalt, will be done during normal business hours and sensitive to surrounding neighbors, residents and visitors to the city. Peak travel times of 8:00am-9:00am and 4:00pm-5:00pm will be prohibited for material deliveries except for deliveries pre-approved by the CBO or City Engineer.

3. Deer Valley Drive to Sweet Alley to King Road will be the primary route used for ingress and egress, with a turn-around provided on site for delivery vehicles. No alternate route will be used without approval by the City Engineer.
4. The traffic report defines an increase in traffic of 90 trips/day after completion of the project, which does not adversely impact the current Level of Service of 'A'. Fewer than 90 trips/day are expected during construction.
5. No excavation work will begin between November 1 and April 30.
6. Excavation of each house should require less than 100 trucks over 2 to 3 weeks.
7. Contractor parking will be provided on site and not on public roads outside the property.
8. During construction of homes, Alice Court and the emergency vehicle turn-around will remain open and usable in a safe and efficient manner.
9. Construction traffic will use Alice Court for turnaround and will not use King Road, Sampson Road, or Ridge Road for turn-around.
10. Dust and mud will be controlled as required by City Code.
11. Emission controls will include idling enforcement.
12. Waste materials will be properly sorted and recycled.
13. There will be a maximum of 3 or 4 houses under construction at any one time. Building permits and construction starts will be staggered.
14. Infrastructure construction may impact trail users, so safe, alternate trail access points or alignments will be identified and maintained for trail users in coordination with the City.
15. General Contractors will be required to post on-site project information boards providing contact information for emergencies and complaints.
16. The project will comply with all other construction mitigation measures required by the City Code.

We look forward to discussing these mitigation measures with City Council.

Respectfully,
Marc Diemer
Associate Principal



DHM Design Corporation

Gregg E Brown
Director of Special Projects



DHM Design SMA

cc: King Development Group, LLC
Bradley R. Cahoon, Esq.



August 28, 2017

Via email: fastorga@parkcity.org

Mr. Francisco Astorga, AICP Planning Director
Park City Planning Department
445 Marsac Ave
Park City, UT 84060

Re: *Alice Claim Proposed Fire Mitigation*

Dear Francisco:

I write on behalf of the applicant, King Development Group, LLC, to submit the following proposed mitigation measures for Alice Claim. The Applicant consulted with Dave Thacker, Chief Building Official, Mike Owens, Park City Fire District, and Matt Cassel, City Engineer. The applicant is proposing these measures even though the City does not currently have enforceable requirements beyond the Building Code.

PROPOSED MITIGATION MEASURES

1. Existing Building Code requirements at the time of Building Permit Application will be followed.
2. All buildings will be more than 5' from property lines.
3. A vehicle turn-around, sized for fire trucks, will be provided.
4. All 9 homes will have fire suppression systems that include interior and exterior fire sprinklers.
5. Firewood storage will be allowed only in areas with fire suppression.
6. Fire hydrants will be provided along Alice Court.
7. Defensible Space will be provided at each home where materials capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.
8. A fire protection plan will developed in consultation with the PCFD prior to the first building permit issuance. The plan will determine whether ignition resistant construction or alternative materials and methods are necessary. The plan shall be based upon considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

These measures go above and beyond the enforceable requirements of the City Code and what has been required of other similar developments within the City. The measures minimize any perceived fire risk. We suggest that the mitigation items 2, 4, 5, 7, and 8 be added as plat notes. Unless directed

DHM DESIGN

otherwise, we will add these as notes to the plat. Item 1 already applies per the Code. Item 3 has been confirmed and is featured on the plat.

Thank you for your consideration.

Respectfully,
Marc Diemer
Associate Principal

A handwritten signature in black ink, appearing to read "M Diemer", on a light gray rectangular background.

DHM Design Corporation

Gregg E Brown
Director of Special Projects

A handwritten signature in black ink, appearing to read "Gregg E Brown", on a light gray rectangular background.

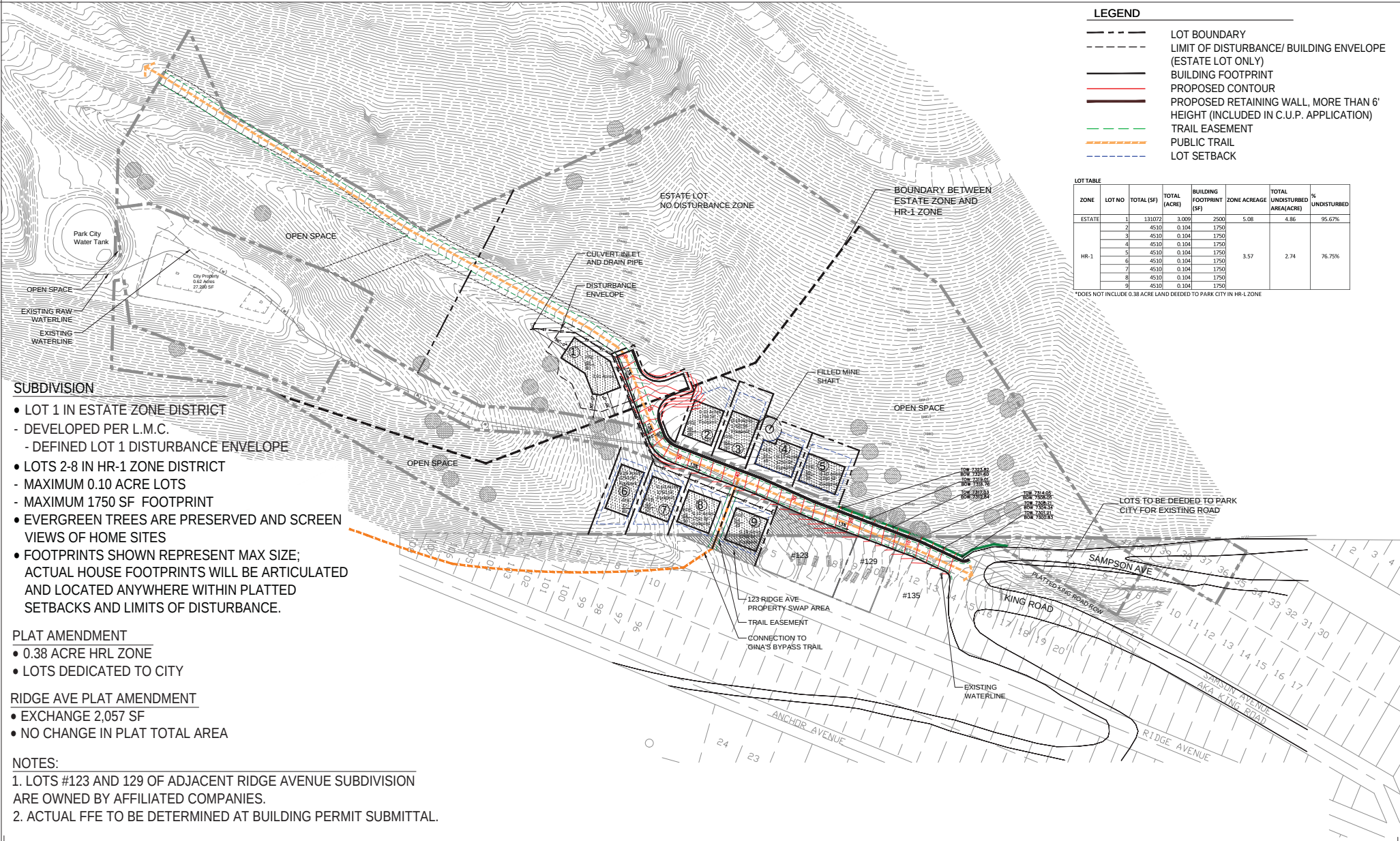
DHM Design SMA

cc: King Development Group, LLC
Bradley R. Cahoon, Esq.

Exhibit H –Entry Photo Simulation



Exhibit I – Gully Site Plan (July 2017)



ALICE CLAIM

10 FEB 2017 GULLY SITE PLAN

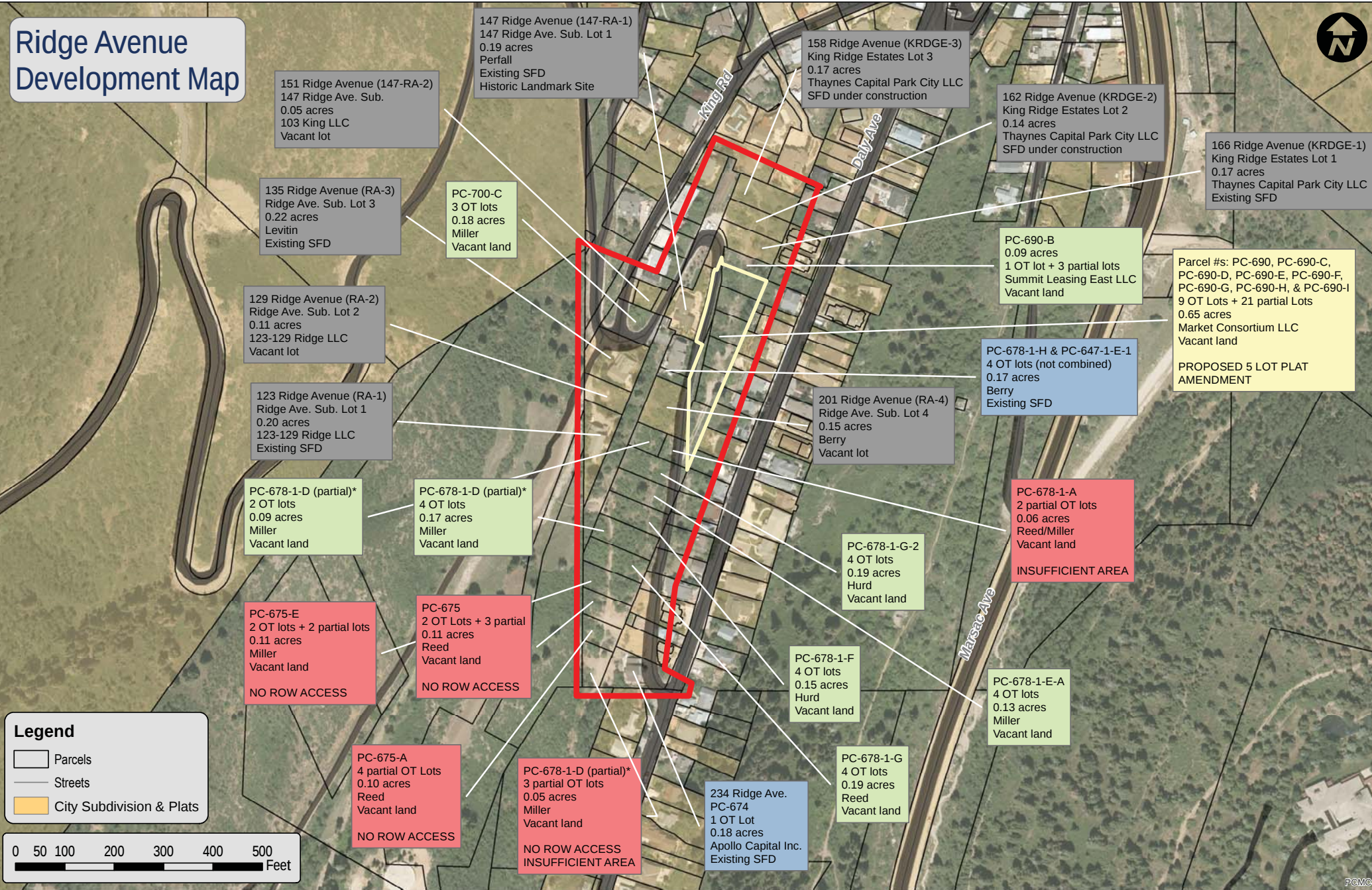
KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060



0 10 50
5 30 100
SCALE: 1"=50'-0"
DATE: JULY 17, 2017



Exhibit J – Ridge Avenue Development Map



Ridge Avenue Development Table

<u>Address (Parcel #)</u>	<u>Subdivision / Lot #</u>	<u>Acres</u>	<u>Owner</u>	<u>Use</u>	<u>Status/Issue:</u>
123 Ridge (RA-1)	Ridge Ave. Sub. Lot 1	0.20	123-129 Ridge LLC	Existing SFD	Re-platted lot
129 Ridge (RA-2)	Ridge Ave. Sub. Lot 2	0.11	123-129 Ridge LLC	Vacant lot	Re-platted lot
135 Ridge (RA-3)	Ridge Ave. Sub. Lot 3	0.22	Levitin	Existing SFD	Re-platted lot
151 Ridge (147-RA-2)	147 Ridge Ave. Sub. Lot 2	0.05	103 King LLC	Vacant lot	Re-platted lot
147 Ridge (147-RA-1)	147 Ridge Ave. Sub. Lot 1	0.19	Perfall	Existing SFD	Re-platted lot
158 Ridge (KRDGE-3)	King Ridge Estates Lot 3	0.17	Thaynes Capital Park City LLC	SFD under const.	Re-platted lot
162 Ridge (KRDGE-2)	King Ridge Estates Lot 2	0.14	Thaynes Capital Park City LLC	SFD under const.	Re-platted lot
166 Ridge (KRDGE-1)	King Ridge Estates Lot 1	0.17	Thaynes Capital Park City LLC	Existing SFD	Re-platted lot
201 Ridge (RA-4)	Ridge Ave. Sub. Lot 4	0.15	Berry	Vacant lot	Re-platted lot
234 Ridge (PC-674)	1 OT lot	0.18	Apollo Capital Inc.	Existing SFD	Platted, Lot 33 BLK 74 Millsite Res. to Park City
141 Ridge Ave.	4 OT lots	0.17	Berry	Existing SFD	Existing house over 2 lot lines (not re-platted)
Various parcel #s.	9 OT lots + 21 partial lots	0.65	Market Consortium LLC	Vacant land	Proposed 5 lot Plat Amendment application
PC-690-B	1 OT lot + 3 partial lots	0.09	Summit Leasing East LLC	Vacant land	Possible future re-plat or development
PC-700-C	3 OT lots	0.18	Miller	Vacant land	Possible future re-plat or development
PC-678-1-D*	2 OT lots	0.09	Miller	Vacant land	Possible future re-plat or development
PC-678-1-D*	4 OT lots	0.18	Miller	Vacant land	Possible future re-plat or development
PC-678-1-E-A	4 OT lots	0.13	Miller	Vacant land	Possible future re-plat or development
PC-678-1-F	4 OT lots	0.19	Hurd	Vacant land	Possible future re-plat or development
PC-678-1-G-2	4 OT lots	0.15	Hurd	Vacant land	Possible future re-plat or development
PC-678-1-G	4 OT lots	0.19	Reed	Vacant land	Possible future re-plat or development
PC-678-1-A	2 partial OT lots	0.06	Reed	Vacant land	Insufficient area: HR-L District 0.085 acres, min.
PC-678-1-D*	3 partial OT lots	0.05	Miller	Vacant land	No ROW access Insufficient area: HR-L District 0.085 acres, min.
PC-675	2 OT lots + 3 partial lots	0.11	Reed	Vacant land	No ROW access
PC-675-A	4 partial OT lots	0.10	Reed	Vacant land	No ROW access
PC-675-E	2 OT lots + 2 partial lots	0.11	Miller	Vacant land	No ROW access

*3 separate areas listed under the same parcel #: PC-378-1-D.

OT: Platted Old Town (OT) lot from the Millsite Reservation / Park City Survey, i.e., historic lot configuration.

May not be the traditional configuration of 25'x75' (1,825 sf. / 0.04 acres).

Exhibit L - Applicant's Continuation Letter



DURHAM JONES & PINEGAR, P.C.
111 South Main Street, Suite 2400
Salt Lake City, Utah 84111
801.415.3000
801.415.3500 Fax
www.djplaw.com

Bradley R. Cahoon
Attorney at Law
bcagoon@djplaw.com
Direct: (801) 297-1270

February 12, 2018

VIA E-MAIL - council_mail@parkcity.org

Park City Council
445 Marsac Avenue
Park City, Utah 84060

**Re: King Development Group, LLC--Alice Claim—City Council Hearing
Continued until March 8, 2018**

Dear Park City Council:

I write on behalf of King Development Group, LLC and 123-129 Ridge, LLC (collectively “King”). King has submitted for final approval by the Park City Council the following subdivision and plat amendment applications (collectively “**Applications**”):

Alice Claim Gully Site Plan, south of intersection of King Road and Ridge Avenue – Alice Claim Subdivision and Plat Amendment (Application PL-08-00371), and

123 Ridge Avenue, Alice Claim Gully Site Plan property swap - Ridge Avenue Plat Amendment (Application PL-16-03069).

King was ready to proceed with the City Council hearing on February 15, 2018. City staff advised King that the February 15th agenda has items ahead of King’s Applications that are expected to take significant time and that King’s Applications very likely will not come up until very late into the evening. Further, staff advised King that the Treasure Hill matter, in particular, has dominated their time in advance of the February 15th hearing. Based on staff’s advice and these considerations for all involved, King has agreed to a continuance of the City Council hearing until March 8, 2018 on the Applications.

We thank you for your assistance with and attention to this matter.

February 12, 2018

Page 2

Very truly yours,

DURHAM JONES & PINEGAR, P.C.

A handwritten signature in blue ink, reading "Bradley R. Cahoon". The signature is fluid and cursive, with the first name "Bradley" and last name "Cahoon" clearly legible.

Bradley R. Cahoon

BRC:cm

cc:

King Development Group, LLC

Jerry Fiat jfiat727@gmail.com

Gregg Brown gbrown@dhmdesign.com

Joseph E. Tesch, Esq. joet@teschlaw.com

Bruce Erickson, Planning Director bruce.erickson@parkcity.org

Francisco Astorga, Senior Planner fastorga@parkcity.org

Mark D. Harrington, Park City Attorney mark@parkcity.org

Polly Samuels McLean, Assistant City Attorney pmclean@parkcity.org



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

The applicant requests that the City review the Ridge Avenue Plat Amendment. The proposed amendment swaps a 2,057 square foot triangular portion of Lot 1 with corresponding 2,057 square foot triangular portion of Lot 9 and Lot 8 of the proposed Alice Claim Subdivision.

Respectfully:

Francisco Astorga, Senior Planner

City Council Staff Report

Project No: PL-16-03069
Subject: Ridge Avenue Plat Amendment (Property Swap)
Author: Francisco Astorga, AICP, Senior Planner
Date: 08 March 2018
Types of Item: Legislative – Plat Amendment

Summary Recommendations

Staff recommends that the City Council open the public hearing for the Ridge Avenue Plat Amendment (Property Swap), associated with the Alice Claim Subdivision and Plat Amendment, review the request and consider approving it based on the Findings of Fact, Conclusion of Law and Conditions of Approval found in the Draft Ordinance Exhibit A.

Topic

Applicant: King Development Group LLC & 123-129 Ridge LLC
represented by Brad Cahoon, Marc Diemer, Gregg Brown,
and Jerry Fiat

Location: Alice Claim south of intersection of King Road, Ridge
Avenue and Sampson Avenue

Zoning: Historic Residential-1 and Estate Districts

Adjacent Land Uses: Open Space and Residential (developed and undeveloped)

Reason for Review: Subdivisions/Plat Amendments require Planning
Commission review and recommendation to City Council.
Appeals of Conditional Use Permits approved by the
Planning Commission require City Council review.

Executive Summary/Proposal

The applicant requests that the City review the Ridge Avenue Plat Amendment. The proposed amendment swaps a 2,057 square foot triangular portion of Lot 1 with corresponding 2,057 square foot triangular portion of Lot 9 and Lot 8 of the proposed Alice Claim Subdivision.

Analysis

The applicant owns Lot 1 (#123) and Lot 2 (#129) of that Subdivision. Applicant proposes a change to adjust Lot 1. The proposed amendment swaps a 2,057 square foot triangular portion of Lot 1 with corresponding 2,057 square foot triangular portion of Lot 9 and Lot 8 of the proposed Alice Claim Subdivision. There is no increase or reduction in the size of either subdivision. The resulting reconfiguration allows the “squaring up” of these lots which allows the Alice Claim Subdivision and Plat Amendment to move forward with an approval by City Council. Allowing the requested Plat Amendment allows the proposed Alice Claim “Gully Site Plan” to work with

rectangular shaped lots. If City Council does not grant approval to the Alice Claim project, they should not approve this Plat Amendment.

Staff finds good cause for this Plat Amendment in conjunction to the Alice Claim Subdivision and Plat Amendment as this Plat Amendment request is associated with it.

Process

The approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. Staff review of a Building Permit is not publicly noticed nor subject to review by the Planning Commission unless appealed.

Department Review

This project has gone through an interdepartmental review. Staff has not identified any issues associated with this proposal outside of the analysis, findings of fact, conclusion of law, conditions of approval, etc. of the requested Alice Claim Subdivision and Plat Amendment.

Notice

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

Public Input

No public input has been received by the time of this report.

Alternatives

- The City Council may approve the Ridge Avenue Plat Amendment as conditioned or amended; or
- The City Council may deny the Ridge Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the Ridge Avenue Plat Amendment.
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The lot lines would remain where they currently stand and the Alice Claim "Gully Site Plan" lots would need to be amended with less of a rectangular shape.

Summary Recommendations

Staff recommends that the City Council open the public hearing for the Ridge Avenue Plat Amendment (Property Swap), associated with the Alice Claim Subdivision and Plat Amendment, review the request and consider approving it based on the Findings of

Fact, Conclusion of Law and Conditions of Approval found in the Draft Ordinance Exhibit A.

Exhibits

Exhibit A – Proposed Ordinance with Proposed Plat Amendment

Exhibit B – Applicant's Project Description

Exhibit C – Survey

Exhibit D – Property Swap

Exhibit E – Ridge Avenue Subdivision

Exhibit A - Draft Ridge Avenue Plat Amendment Ordinance

Ordinance No. 2018-09

AN ORDINANCE APPROVING THE RIDGE AVENUE PLAT AMENDMENT,
LOCATED AT 123 RIDGE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Alice Claim Subdivision AND 123 Ridge Avenue, have petitioned the City Council for approval of the Ridge Avenue Plat Amendment; and

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

WHEREAS, proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on May 25, 2016, July 13, 2016, and July 27, 2016 to receive input on the proposed subdivision;

WHEREAS, on May 25, 2017, February 15, 2018, and March 8, 2018 the City Council held a public hearing on the proposed Alice Claim Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Alice Claim Subdivision plat.

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

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

Findings of Fact

1. The site is located 123 Ridge Avenue.
2. The site is Lot 1 of the Ridge Avenue Subdivision.
3. The site is within the HRL District.
4. The applicant requests that the City review the Ridge Avenue Plat Amendment.
5. The applicant proposes a change to adjust Lot 1.
6. The proposed amendment swaps a 2,057 square foot triangular portion of Lot 1 with corresponding 2,057 square foot triangular portion of Lot 9 and Lot 8 of the proposed Alice Claim Subdivision and Plat Amendment.
7. There is no increase or reduction in the size of either subdivision.

8. The resulting reconfiguration allows the “squaring up” of these lots through this Plat Amendment and the adjacent Lot 9 and Lot 8 of the proposed Alice Claim Subdivision and Plat Amendment.

Conclusions of Law

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

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council. If the plat is not recorded within this time period, it shall be null and void and any resubmittal shall be a new application which is subject to all review requirements, zoning restrictions and subdivision regulations at the time of the submittal.
3. The conditions of approval of the Ridge Avenue Subdivision shall continue to apply.

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

PASSED AND ADOPTED this 8th day of March, 2018

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

RIDGE AVENUE SUBDIVISION
AMENDING LOT 1

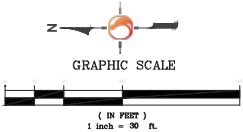
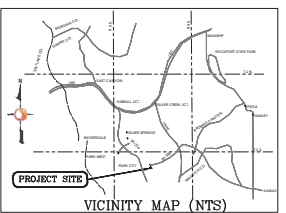
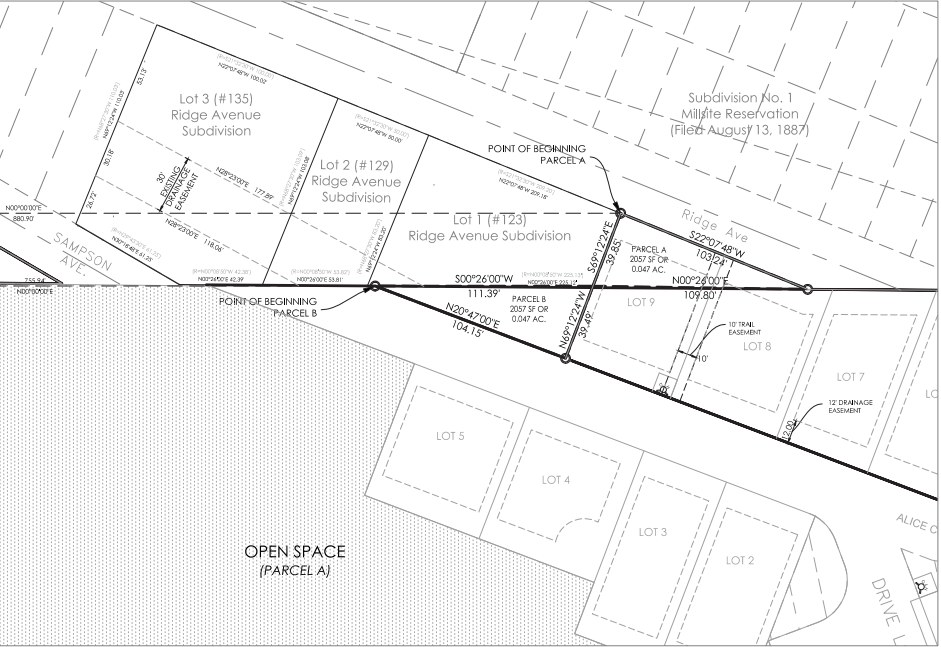
LOCATED IN THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH

EAST CORNER SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
(FOUND 3-3/8" DIAMETER
IRON PIPE W/ WELDED TOP
MONUMENT APPEARS TO
HAVE BEEN SET AT THE
SECTION CORNER SINCE AT LEAST 1887
(SEE MS-5885 & 5783)

(Base of Bearings)
EISE 2,695.5' (REC. 2876)

134.48' (PARCEL A)
134.27' (PARCEL B)

NORTH 1/4 CORNER SECTIONS 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
2 1/2" IRON PIN ALUMINUM CAP ONLY 2 1/2" PIN ALUMINUM
PIN SET AUGUST 2005 BASED ON FILE BY D.C. TURNER IN
SDS AND SDS FROM CORNER 1 OF MS-5885 AND 5783
MS NO. 8900



- NOTES**
1. The base of bearings of this plat is between two existing Section Corner Monuments, the bearing between the Northeast Corner and the North Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, is N89°02'26"W, as measured in the field.
 2. The purpose of this plat is to amend Lot 1 to include Parcel B, and to remove Parcel A shown on the original plat of Ridge Avenue Subdivision as recorded December 15, 1995, Entry No. 444460 in the Summit County Recorder's Office.
 3. This amended plat is subject to all of the matters pertaining to the original recorded plat, other than any differences shown hereon. They include, but not limited to, easements, rights-of-way, covenants, conditions, restrictions, and other matters of record.
 4. The dimensions shown as record on this plat are taken from said recorded Ridge Avenue Subdivision plat, which shows the distances to be calculated, rather than measured or record.

SURVEYOR'S CERTIFICATE

I, Greg Cates, do hereby certify that I am a Professional Land Surveyor, and that I hold certificate No. 161226 as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as

**RIDGE AVENUE SUBDIVISION
AMENDING LOT 1**

and that same has been surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

PARCEL A
A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:
Beginning at a point on the Southeastly Line of Lot 1, Ridge Avenue Subdivision as shown on the plat recorded December 15, 1995, Entry No. 444460 in the Summit County Recorder's Office, said point 103.24 feet to the Southwestly Corner of said Lot 1; thence, along the West Line of said Lot 1, Contains: 2101 Square Feet or 0.048 Acres.

PARCEL B
A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:
Beginning at a point on the West Line of Lot 1, Ridge Avenue Subdivision as shown on the plat recorded December 15, 1995, Entry No. 444460 in the Summit County Recorder's Office, said point being also 103.24 feet to the Southwestly Corner of said Lot 1; thence, along the West Line of said Lot 1, Contains: 2012 Square Feet or 0.046 Acres.



OWNER'S DEDICATION

Know all men by these presents that _____, the undersigned owner(s) of the above described tract of land, having caused the same to be subdivided into lots and streets to be hereafter known as

**RIDGE AVENUE SUBDIVISION
AMENDING LOT 1**

do hereby dedicate for perpetual use of the public all parcels of land and easements as shown on this plat as intended for public use.

In witness whereof _____ have hereunto set _____ this _____ day of _____ A.D. 20____.

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF UTAH }
On the _____ day of _____ A.D. 20____ personally appeared before me, _____, who being duly sworn or affirmed, did say that he/she is the _____ of _____ and that the within owner's dedication was signed by him/her in behalf of the said corporation by authority of its bylaws, or Board of Directors, and that said corporation executed the same.

My commission number: _____
My commission expires: _____ Name _____ Notary Public commissioned in Utah

EASEMENT APPROVAL

QUESTAR	DATE
ROCKY MOUNTAIN POWER	DATE
CENTURY LINK (QWEST)	DATE
COMCAST	DATE

Questar approves this plat solely for the purpose of confirming that the plat contains public utility easements. Questar may require other easements in order to serve the development. This approval does not constitute abridgment or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in this plat, including those set forth in the Owner's Dedication and the Notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Questar's Right-of-Way department at 1-800-366-8532.



Stantec Consulting Services Inc.
3995 S 700 E Ste. 300
Salt Lake City, UT
84107-2540
Tel: 801-263-1000
Fax: 801-266-1871
www.stantec.com

No.	Revisions	By	Date	1-30	Date

OWNER/SUBDIVIDER:
123-129 Ridge, LLC
P.O. BOX 244
PARK CITY, UTAH
84060

SYNDERVILLE BASIN SEWER DISTRICT
REVIEW FOR CONFORMANCE ON THIS _____ DAY OF _____ A.D., 20____.
S.B.W.R.D.

MAYOR
APPROVED AND ACCEPTED BY THE SUMMIT COUNTY PLANNING COMMISSION THIS _____ DAY OF _____ A.D., 20____.
MAYOR _____

PARK CITY ENGINEER
I, _____, PARK CITY ENGINEER, HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED BY THE OFFICE AND IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.
DATE _____ PARK CITY ENGINEER _____

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____ A.D., 20____.
ATTORNEY _____

RECORDED #
STATE OF UTAH, COUNTY OF SALT LAKE, DEPARTMENT OF HERITAGE
FILED _____ TIME _____ BOOK _____ PAGE _____
FEE _____
SUMMIT COUNTY RECORDER

February 19, 2016

**Ridge Avenue Subdivision Amendment Application associated with the
Alice Claim (aka Alice Lode) Amended Subdivision & Plat Amendment Applications**

Project Description and Comparison to Previously Proposed Plans

The Applicant, 123-129 Ridge, LLC , requests that the City Staff and Planning Commission review a Subdivision Plat Amendment for the Ridge Avenue Subdivision. Applicant owns Lot 1 (#123) and Lot 2 (#129) of that Subdivision. Applicant proposes a change to just Lot 1 (#123). Applicant is affiliated with King Development Group, LLC, the proponent of the Alice Claim Subdivision.

The proposed amendment “swaps” a 2,057 square foot triangular portion of Lot 1 (#230)) with corresponding 2,057 square foot triangular portion of Lot 9 of the proposed Alice Claim Subdivision.

Lot 9 includes a triangle of land that is currently part of adjoining lot #123 of the Ridge Avenue subdivision. This triangle will be transferred into Alice Claim and become part of Lot 9. There is a corresponding triangle of land within Alice Claim that also is adjacent to lot #123 and will be transferred into lot #123. The owners of both parcels are affiliated companies and have agreed to these transfers, but the transfer will not be completed until after the subdivision plat has been approved by the City Council.

There is no increase or reduction in the size of either subdivision. The resulting reconfiguration allows for more buildable and livable lots 8 and 9 in the Alice Claim Subdivision while at the same time “squaring up” these lots and lot #123 of the Ridge Avenue Subdivision. This land pattern is much more compatible with the pattern found throughout the historic districts in the City providing good cause for both subdivisions.

Thank you for your consideration.

Sincerely,



DHM Design Corporation
Marc Diemer, Associate Principal

cc: King Development Group, LLC
Bradley R. Cahoon, Esq.

TOPOGRAPHICAL BOUNDARY SURVEY

RIDGE AVENUE SUBDIVISION LOT 1
LOCATED IN THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, Gregory A. Cates, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 161226 as prescribed by the laws of the State of Utah. I further certify that this survey was made by me or under my direct supervision, and I have made a survey of the tract of land as shown on this survey.



DATE _____ Gregory A. Cates
P.L.S. 161226

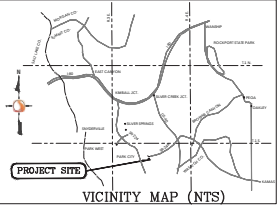
LEGAL DESCRIPTION

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base & Meridian, said parcel being more particularly described as follows:
Beginning at a point on the West Boundary line of said Ridge Avenue Subdivision, said point being also the Northwesterly Corner of said Lot 1, said point being also S89°06'26"E, along the Section Line, 1284.30 feet and South 752.00 feet from the North Quarter Corner of said Section 21 and running thence, along the Northeastly line of said Lot 1, S69°12'24"E 83.20 feet to the Northeastly Corner of said Lot 1 and the Westly Right-of-Way line of Ridge Avenue; thence, along said Westly Right-of-Way line, S22°07'46"W 209.18 feet to the Southeasterly Corner of said Lot 1; thence, along the Westly Boundary line of said Ridge Avenue Subdivision, N02°24'07"E 225.12 feet to the Point of Beginning.

Contains: 3.703 Square Feet or 0.20 Acres.

NARRATIVE

The Basis of Bearings of this Plat is between two existing Section Corner Monuments, the Bearing between the Northeast Corner and the North Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, is N89°06'26"E, as measured in the field.
The purpose of this plat is to show Lot 1, as shown on the original plat of Ridge Avenue Subdivision as recorded December 15, 1995, Entry No. 444460 in the Summit County Recorder's Office.
The dimensions shown in parentheses as record on this plat are taken from said recorded Ridge Avenue Subdivision plat, which shows the distances to be calculated, rather than measured or record.



GRAPHIC SCALE



LEGEND:

- PROPERTY LINE
- EASEMENT LINE
- SANITARY SEWER
- WATER LINE
- RAW WATER LINE
- OVERHEAD POWER LINE
- GAS LINE
- MAJOR CONTOUR
- MINOR CONTOUR
- PINE TREE

NORTHEAST CORNER SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN. FOUND 3.38" DIAMETER IRON PIPE W/ WELDED TOP. NO MONUMENT APPEARS TO HAVE BEEN EXISTANT AT THIS LOCATION SINCE AT LEAST 1887 (SEE 161-5885 & 5783).

EX. 555MH
RM 7298.16
HW 7298.32
EX. 555MH
RM 7298.67
HW 7298.49

1284.30

NORTH 1/4 CORNER SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN. (3 1/4" DIA. ALUMINUM CAP ON 2 1/2" ALUMINUM PIPE BENT ABOUT 200 FEET ON 765 BY 6" C. NUMBER IN 1995 AND 1996 FROM CORNER 1 OF 161-5885 AND 1 OF 161-5886).



Client/Project
Ridge Avenue Lot 1
Tesch Law Offices, PC
Section 21, T2S, R4E, S16B&M
Park City
Summit County, Utah
This TOPOGRAPHICAL BOUNDARY SURVEY
Permit-Seal

Project Number: 205303057
File Name: 030517a.dwg
GAC: SB GAC: 16/05/25
Dra. Chis. Dgn. YV/AM/00

Revision Sheet

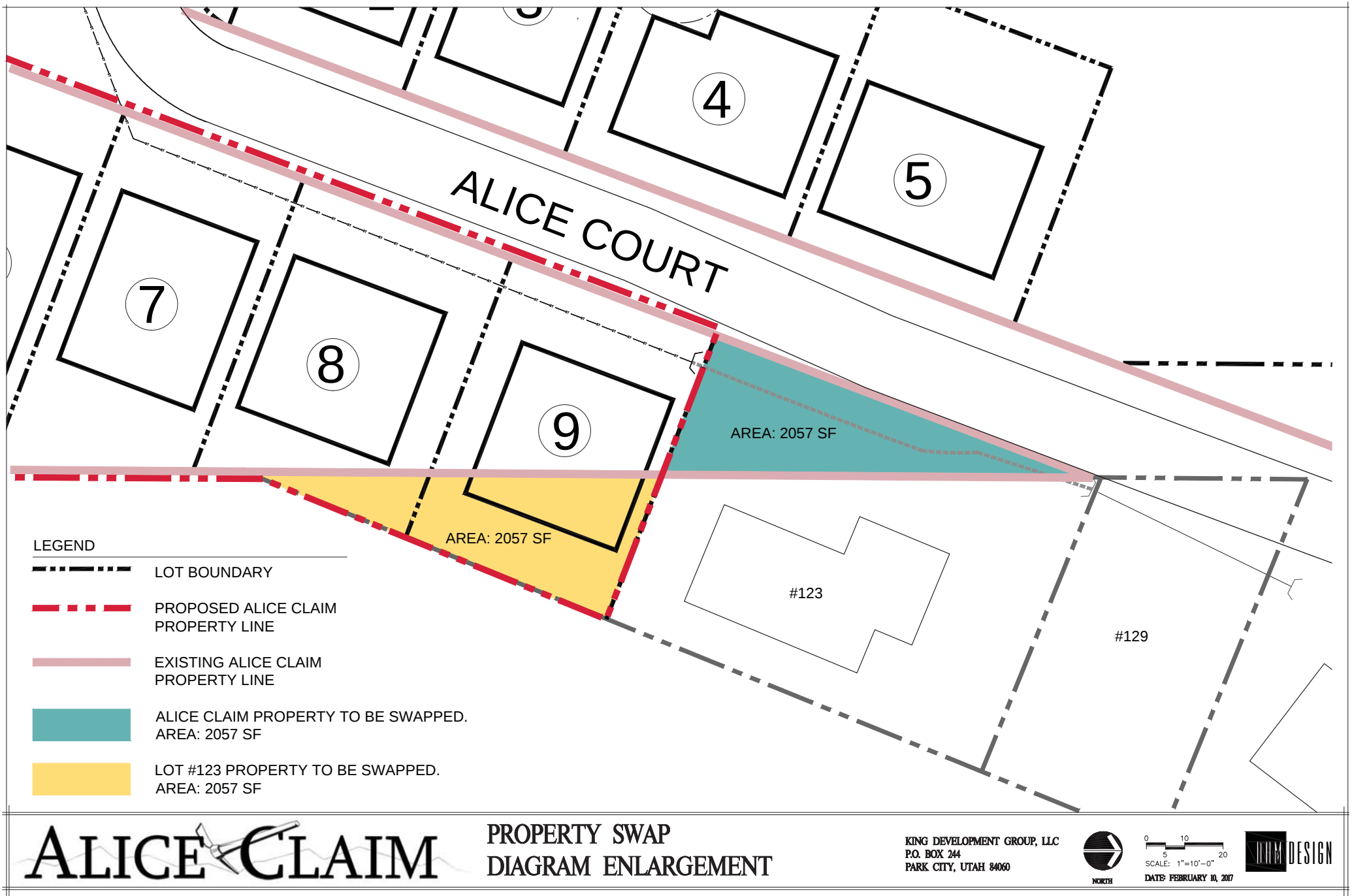
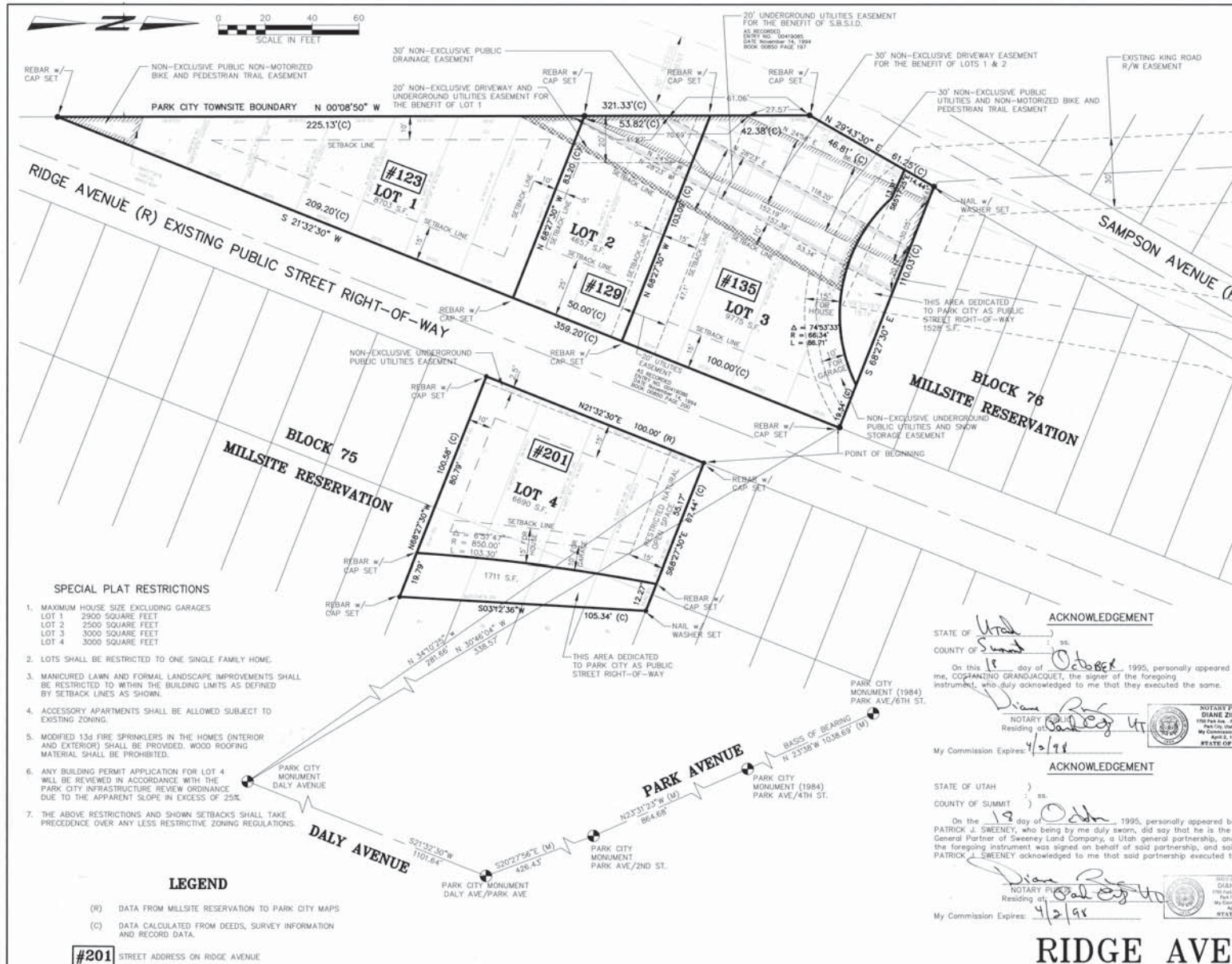


Exhibit E – Ridge Avenue Subdivision

RAMPLATING 9-2-95



SPECIAL PLAT RESTRICTIONS

1. MAXIMUM HOUSE SIZE EXCLUDING GARAGES
LOT 1 2900 SQUARE FEET
LOT 2 2500 SQUARE FEET
LOT 3 3000 SQUARE FEET
LOT 4 3000 SQUARE FEET
2. LOTS SHALL BE RESTRICTED TO ONE SINGLE FAMILY HOME.
3. MANICURED LAWN AND FORMAL LANDSCAPE IMPROVEMENTS SHALL BE RESTRICTED TO WITHIN THE BUILDING LIMITS AS DEFINED BY SETBACK LINES AS SHOWN.
4. ACCESSORY APARTMENTS SHALL BE ALLOWED SUBJECT TO EXISTING ZONING.
5. MODIFIED 13.5 FIRE SPRINKLERS IN THE HOMES (INTERIOR AND EXTERIOR) SHALL BE PROVIDED. WOOD ROOFING MATERIAL SHALL BE PROHIBITED.
6. ANY BUILDING PERMIT APPLICATION FOR LOT 4 WILL BE REVIEWED IN ACCORDANCE WITH THE PARK CITY INFRASTRUCTURE REVIEW ORDINANCE DUE TO THE APPARENT SLOPE IN EXCESS OF 25%.
7. THE ABOVE RESTRICTIONS AND SHOWN SETBACKS SHALL TAKE PRECEDENCE OVER ANY LESS RESTRICTIVE ZONING REGULATIONS.

LEGEND

- (R) DATA FROM MILLSITE RESERVATION TO PARK CITY MAPS
(C) DATA CALCULATED FROM DEEDS, SURVEY INFORMATION AND RECORD DATA.

#201 STREET ADDRESS ON RIDGE AVENUE

SURVEYOR'S CERTIFICATE

I, James L. Stevens, do hereby certify that I am a Registered Land Surveyor and that I have caused to be made under my direction, a survey of the described property. I further accompanying plot shows in accordance with acceptable professional standards, the dimensions of the property surveyed.

James L. Stevens
Registered Land Surveyor
No. 5859
Date 9-28-95

BOUNDARY DESCRIPTION

Beginning at the Northeast Corner of Lot 14, Block 76, MILLSITE RESERVATION to PARK CITY said point being North 30°45'04" West, 338.57 Feet, more or less, from a Park City Monument located on Daly Avenue, and running thence South 21°32'30" West, 359.20 feet to the South corner of Lot 1, said Block 76, thence North 0°08'50" West, 321.33 feet to the Western corner of Lot 12, said Block 76, thence North 29°43'30" East, 61.25 feet to the Northeast corner of said Lot 14; thence South 68°27'30" East, 110.03 feet to the point of beginning.

Containing 0.57 Acres, more or less

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

Also: Beginning at the North Corner of Lot 22, Block 75, MILLSITE RESERVATION to PARK CITY said point being North 34°10'25" West, 281.66 Feet, more or less, from a Park City Monument located on Daly Avenue, and running thence South 68°27'30" East, 67.44 feet to a point on the northerly line of Lot 84, said Block 75, thence South 31°2'36" West, 52.67 feet to a point on the southerly line of Lot 85, said Block 75, thence South 31°2'36" West, 52.67 feet to the southerly line of Lot 87, said Block 75, thence North 68°27'30" West, 100.58 feet to the West Corner of Lot 19, said Block 75; thence North 21°32'30" East, 100.00 feet to the point of beginning. Containing 0.193 Acres (8400 S.F.), more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

(Basis of bearing for the above description is the Park City Monuments at the intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38' East.)

OWNER'S DEDICATION AND CONSENT TO RECORD

The owners or their representatives, hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plot and construction plans in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned sets their hands this 18 day of September, 1995

By Patrick J. Sweeney
Patrick J. Sweeney
as an individual
COSTANTINO GRANDJACQUET

ACKNOWLEDGEMENT

STATE OF Utah
COUNTY OF Summit
On this 18 day of October, 1995, personally appeared before me, COSTANTINO GRANDJACQUET, the signer of the foregoing instrument, who duly acknowledged to me that they executed the same.
My Commission Expires: 4/2/98

ACKNOWLEDGEMENT

STATE OF Utah
COUNTY OF Summit
On the 18 day of October, 1995, personally appeared before me, PATRICK J. SWEENEY, who being by me duly sworn, did say that he is the Managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said PATRICK J. SWEENEY acknowledged to me that said partnership executed the same.
My Commission Expires: 4/2/98

ACKNOWLEDGEMENT

STATE OF Utah
COUNTY OF Summit
On this 18 day of October, 1995, personally appeared before me, DONALD R. SIMON and KATHLEEN J. SIMON, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.
My Commission Expires: 4/2/98

ACKNOWLEDGEMENT

STATE OF Utah
COUNTY OF Summit
On this 18 day of October, 1995, personally appeared before me, PATRICK J. SWEENEY, an individual, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.
My Commission Expires: 4/2/98

RIDGE AVENUE SUBDIVISION

A SUBDIVISION LOCATED IN SECTIONS 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PREPARED BY:	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
JAMES L. STEVENS 10510 SOUTH STATE SANDY, UT 84070 (801) 484-9884	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 28th DAY OF November, 1995 A.D. BY James L. Stevens S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 28th DAY OF November, 1995 A.D. BY [Signature] CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 28th DAY OF November, 1995 A.D. BY [Signature] PARK CITY ENGINEER	APPROVED AS TO FORM THIS 5th DAY OF December, 1995 A.D. BY [Signature] PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 31st DAY OF SEPTEMBER, 1995 A.D. BY [Signature] PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 31st DAY OF SEPTEMBER, 1995 A.D. BY [Signature] MAYOR	IF 444460 RECORDED STATE OF UTAH COUNTY OF SUMMIT AT THE REQUEST OF [Signature] DATE 12-15-95 TIME 11:00 AM BOOK PAGE FEE 5.00 RECORDER Alan Spriggs



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

This item is a request for review of the Mountain Top Subdivision Annexation Petition for annexation of the twelve lot Mountain Top Subdivision into Park City's municipal boundaries, with requested zoning of Mountain Top (MT), a new zoning designation proposed by the petitioners. Mountain Top Subdivision is located at Park City's northern boundary, adjacent to Sandstone Cove and Eagle Pointe Subdivisions. Two of the lots are vacant.

The primary purpose of this annexation is to connect to the City's water system in order to upgrade existing water infrastructure, source, storage, fire flows, etc., as well as to allow future consideration (after significant improvements are made by the owners) of Mountaintop Drive as a public street. Mountain Top Drive is now a private road maintained by the Homeowner's Association.

Municipal annexation is a legislative act governed procedurally by Utah state law. Once an annexation petition is filed with the City Recorder, the petition is presented to the municipal legislative body for acceptance or rejection. Because annexation is a legislative act, the Council has broad discretion to accept or reject the petition.

If the petition is not accepted, then the annexation process ends. Any future development of the property may continue pursuant to County regulations and the HOA will have to pursue alternatives to remedy their water, fire protection, and road improvement and maintenance issues.

If a petition is accepted then staff completes a review and analysis of the annexation application and provides a recommendation to the Planning Commission. The Planning Commission holds a public hearing and forwards a recommendation to City Council. The Council is the final decision maker regarding annexation and zoning.

Staff recommends the Council reject this petition as further described in the staff report.

Respectfully:

Kirsten Whetstone, Senior Planner

City Council Staff Report



Subject: Mountain Top Subdivision Annexation
Author: Kirsten Whetstone, MS, AICP, Sr. Planner
Department: Planning
Date: March 8, 2018
Type of Item: Legislative (Annexation Petition Review)

Summary Recommendation

Staff recommends City Council reviews and rejects the Mountaintop Subdivision Annexation petition as further described in this report.

Project Description

Project Name: Mountain Top Subdivision Annexation Petition
Project #: PL-17- 03656
Applicant: Mountain Top Subdivision (eight of twelve owners)
Location: Mountain Top Drive (north of Sandstone Cove and Eagle Pointe Subdivisions)
Adjacent Land Uses: Single family subdivisions, Summit County parcels and open space
Proposed Uses: Single family homes (no change from existing use)

Executive Summary

Proposal

This item is a request for review and consideration of a petition for annexation of the Mountaintop Subdivision (See Attachment A (plat) and [Attachment A-1 link](#) (petition), a subdivision platted and developed in unincorporated Summit County in 1979. The subdivision consists of twelve contiguous platted lots with a private road totaling 20.845 acres. Of the twelve lots, ten have existing homes, two lots remain vacant. Eight of the twelve owners have signed the annexation petition. This is sufficient to consider the petition. The existing road also provides access to one home to the west and one home to the east. Both are not party to the petition. The property is contiguous to Park City's Municipal northern boundary and located within the Park City Annexation Expansion Area (See Attachment B).

Purpose

Petitioners' primary purpose of annexation is to upgrade and remedy their existing water and emergency fire infrastructure by connecting to the City's public water system. Petitioners also desire that Mountain Top Drive be improved, accepted and maintained by the City as a public street. Petitioners propose a new City Zoning District and request exemption from Affordable Housing requirements.

Annexation Petition

Municipal annexation is a legislative act governed procedurally by Utah state law. Once an annexation petition is filed with the City Recorder, State law allows for the Council to decide initially whether to consider an annexation by either denying or accepting the petition for further review. Because annexation is a legislative act, the Council has broad discretion to accept or reject the petition. If the petition is rejected, then review and analysis of the annexation application ends and development of the property continues pursuant to Summit County regulations, or the applicant may resubmit a revised petition addressing items of concern to the City. Acceptance of a petition allows for continued review of the annexation application for compliance with the Chapter 8 of the Land Management Code (LMC), the City's Annexation Policy Plan, with Planning Commission public hearing and forwarding of a recommendation to City Council for final action.

Park City Annexation Policy Plan

The City's Annexation Policy Plan ([LMC 15-8-2 \(H\)\)- link](#), states that the City shall carefully analyze impacts of annexation of an area, taking into consideration whether annexation of the area will create negative impacts on the City and whether the City can economically provide services.

The Policy Plan incorporates by reference; all standards required and suggested by Sections 10-2-401 et. seq. Utah Code, Annotated (UCA), 1953, including that the following four requirements must be met in order to accept any annexation petition:

- 1) The property must be a contiguous area.
- 2) The property must be contiguous to Park City's Municipal boundary.
- 3) Annexation of the property will not create an island or peninsula of land.
- 4) The property must be located within the Park City Annexation Expansion Area.

Mountain Top Subdivision property meets these four physical requirements.

Additional community issues to consider include the following:

- location and adequacy of schools and community facilities;
- traffic;
- fire protection, particularly in Wildfire/Wildland Interface Zones;
- usable open space and recreation Areas;
- protection of Sensitive Lands;
- conservation of natural resources;
- protection of view corridors;
- protection and preservation of Historic resources;
- Affordable Housing;
- balance of housing types and ownership; and
- adequate water and sewer capacity to serve the future needs of the proposed annexation Area shall also be considered.

The Mountain Top Subdivision petition, as submitted, does not protect Sensitive Lands, protect view corridors or address Affordable Housing. Without a financing plan for infrastructure improvements, there are concerns about whether the annexation creates a financial burden and risk to the City.

Issues

The City's Annexation Policy Plan also states that Property annexed to the City will contribute to the attractiveness of the community, will enhance the resort image which is critical for economic viability, and that the potential deficit of revenue against expense to the City is not unreasonable.

Petitioners also request an exemption from requirements of the City's Housing Resolution. Housing Authority would make a final determination whether to base housing mitigation requirement on the 2 vacant lots or all 12 lots (\$100,980 to \$605,880), as well as whether a fee-in-lieu is allowed).

Staff's recommendation to reject the petition is summarized below:

Issue	Pros to City if Annexed	Cons to City if Annexed
Water	Capacity for fire protection increased, reducing risk of fire spreading to neighboring terrain and houses. City gains impact and use fees, reliable fire flow and storage, HOA would not construct new water service through back yards of City residents.	Significant staff time to review, approve, inspect, and commission the new water system. Significant cost of water system exceeds Mountain Top HOA's ability to finance. Staff has not received a plan for financing of the improvements, or an indication that a voluntary assessment area can be established (requires 100% of the property owners to agree). Administrative costs of a non-voluntary assessment area would be excessive and create a financial burden and risk to the City.
Roads	Gain additional tax revenue for services the City currently provides on City streets used by these County residents. However additional revenue would likely be offset by additional costs to maintain Mountain Top Drive, if it is becomes a City Street.	Additional City services required if Mountain Top Dr. is accepted as a public street. However, annexation does not require the street to be a dedicated public street. Acceptance as a public street also requires significant upgrades, such as new rolled gutters, storm drain outlets, survey monumentation, street

		lighting and relocating portions of the road to coincide with the platted roadway easement. Similar cost and financing issues as mentioned above.
Zoning	City LMC would apply. SF District with Sensitive Lands Overlay zone, as recommended by the City, gains land use control for building height, site planning, exterior lighting, design regulations, etc. Adds efficiency in terms of driving from Marsac as opposed to driving from Coalville for site inspections, enforcement, etc.	Petitioners request a new zone be created in the City for this subdivision with an exemption from Sensitive Ridgeline requirements. City Staff time and resources required for reviewing, permitting, inspections and code enforcement for building permits on these lots. .
Affordable Housing	Possibly gain affordable units or in-lieu fees for new development (Housing Authority make final determination whether to base housing mitigation requirement on the 2 vacant lots or all 12 lots (\$100,980 to \$605,880), as well as whether a fee-in-lieu of constructed units is allowed).	Petitioners request exemption from City affordable housing requirements.
Public Safety	Gain additional tax revenues for existing services. (City Police provide primary response by current agreement). Reduces some overlapping services. Adds clarity and efficiency.	Adds to City Police area of responsibility for items that the Sheriff currently handles, such as investigations. City Police provide emergency services now.
Sewer, Fire, School, other special districts	No change in district services. These services will continue to be provided using City streets and infrastructure. Gain additional tax revenues.	No change in district services.

Acronyms

BCA	Bowen Collins Associates
HOA	Homeowners Association
LMC	Land Management Code
SF	Single Family Zoning District
SLO	Sensitive Lands Overlay
UCA	Utah Code Annotated

Problem

Mountain Top Subdivision, located in unincorporated Summit County, is plagued by substandard water and road infrastructure potentially jeopardizing life and safety of Mountain Top homes, as well as of adjacent Park City subdivisions. Due to inadequate water source, storage, pumping, transmission and distribution infrastructure, the petitioners desire annexation into Park City in order to connect to the City's water system to remedy these deficiencies. They also desire to reconstruct the private road to City standards in order to request acceptance as a publicly maintained street.

If the HOA is unable to connect to City water, then Mountain Top HOA indicates it may have to install a new water line (in easements it currently holds) through the back yards of Park City residents. Approximately fifteen properties in the Ridgeview and Eagle Pointe subdivisions would be directly affected. The well is located on Lot 21 of Ridgeview subdivision.

In January 2015, Park City received the results of a study (the BCA report) that summarizes the potential impacts to the Park City water system in relation to providing water service to the Mountain Top subdivision. This report was commissioned by Park City Municipal and funded by Mountain Top HOA.

A summary of taken from the BCA report indicates the following:

- *“Well – The water system’s well is very shallow and susceptible to surface contamination. The well has had several contamination incidents in the past few years. Park City has provided temporary emergency water for at least one of these incidents.*
- *Storage Tank – The storage tank is very small and would not provide adequate fire flow for the subdivision.*
- *Waterlines – Existing waterlines have above normal maintenance issues. The supply line from the Well to the storage tank runs through backyards of multiple residences.*
- *Water Services – Multiple homes are supplied off of a single 2-inch water line. In addition, water meters for several lots are located inside the residence.*

- *Hydrants – Hydrant spacing in the subdivision does not meet fire requirement (minimum 400 ft. radius.). Hydrants are currently dry and do not have a water connection, some homes do have sprinklers that are to County Code.”*

In May of 2016, Park City received the results of the Alliance Engineering study regarding potential capital costs to bring the Mountain Top subdivision to City standards. This report was also commissioned by Park City Municipal and funded by Mountain Top HOA. The conclusion of the report was:

*“The estimated cost of improvements for the **public dedication** of Mountain Top Subdivision is approximately \$890,000.00 which includes water system improvements and asphalt repair, per the Bowen Collins Associates report, asphalt milling and overlay, roll gutter, storm drain inlets and piping, road relocation within the platted easement, street signs and a light pole”*

According to the BCA report and the City’s Water Manager, there is strong evidence to suggest that replacing the existing water line will not solve deficiencies of water source and storage, and a water tank above the subdivision would need to be constructed. At this time the feasibility of constructing a private water tank has not been documented or provided to the City. With the property currently under the jurisdiction of Summit County, Park City does not have the authority to require upgrades to the HOA infrastructure without an annexation action. If annexation was approved and delivery of City water was provided, there is adequate storage in the existing Sandstone Cove tank to satisfy the requirements of the Sandstone Cove pressure zone and the Mountain Top Subdivision based on the BCA report.

As stated above, required improvements to both water and road infrastructures are significant, as detailed in the BCA report, the cost of which is the responsibility of these property owners. It should be noted that costs in the report do not include city staff time involved with the replacement or water impact fees that would be assessed and the costs are based on 2014 Park City construction costs.

On July 8, 2016, City staff met with representatives from the Mountain Top HOA (Robert Karz, Erik Watts & Chuck Bethke) to review the Alliance Engineering Study and the Bowen Collins Study with Michael Demkowicz the petitioner’s engineer. At the meeting City staff outlined financing options which the City might facilitate, including the potential use of an assessment area. City staff outlined the process involved in the creation an assessment area, including budget staff’s recommendation of a voluntary assessment area (as outlined in the State Code), where 100% of the owners agree to the terms of the assessment and financing plan. City staff indicated that if the Mountain Top HOA wanted to pursue the voluntary assessment area option, an assessment area financing plan would need further development and coordination with the City and County.

The HOA indicates that they do not have the means to finance these improvements and have been in discussion with the City for financing assistance options. However no specific plan or agreement has been provided with this petition. Annexation without certainty as to how these improvements will be financed creates a financial burden and risk to the City.

Background

Mountain Top Subdivision was approved and recorded in Summit County on September 28, 1979. Current zoning is Hillside Stewardship (HS) with Ridgeline Overlay zone. Ten of twelve lots are developed with single family homes. All lots are privately owned. Mountain Top Drive is a private road, within an easement, maintained by the Mountain Top Homeowners Association.

In the late 1990s a request for annexation (Mountain Top Annexation) of an un-platted parcel adjacent to Mountain Top Subdivision Lot 2 was submitted. The petition was accepted and the Planning Commission recommended that the parcel be annexed, primarily for ability to control the zoning and site planning subject to the Sensitive Lands Ordinance. That property owner had requested annexation in order to have City water service. The Annexation was not approved by the City Council, due to issues with a latecomer's agreement related to the Sandstone water tank. The lot was developed in Summit County. That lot was not part of the Mountain Top Subdivision and is not included in this annexation request.

Over the past twenty years the Mountain Top owners have discussed with the City options for improving the water infrastructure. Several options were discussed, including annexation into the Water District, annexation into the City, assistance with an assessment area, and improvements to the private water system. However no petitions for annexation were previously filed.

As noted previously, engineering studies were conducted in 2015 and 2016, with a meeting between (at the time) potential petitioners in July of 2016 where costs and financing requirements were discussed.

On August 31, 2017, eight of the twelve Mountain Top subdivision owners filed a petition and application for annexation ([Attachment A-1-link](#)) of the entire twelve lot subdivision into Park City's municipal boundaries. The application was considered complete on January 23, 2018, with submittal of additional information.

State Code requires the petition request to be heard at the first Council meeting at least 14 days after the application is received. The petitioners agreed to the March 8, 2018, date to allow additional time for Staff and petitioners to address questions raised by City staff.

At this time there are no other annexation petitions or applications under review by the Planning Department. On June 15, 2016, City Council approved amendments to the Annexation Expansion Area to include the Stoneridge open space parcel.

Alternatives

Pursuant to Utah State Code Section [10-2-405\(1\)\(a\)\(i\)\(B\)](#), if the Council does not take action on a complete annexation petition at its first regularly scheduled meeting that is at least 14 days after the date a petition is filed, then the annexation petition shall be considered accepted for further consideration. Accordingly, taking no action is not a unique option available to the Council; as the UCA considers no action as acceptance of the petition. Acceptance of the petition by City Council does not represent final action or approval of the annexation. Council alternatives include:

- 1) Reject the annexation petition, thereby ending the annexation process. This is the staff recommendation.
- 2) Accept the annexation petition for further consideration, thereby triggering the 30-day certification review process; or

Analysis

The primary purpose of this annexation is to allow a remedy to existing substandard water and emergency fire and storage infrastructure (**Attachment D**), as well as to allow future consideration to accept (after significant improvements are made by the owners) Mountain Top Drive as a public street. Mountain Top Drive is currently a private road maintained by the Homeowner's Association. See associated studies ([Attachment F- link](#)). The road provides access to two properties (one east and one west of the proposed annexation), that would not be included in the annexation. It is not clear how the properties would participate in road or water system improvements, if at all.

Petitioners indicated that they have not approached Summit County for assistance with the road or water issues or to explore the possibility of setting up an assessment area within the County to assist with financing. Petitioners desire to connect to the City's public water system. The County does not have a water system in this vicinity.

Municipal annexation is a legislative act governed procedurally by Utah state law. Once an annexation petition is filed with the City Recorder, the petition is presented to the municipal legislative body for acceptance or rejection. Because annexation is a legislative act, the Council has broad discretion to accept or reject the petition.

In evaluating the annexation petition, the Council shall review the proposal in accordance with the City's Annexation Policy Plan ([Attachment C- link](#)) as well as the UCA to determine whether to accept or deny the petition. The Council can also consider whether the annexation allows a logical extension of City services and City Boundary (**Attachment B**).

Review pursuant to UCA Section 10-2-401, 10-2-402 and 10-2-403 ([link](#))

The annexation petition has been reviewed pursuant to the Utah Code Annotated (UCA) Sections 10-2-401, 10-2-402 and 10-2-403. The annexation petition requirements set forth in these sections have been met; including issues of 1) contiguity and municipal annexation expansion area, 2) boundaries drawn along existing local districts, special districts and other taxing entities and 3) petition content.

Review pursuant to the City's Annexation Policy Plan ([link](#))

The annexation petition has been reviewed pursuant to the City's Annexation Policy Plan. The property is a contiguous area consisting of twelve lots with a private road totally 20.845 acres, contiguous to Park City's Municipal boundary. The annexation does not create an island or peninsula. The property is located within the Park City Annexation Expansion Area, as described by the adopted Annexation Policy Plan. Submitted with the petition were applicable documents as required by the City's Annexation Policy Plan.

Additionally, the LMC states that the requirements of the Policy Plan are intended to:

- protect the general interests and character of the community,
- assure orderly growth and development of Park City in terms of utilities and public services;
- preserve open space;
- enhance parks and trails;
- ensure environmental quality;
- protect entry corridors, view corridors, view sheds and environmentally Sensitive Lands;
- create buffer Areas;
- protect public health, safety and welfare
- and ensure that annexations are approved consistent with the Park City General Plan and Utah State law

The petition does not protect general interests and character of the community; does not protect entry corridors, view corridors, view sheds and environmentally Sensitive Lands; does not create buffer Areas and does not ensure that the annexation is consistent with the Park City General Plan.

Summary

In summary, Staff has the following concerns about acceptance of a petition for annexation at this time:

- 1) Financial impacts (see BCA and Alliance Engineering reports) on the City are considerable without an agreement and plan in place for financing the improvements as well as administrative time and resources to create and manage a special assessment area. Owners were notified of the need to have a financial plan several time during meetings in 2015 and 2016 but never proposed any plan.
- 2) A water agreement and plan to describe existing water rights, fees, cost benefit of extension of services, as well as a financing plan, has not been created. If an assessment area is desired by the HOA, the City will require

- guarantees that it is a voluntary assessment area (requires support of 100% of the property owners);
- 3) Applicability of City street standards and timing of upgrades has not been accepted or approved. The HOA does not have the means to pay or finance the cost of upgrading the existing road, whether to be maintained as a private road or dedicated as a public road, without assistance through a voluntary assessment area;
 - 4) Zoning designation. Applicant proposes a new Mountain (MT) District. Staff does not support the applicant's proposed Mountain (MT) District zoning and would recommend Single Family (SF) District, with Sensitive Lands Overlay, as the existing subdivision is most consistent with density, lot and site requirements of the existing SF Zone District City's Sensitive Lands Overlay would provide zoning control to protect the sensitive ridgeline and hillside that is visible from the City's main entry corridor. However, The location of the existing homes would not meet the criteria of the Sensitive Lands Ordinance District.
 - 5) Staff does not support the applicant request for an exemption from the Affordable Housing Resolution. Staff believes the housing mitigation requirement can be negotiated with the Housing Authority, but falls into a range of mitigating the 2 vacant lots or all twelve lots that would be new to Park City. Final decisions on applicability of the current Housing Resolution and determination of requirements are made by the Park City Housing Authority.

Future Process

If Council rejects the petition then the annexation process ends. The petitioner may submit a revised petition for consideration, addressing concerns identified in this report.

If Council accepts the petition, a 30-day certification process commences. If the petition meets statutory requirements, then the City Recorder certifies the petition and commences required notice of petition acceptance. If the petition fails to meet statutory requirements, then the City Recorder will reject the petition and deliver written notification of rejection to the applicant and other parties as required by state law. The applicants will have an opportunity to modify the petition to correct deficiencies for which it was rejected and may re-file with the City Recorder.

If the petition is accepted and certified, staff will complete further review and analysis and consider implications to the City in terms of extension of city services and utilities, zoning, affordable housing mitigation, impacts on surrounding properties and whether the annexation is consistent with the General Plan. Planning staff would at that time provide a detailed report and recommendation to Planning Commission. The report would include an analysis of the applicant's proposed MT District zoning as it

compares with existing City zoning districts of Single Family (SF), Estate (E) and Residential Development (RD) ([Attachment E- Zoning Map link](#)). The Planning Commission would hold a public hearing and forward a recommendation to City Council, including a recommendation on zoning, affordable housing, as well as on a draft annexation and water agreement that would be provided with the staff report.

City Council is the final decision maker regarding annexation of land, as well as designation of zoning.

Department Review

This application was reviewed by City Departments and service providers at Development Review on October 17, 2017. Park City Fire District, City Engineer and Park City Water Engineering Manager expressed concerns about the existing water infrastructure within the Mountain Top Subdivision and conveyed that if the subdivision is annexed and water source is provided by connecting to the City's public water system, then extending a water line from Mountain Top's well through the City resident's backyards, would not be necessary and should be a condition of any future annexation, memorialized in the annexation agreement.

Planning and Legal reviewed the application and identified items needed to be updated in order to deem the application complete. A housing plan or statement as to compliance with the City's Housing Resolution was requested by Staff and was provided subsequent to the original submittal date ([Attachment A-1 Annexation Petition - link](#)). Planning concerns related to the petitioners' proposed zoning designation, request to be exempt from the Housing Resolution requirements, as well as concerns about buffer (protection) strip around the property to control extensions of City services to other County properties without proper review were raised.

The City's Budget Manager was involved during early talks with the petitioners and reviewed this report. His concerns regarding costs, timing and financing of the infrastructure are included in this report.

Funding Source

A specific funding source is not specifically called out as requirement for acceptance and continued review of this annexation petition, however the magnitude of the infrastructure and its costs if the property is annexed into the City are significant and potentially not feasible for the property owners to bear. Additionally, there will be considerable time and resources spent by the City to facilitate the assessment area.

Recommendation

Staff recommends City Council reviews and rejects the Mountain Top Subdivision Annexation petition as further described in this report.

Attachments

Attachment A- Proposed Annexation plat
[Attachment A-1 Annexation Petition - link](#)

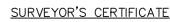
Attachment B- Municipal Boundary exhibit

[Attachment C- Annexation Policy Plan LMC Chapter 8- link](#)

Attachment D- Park City Fire District comments

[Attachment E- Park City Zoning Map – link](#)

[Attachment F- Associated studies and reports - link](#)



John Demkowicz LS 154491 Date

BOUNDARY DESCRIPTION

Lots 10 & 11 Mountain Top Subdivision Second Amendment to Lots 10 & 11.

OWNER'S DEDICATION AND CONSENT TO RECORD

In witness whereof, the undersigned set his hand this _____ day, of _____, 2017.

State of _____:

County of _____ ss: **ACKNOWLEDGMENT**

Notary Public

A Notary Public commissioned in _____

Printed Name _____

Residing in: _____

My commission expires:

NOTES:

All lots within the annexation area are subject to the Mountaintop MT Zoning District.



APPROVED AS TO FORM
SUMMIT COUNTY SURVEYOR

APPROVED IN COMPLIANCE WITH SECTION
17-23-20 OF THE UTAH CODE
THIS _____ DAY OF _____, 2013 A.D.

BY _____
ACTING SUMMIT COUNTY SURVEYOR

PLANNING COMMISSION

FORWARDED A
RECOMMENDATION THIS _____ DAY
OF _____, 2013 A.D.
BY THE PARK CITY PLANNING COMMISSION

CHAIRMAN

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS _____
DAY OF _____, 2013 A.D.

BY PARK CITY ENGINEER

CITY ATTORNEY

APPROVED AS TO FORM THIS _____
DAY OF _____, 2013 A.D.

BY PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY
MAP WAS APPROVED BY PARK CITY
COUNCIL THIS _____ DAY
OF _____, 2013 A.D.

BY PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS ____ DAY OF _____,
2013 A.D.

BY _____
MAYOR

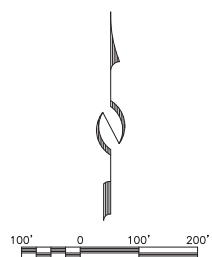
RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____

555 RECORDED

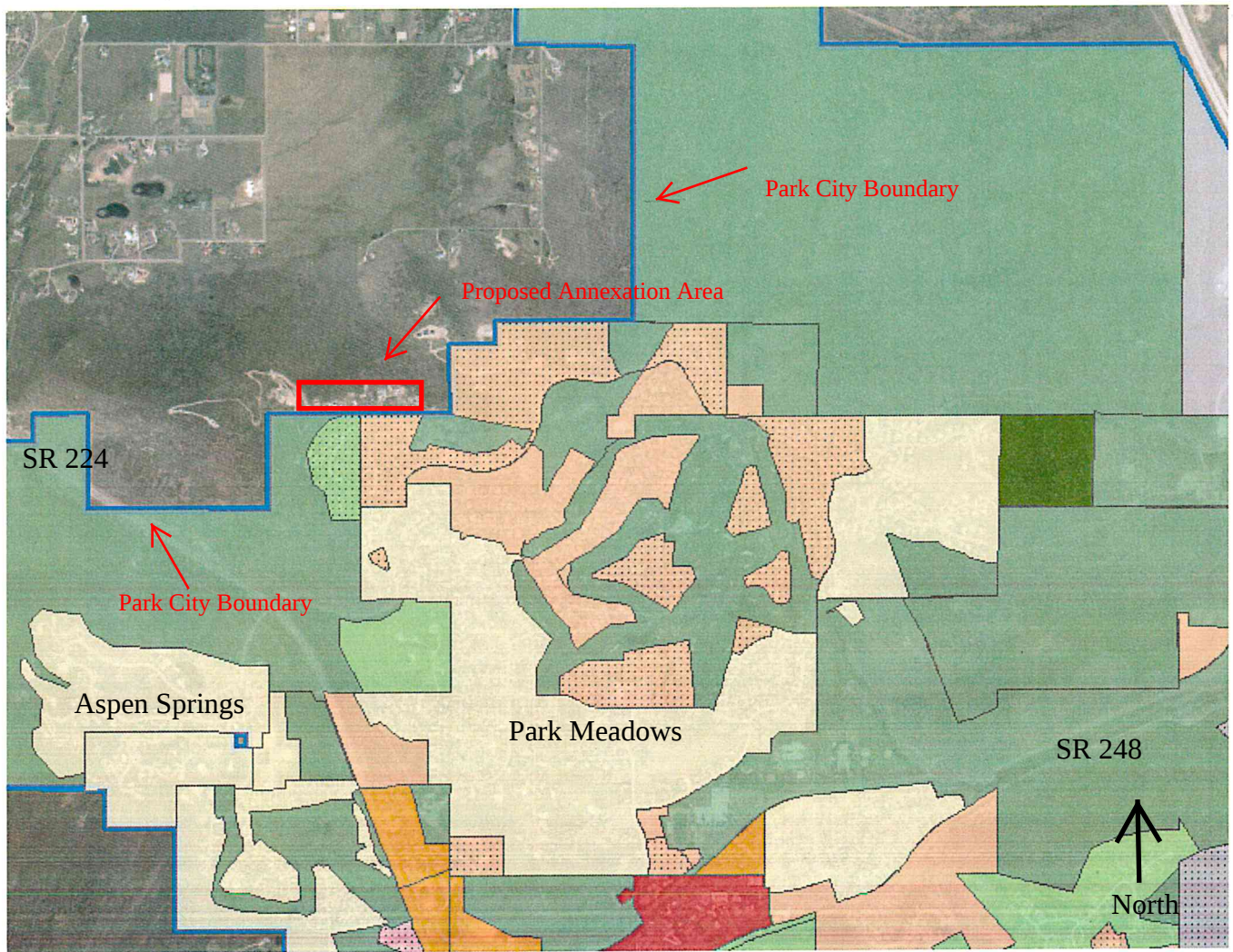
MOUNTAIN TOP SUBDIVISION ANNEXATION

LOCATED IN THE SOUTH EAST QUARTER OF SECTION 32
TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



ATTACHMENT A-2- Full Annexation Petition, Proposed Annexation Plat and Existing Conditions

See Link to Attachment A-2



Park City Boundary

ATTACHMENT C- Park City Annexation Policy Plan

See Link to Land Management Code- Chapter 8 Annexation

Kirsten Whetstone

From: Mike Owens <mowens@pcfd.org>
Sent: Tuesday, October 17, 2017 10:25 AM
To: Kirsten Whetstone
Subject: Mountain Top Annexation

The Park City Fire District has the following comments on the above project:

1. **Water supply.** The water supply in the neighborhood is insufficient to fight a fire. As it stands now, if a building were to be on fire in that neighborhood the PCFD would end up using the hydrant at the corner of Mountain Top Ln and Sandstone Cove Ct as a water supply.
2. **Fire flow.** The fire flow requirements for any existing home in this project is 1000 gallons/min for 2 hours giving us a total requirement of 120,000 gallons.
3. **Access.** There is currently sufficient primary access to this neighborhood. Secondary access is not addressed. There is a fence that goes up seasonally to restrict access to the Mountain Top Road from Mountain Top Lane. PCFD requests that this be removed year round.

Please call me if you have any other questions.

Captain Mike Owens
District Fire Marshal
Park City Fire Service District
(435) 940-2532



ATTACHMENT E- Park City Zoning Map

See Link to Park City Zoning Map

ATTACHMENT F- Associated Studies and Reports

See Link to Attachment F

Alliance Engineering Infrastructure Study (May 23, 2016)

Bowen Collins Report on Annexation Impacts on Water System (January 7, 2015)

Alliance Engineering SLO Analysis report (November 28, 2017)



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

Staff requests Council consider granting a trail easement to Snyderville Basin Special Recreation District, across property owned by the City, located on Iron Mountain. The easement recognizes the existing alignment of the mid-mountain trail.

Respectfully:

Heinrich Deters, Trails and Open Space Program Manager



City Council Staff Report

Subject: Snyderville Basin Special Recreation District- Trail Easement Request

Author: Heinrich Deters

Department: Sustainability

Date: March 8, 2018

Type of Item: Administrative

Summary Recommendation

Staff recommends Council approve the Snyderville Basin Special Recreation District (SBSRD) trail easement across City-Owned property on Iron Mountain. (Attachment I)

Executive Summary

Staff requests Council consider granting a trail easement to Snyderville Basin Special Recreation District, across property owned by the City, located on Iron Mountain. The easement recognizes the existing alignment of the mid-mountain and iron man trails.

Acronyms

PCMC Park City Municipal Corporation

SBSRD Snyderville Basin Special Recreation District

Background

In 2010 and 2011, Park City Municipal Corporation acquired several parcels, located on Iron Mountain. The parcels were acquired as recreational open space, which contemplates the implementation of the mid-mountain trail across the property. Further, the property was encumbered with an open space deed restriction, which also contemplated the implementation of the mid-mountain trail. For several years, SBSRD has worked with The Colony, Park City Municipal and other landowners in the Iron Mountain area, to correctly survey the mid-mountain trail alignment.

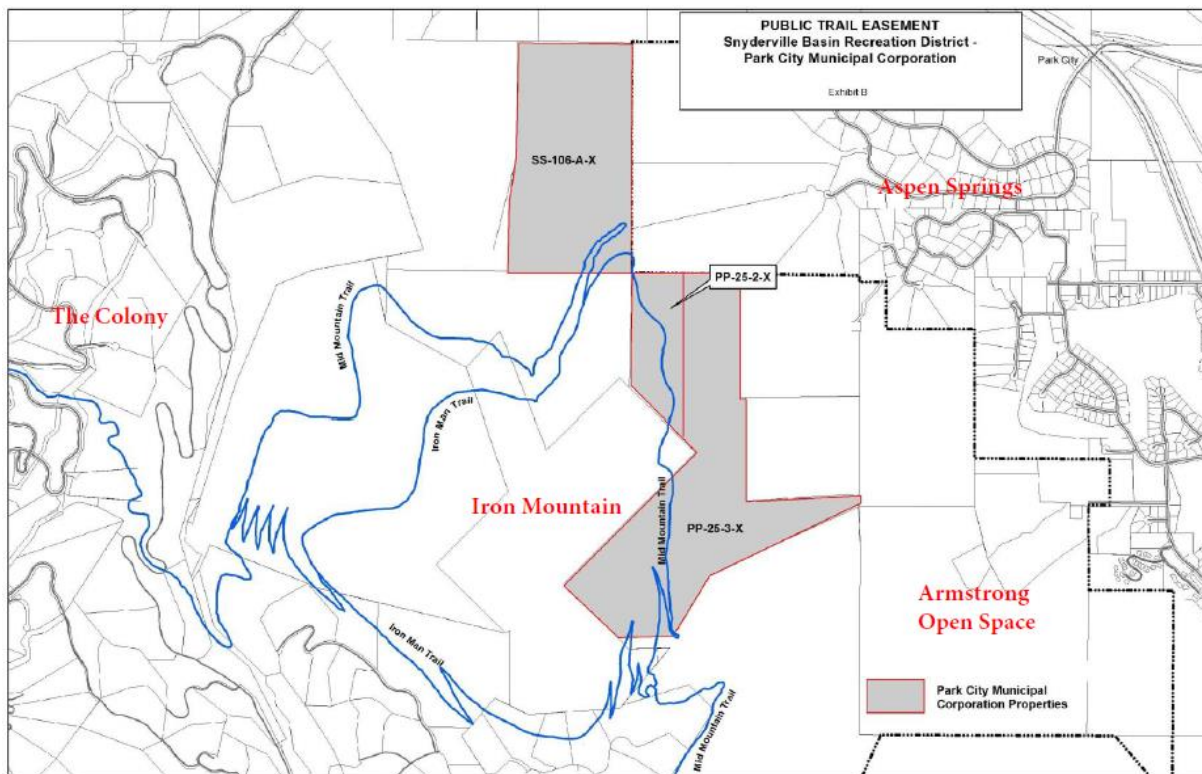
Analysis

Park City Municipal Corporation and SBSRD work closely to create a 'seamless trail network' between the jurisdictions. The mid-mountain trail is one of the main connectivity points between the systems. **The easement codifies the existing trails in the area and does not propose any new or additional trails on the City-owned property.** The proposed easement is consistent with the transfer documents and existing restrictive covenants associated with the properties.

Terms of the easement are as follows:

- The purpose of the Easement is to establish a fifteen foot 'corridor' in which SBSRD can construct, reroute and maintain a four foot wide trail, which provides for non-motorized public recreational access.

- Easement recognizes the need for motorized use restricted to emergencies and maintenance.
- There is no fee associated with the easement.
- The City reserves all rights associated with the use and invitees, access, utilities or other property rights associated within the easement area.
- SBSRD agrees to indemnify, defend, and forever hold Owner, (including without limitation, their officers, directors, owners, members, agents, representatives, affiliates, partners, associates, and employees), harmless from and against any loss, damage, injury, or death arising from any act or omission of SBSRD (including without limitation, licensees, employees, agents, and invitees (collectively “Affiliates”), for the duration of the Trail Easement and/or Access
- The City may request to reroute the trail under conditions but is not allowed the ability to terminate the Easement.
- The Easement may be amended by written agreement by both parties.



Department Review

This report has been reviewed by the City Attorney's Office and the Executive Department.

Funding Source

No funding is required.

**Attachment I-
Snyderville Basin Special Recreation District Mid-Mountain Trail Easement**

WHEN RECORDED MAIL TO:
Snyderville Basin Recreation District
5715 Trailside Drive
Park City, UT 84098

Space above for Records Stamp

PUBLIC RECREATION TRAIL EASEMENT AND ACCESS AGREEMENT

PROPERTY OWNER: PARK CITY MUNICIPAL CORPORATION

TRAIL NAMES: IRON MAN
MID MOUNTAIN

PARCELS: PP-25-2-X, PP-25-3-X, SS-106-A-X

THIS PUBLIC RECREATION TRAIL EASEMENT AGREEMENT AND ACCESS AGREEMENT ("**Easement Agreement**"), is made and entered into this ____ day of _____, 2018, by and between **PARK CITY MUNICIPAL CORPORATION**, a Utah political subdivision, with offices at 445 Marsac Avenue, Park City, UT 84060, (**the "Owner"**), and **SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT**, a special service district of the State of Utah, with offices at 5715 Trailside Drive, Park City, UT 84098, ("**SBSRD**"). Owner and SBSRD are sometimes collectively referred to in this Easement Agreement as the "**Parties**" or individually as a "**Party**."

RECITALS

WHEREAS, Owner is the record owner or authorized representative of record owners of certain real property in Summit County, Utah; and

WHEREAS, the term "**Owner**" as used herein shall mean the possessor of any interest in the Property, whether public or private land, including authorized representatives of Owner or a condominium association where the easement to be granted herein is located in a designated common area and an owner's association is empowered to grant easements over same; and

WHEREAS, Owner desires to grant SBSRD an easement across a portion of its properties for the purpose of establishing a public, non-motorized trail, and assisting in the shaping of the character, direction, and development of public recreation trails throughout Summit County, as more particularly described by the centerline metes and bounds description set forth in **Exhibit "A"** attached hereto and made a part hereof, **(the "Trail Easement")**; and

WHEREAS, SBSRD is a public body, authorized by law to acquire interests in real property for purposes of developing and maintaining land for public recreational opportunities.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the Parties hereby agree as follows:

1. Grant of Easement.

Owner hereby grants unto SBSRD:

A. A Trail Easement on, over, under, and across its properties solely consisting of a corridor fifteen feet (15') in width, **("Easement Corridor")** lying along an alignment as described in the document attached hereto as **Exhibit "A"**, and as depicted in the sketch attached hereto as **Exhibit "B"**, and by this reference both exhibits are incorporated herein, exclusively for the duration and purpose set forth herein below and consisting only of the rights hereinafter enumerated.

B. A non-exclusive access easement, **("Access Easement")** on, over, under, and across private roads, driveways, common area parcels, and emergency ingress/egress easements which are owned and/or controlled by Owner, including access into gated/guarded communities, for the duration and purpose set forth herein below and consisting of the rights hereinafter enumerated.

2. Duration.

The Trail Easement and Access Easement are granted in perpetuity and shall run with the land so as to be forever binding upon the Parties hereto and their respective heirs, personal representatives, administrators, successors, and assigns.

3. Purpose.

The purpose of the Trail Easement is to obtain, develop, preserve, and maintain the area within the Easement Corridor for development, construction, use, preservation, and maintenance of a non-motorized trail, for the use and benefit of SBSRD and the general public.

The purpose of the Access Easement is to provide SBSRD and its Affiliates **(as defined below)**, not the general public, access to the Easement Corridor as SBSRD deems reasonable and necessary to develop,

construct, maintain, and otherwise manage the Trail Easement in accordance with provisions set forth herein.

4. Rights Conveyed and Obligations.

The rights conveyed to and corresponding obligations imposed upon SBSRD by this Trail Easement and Access Easement are as follows:

A. To develop within the Easement Corridor a trail not to exceed four feet (4') in width, (**"Trail"**) for non-motorized recreational use;

B. To lay out, mark, develop, construct, maintain, or relocate the Trail, within the Easement Corridor;

C. To make minor topographical changes to the properties within the Easement Corridor for the necessity and convenience of locating the Trail, (including improvements as needed to provide structural support and erosion control; e.g., drainage ditches, berms, import soils to build up to level grade, etc.;

D. To establish and maintain appropriate signage within the Easement Corridor marking the Trail and providing directions or other appropriate information in connection with the Trail;

E. To enter upon the Easement Corridor for all reasonable and necessary construction, maintenance, and repair of the Trail and Easement Corridor, and to pursue same diligently to completion. Such maintenance shall include, but shall not be limited to sweeping, snow plowing, weed spraying, crack sealing, seal coating, re-treading, re-surfacing, and otherwise keeping the Trail in a serviceable and safe condition;

F. To manage vegetation within the Easement Corridor through removal and/or trimming of trees, shrubs, grasses or exotic or noxious plant species, in order to maintain appropriate sight lines (as determined necessary by SBSRD at its sole discretion), and otherwise as necessary to keep the Trail in a serviceable and safe condition and maintain the integrity of the Trail;

G. To maintain the Easement Corridor in a good, clean, and sanitary condition, free from waste or litter and/or any condition that is offensive to the public health, safety, or welfare, or that constitutes a nuisance;

H. To ensure that no lien or claim of mechanics, laborers or materialmen will be filed against the properties of Owner, or any part or parts thereof, for any work, labor or materials furnished, alleged to have been furnished, or to be furnished pursuant to any agreement by SBSRD regarding the Trail Easement; and

I. If any damage occurs to Owner's properties or any improvements thereon arising out of, related to, or as a consequence of any of SBSRD's work in the Easement Corridor, Owner promptly will notify SBSRD in writing of the damage. Unless otherwise agreed to by the Parties, SBSRD will repair the

damage (or commence and diligently pursue repairing the damage) within thirty (30) days after receipt of Owner's notice.

5. Limitation on Use of the Trail Easement.

Public access on, over, or across the Trail Easement shall be strictly limited to access by foot or other non-motorized means except as follows: (a) use by motorized or battery propelled wheelchairs, (b) use by Owner or SBSRD operated motor vehicles for purposes of construction or maintenance of any trail that may be established within the Easement Corridor; and (c) use for emergency access for wild land fire and structural fire suppression, to facilitate search and rescue operations, or by public law enforcement personnel as deemed necessary for public safety.

6. Fees.

No fees shall be charged by Owner for use of the Trail Easement by the general public.

7. Liability/Indemnification/Immunity.

Owner shall enjoy the limitations on legal liability involving public recreational use of the Trail Easement as provided for in *Utah Code Annotated ("UCA") §§57-14-101 thru 205* (Limitations on Landowner Liability – Relating to Recreational Use) and *UCA §57-14-401 and §78B-4-509 (2) and (3)* (Inherent Risks of Certain Activities). Furthermore, SBSRD agrees to indemnify, defend, and forever hold Owner, (including without limitation, their officers, directors, owners, members, agents, representatives, affiliates, partners, associates, and employees), harmless from and against any loss, damage, injury, or death arising from any act or omission of SBSRD (including without limitation, licensees, employees, agents, and invitees (collectively "**Affiliates**"), for the duration of the Trail Easement and/or Access Easement.

Owner shall promptly notify the SBSRD of all incidents and claims known to Owner which may be the basis for a claim of indemnification against SBSRD and provide SBSRD with a reasonable opportunity to defend, negotiate, settle, or deny such claims, and litigate the defense of such claims. Owner agrees that it will not in any way interfere with the rights of SBSRD to assert all legal defenses and defend the claims of third parties.

8. Owner's Representations.

Notwithstanding that the Trail Easement and Access Easement granted herein is without warranty, Owner represents that it is or legally represents a possessor in interest of the properties constituting the Trail Easement and Access Easement, and that it has full legal authority to grant this Trail Easement and Access Easement to SBSRD free of liability for any lien or encumbrance previously placed thereon by Owner.

9. Retained Rights.

Except for the rights expressly conveyed to SBSRD hereunder, Owner reserves to itself, its personal representatives, heirs, successors, and assigns all other rights arising out of ownership of the properties, including, without limitation, the right to engage in, or permit or invite others to engage in, all uses of the properties **not expressly prohibited herein and that are not inconsistent and do not interfere with the terms and conditions of this Easement Agreement**, including, again without limitation, the following enumerated rights:

A. A right-of-way on, over, under, and across the Trail Easement for purposes of ingress, egress, placement of underground utilities for the benefit of its properties and adjacent properties that is or may hereafter be acquired by Owner, the location of any such right-of-way to be designated by Owner at a future date; and

B. To relocate (but not terminate), the Trail Easement as described herein, provided all of the following conditions are met: 1) SBSRD approves in writing the proposed new location, which approval shall not be unreasonably withheld, noting that integrity of trail (e.g., grade, line of site) and increased maintenance concerns, are examples of justification for disapproval; 2) the proposed new location of Trail Easement, as approved by SBSRD, is within the Easement Corridor; 3) relocation work is completed by or at the direction of SBSRD; and 4) Owner agrees in writing to promptly reimburse SBSRD for all actual out of pocket costs associated with the relocation (SBSRD to provide a written estimate of costs to Owner for approval prior to commencement of work). Upon any such relocation, SBSRD shall enjoy all rights conveyed herein with respect to the Trail Easement as relocated.

C. To landscape and install and maintain irrigation within the Easement Corridor, but not any portion of the Trail, subject to the right, but not the obligation of SBSRD to manage any such vegetation as provided for in **Paragraph 4. F.** herein.

10. Enforcement.

SBSRD and Owner shall have the right to enforce, through any permitted proceeding at law or in equity, including by specific performance, the terms, provisions, restrictions, and requirements of this Easement Agreement. Any failure to insist upon the strict performance of or compliance with any of the terms, provisions, covenants, and requirements of this Easement Agreement shall not result in or be construed

to be an abandonment or termination of this Easement Agreement or any waiver of the right to insist upon such performance or compliance with the terms of this Easement Agreement in the future. If any action or proceeding is brought because of a default under, or to enforce or interpret any of the covenants, provisions, or requirements of this Easement Agreement, the Party prevailing in such action or arbitration shall be entitled to recover from the unsuccessful Party reasonable attorneys' fees, (including those incurred in connection with any appeal), the amount of which shall be fixed by the court or the arbitrator and made a part of any judgment rendered.

11. Acceptance.

By its signature set forth herein below, SBSRD hereby accepts the foregoing grant of the Trail Easement and Access Easement subject to the terms and conditions herein.

12. Binding Effect.

This Easement Agreement extends to and is binding upon the Parties and their respective heirs, personal representatives, successors, affiliates, subsidiaries, and assigns.

13. Law.

This Easement Agreement shall be interpreted, construed, and enforced according to the laws of the State of Utah.

14. Relationship Between the Parties.

The easements and rights-of-way reserved above are not intended to create, nor shall they be in any way interpreted or construed to create, a joint venture, partnership, or any similar relationship between Owner and SBSRD, or as applicable, owners' association and SBSRD.

15. Amendment.

This Easement Agreement shall not be modified or amended except by a written instrument executed by the Parties hereto and recorded in the official records of Summit County, Utah.

16. Entire Agreement.

The Parties agree that this Trail Easement and Access Easement constitute the entire understanding and agreement between the Parties with regard to the subject matter hereof, and supersedes any previous agreement, representation, or understanding between the Parties relating to the subject matter hereof.

17. **Severability.**

If any provision of this Easement Agreement shall be declared by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused their respective names to be hereunto affixed this _____ day of _____, 2018.

COUNTERPART SIGNATURES APPEAR ON THE FOLLOWING PAGES.

SBSRD

SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT

BY: _____

Printed Name: _____

Title: _____

STATE OF UTAH)

:SS

COUNTY OF SUMMIT)

On the _____ day of _____, 2018, personally appeared before me, _____, the signer of the foregoing instrument, who duly acknowledged to me that he/she executed the same as **District Director of Snyderville Basin Special Recreation District, Summit County, Utah.**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last aforesaid.

NOTARY PUBLIC

OWNER

PARK CITY MUNICIPAL CORPORATION, a Utah political subdivision

BY: _____
Printed Name: _____
Title: _____

STATE OF UTAH)
):ss
COUNTY OF SUMMIT)

The undersigned, a Notary Public in and for the above state and county, hereby certifies that on the ____ day of _____ 2018, before me personally appeared _____, the _____, of PARK CITY MUNICIPAL CORPORATION, a Utah political subdivision, who is known to me as the person and officer described in and who executed the foregoing instrument on behalf of said corporation, and who acknowledged that he/she held the position or title set forth in the instrument and certificate, that he/she signed the instrument on behalf of the corporation by proper authority, and that the instrument was the act of the corporation for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last aforesaid.

SEAL: _____
Notary Public

EXHIBIT A

(Legal Description of Easement Corridor)

MID MOUNTAIN TRAIL

That portion of a 15.0' foot trail easement being located within the boundary of THE COLONY AT WHITE PINE CANYON-PHASE 1 AMENDED FINAL SUBDIVISION, THE COLONY AT WHITE PINE CANYON-PHASE 2 FINAL SUBDIVISION PLAT, THE COLONY AT WHITE PINE CANYON-PHASE 4A FINAL SUBDIVISION PLAT, THE COLONY AT WHITE PINE CANYON-PHASE 4B FINAL SUBDIVISION PLAT, PARCEL PP-8-A, PARCEL PP-1, PARCEL PP-25, PARCEL PP-25-B, THE COLONY AT WHITE PINE CANYON-PHASE 4E PINECONE RIDGE SUBDIVISION, being 7.5' perpendicularly distant on each side of the following described centerline:

Beginning at a point on the intersection of the existing Mid Mountain trail and the Easterly boundary of Parcel B, THE COLONY AT WHITE PINE CANYON PHASE 4E PINECONE RIDGE SUBDIVISION, recorded as Entry No.955349, said intersection being East 6,039.05 feet and South 6,052.61 feet from the North Quarter Corner of Section 12, Township 2 South, Range 3 East, Salt Lake Base and Meridian, and running thence North 09°20'15" East 59.13 feet; thence North 03°43'01" East 63.65 feet; thence North 08°33'17" East 78.26 feet; thence North 00°59'26" West 50.62 feet; thence North 10°25'24" West 66.97 feet; thence North 28°24'30" West 87.80 feet; thence North 33°26'32" West 94.02 feet; thence North 22°36'24" West 34.52 feet; thence North 13°07'51" West 37.05 feet; thence North 05°28'22" East 51.09 feet; thence North 13°44'34" East 44.94 feet; thence North 11°25'24" East 31.11 feet; thence North 26°21'00" East 55.02 feet; thence North 23°36'02" East 49.74 feet; thence North 21°44'04" East 71.06 feet; thence North 28°33'33" East 36.87 feet; thence North 30°14'17" East 45.91 feet; thence North 21°41'56" East 32.55 feet; thence North 12°46'53" East 27.24 feet; thence North 27°28'19" East 29.64 feet; thence North 12°20'39" East 17.21 feet; thence North 10°45'20" East 35.01 feet; thence North 01°54'18" East 41.15 feet; thence North 06°13'32" East 41.61 feet; thence North 04°44'43" West 28.81 feet; thence North 07°53'33" East 27.58 feet; thence North 07°06'36" East 38.97 feet; thence North 10°17'17" East 10.06 feet; thence North 12°57'41" East 2.60 feet; thence North 43°23'06" East 3.35 feet; thence South 83°25'23" East 3.55 feet; thence South 31°55'57" East 3.94 feet; thence South 01°15'11" East 16.37 feet; thence South 01°01'53" East 41.83 feet; thence South 02°32'29" East 33.49 feet; thence South 11°05'04" East 36.26 feet; thence South 10°29'11" East 41.29 feet; thence South 00°51'55" West 29.66 feet; thence South 07°21'32" East 32.45 feet; thence South 00°10'33" East 39.77 feet; thence South 00°23'24" East 33.34 feet; thence South 04°06'12" West 25.56 feet; thence South 09°37'42" West 57.50 feet; thence South 03°23'15" West 31.91 feet; thence South 03°45'06" West 34.62 feet; thence South 07°11'01" East 31.83 feet; thence South 02°47'52" West 36.87 feet; thence South 16°46'18" West 31.16 feet; thence South 07°40'24" West 20.27 feet; thence North 43°39'49" East 19.37 feet; thence North 24°29'03" East 32.39 feet; thence North 18°56'19" East 59.07 feet; thence North 14°47'35" East 40.75 feet; thence North 07°57'44" East 31.71 feet; thence North 20°33'02" East 23.50 feet; thence North 09°31'17" East 38.20 feet; thence North 16°26'08" East 73.15 feet; thence North 02°19'31" East 31.37 feet; thence North 05°04'51" East 26.44 feet; thence North 10°27'56" East 22.72 feet; thence North 00°44'52" East 26.36 feet; thence North 07°13'30" East 34.21 feet; thence North 01°43'01" West 45.76 feet; thence North 03°03'27" East 17.17 feet; thence North 00°44'00" East 36.41 feet; thence North 15°48'42" East 33.61 feet; thence North 20°16'37" East 35.69 feet; thence North 13°51'50" East 22.27 feet; thence North 14°42'09" East 32.52 feet; thence North 19°58'30" East 53.48 feet; thence North 21°30'42" East 55.21 feet; thence North 24°23'13" East 57.73 feet; thence North 20°52'32" East 30.74 feet; thence North 21°19'08" East 126.53 feet; thence North 40°09'37" East 35.30 feet; thence North 20°19'51" East 30.28 feet; thence North 35°48'34" East 41.18 feet; thence North 27°38'37" East 27.42 feet; thence North 25°41'55" East 37.47 feet; thence North 37°50'30" East 41.12 feet; thence

North 38°56'38" East 41.70 feet; thence North 31°27'03" East 45.66 feet; thence North 40°27'25" East 29.16 feet; thence North 36°45'35" East 48.92 feet; thence North 45°16'39" East 41.01 feet; thence North 39°34'42" East 35.82 feet; thence North 39°01'37" East 41.57 feet; thence North 32°13'29" East 33.14 feet; thence North 29°29'05" East 32.91 feet; thence North 23°12'00" East 36.89 feet; thence North 10°53'24" East 15.15 feet; thence North 30°24'11" East 20.30 feet; thence North 26°53'15" East 32.01 feet; thence North 24°42'28" East 29.39 feet; thence North 16°58'30" East 18.90 feet; thence North 20°56'35" East 16.09 feet; thence North 36°51'02" East 14.19 feet; thence North 22°35'35" East 17.72 feet; thence North 10°19'57" West 17.11 feet; thence North 02°37'18" West 22.78 feet; thence North 09°17'00" East 26.15 feet; thence North 12°28'30" East 28.34 feet; thence North 18°05'44" East 38.03 feet; thence North 36°49'51" East 30.80 feet; thence North 36°24'24" East 23.16 feet; thence North 50°57'18" East 23.85 feet; thence North 36°56'32" East 15.98 feet; thence North 30°06'12" East 27.57 feet; thence North 31°32'33" East 26.32 feet; thence North 01°26'14" East 13.84 feet; thence North 18°22'15" East 9.31 feet; thence North 35°27'01" East 29.13 feet; thence North 23°52'15" East 14.52 feet; thence North 03°26'30" West 23.25 feet; thence North 25°26'05" West 16.59 feet; thence North 84°50'20" West 15.46 feet; thence South 67°02'41" West 20.98 feet; thence South 81°03'40" West 15.50 feet; thence North 86°23'20" West 13.87 feet; thence South 79°37'08" West 8.89 feet; thence South 48°06'13" West 27.32 feet; thence South 46°24'24" West 49.53 feet; thence South 56°45'57" West 17.10 feet; thence South 74°32'54" West 22.93 feet; thence North 88°57'33" West 10.23 feet; thence North 75°00'22" West 18.67 feet; thence North 81°21'51" West 19.28 feet; thence South 79°28'07" West 12.89 feet; thence South 67°44'21" West 13.22 feet; thence South 48°25'41" West 17.53 feet; to a point of curvature of a 5.00 foot radius curve to the left, the center of which bears South 41°34'19" East; thence westerly along the arc of said curve 0.00 feet through a central angle of 00°00'06" (chord bears South 48°25'39" West 0.00; thence South 48°25'36" West 14.66 feet; thence South 58°12'09" West 33.84 feet; thence South 67°09'31" West 26.09 feet; thence South 67°20'06" West 36.26 feet; thence South 56°16'15" West 47.08 feet; thence South 40°37'58" West 76.07 feet; thence South 63°31'51" West 9.09 feet; thence South 78°07'13" West 7.13 feet; thence North 75°58'27" West 3.79 feet; thence North 77°12'18" West 4.14 feet; thence North 62°43'06" West 6.40 feet; thence North 62°43'05" West 6.40 feet; thence North 77°28'50" West 5.08 feet; thence North 74°11'28" West 31.22 feet; thence South 88°41'30" West 23.36 feet; thence South 77°23'11" West 37.87 feet; thence South 59°55'03" West 19.33 feet; thence South 71°57'17" West 24.64 feet; thence South 70°53'37" West 22.23 feet; thence South 84°56'48" West 15.88 feet; thence North 88°56'42" West 20.93 feet; thence South 78°26'42" West 12.91 feet; thence South 83°10'23" West 22.62 feet; thence North 82°11'30" West 38.61 feet; thence North 80°31'14" West 18.54 feet; thence North 55°33'48" West 12.11 feet; thence North 18°25'59" West 15.71 feet; thence North 16°35'54" West 35.60 feet; thence North 06°13'49" West 9.62 feet; thence North 11°36'48" West 19.89 feet; thence North 07°01'19" West 11.39 feet; thence North 13°07'56" East 19.78 feet; thence North 32°29'28" East 25.54 feet; thence North 11°09'04" East 18.82 feet; thence North 09°28'24" West 19.40 feet; thence North 34°47'53" West 9.72 feet; thence North 41°12'49" West 22.19 feet; thence North 49°19'34" West 2.08 feet; thence North 07°40'57" East 70.05 feet; thence North 35°04'17" West 38.01 feet; thence North 05°58'30" East 33.00 feet; thence North 74°24'10" West 12.47 feet; thence North 73°41'03" West 47.26 feet; thence North 38°03'26" West 22.53 feet; thence North 08°04'52" East 74.96 feet; thence North 33°51'44" East 66.38 feet; thence North 12°16'56" East 115.00 feet; thence South 25°06'42" East 33.20 feet; thence North 10°42'06" West 43.95 feet; thence North 09°20'35" West 51.14 feet; thence North 24°29'43" East 55.61 feet; thence North 05°34'23" West 48.28 feet; thence North 20°55'19" East 68.49 feet; thence North 03°31'40" East 82.92 feet; thence North 11°55'51" East 86.22 feet; thence North 02°40'29" West 81.65 feet; thence North 02°03'51" East 65.50 feet; thence North 02°20'38" West 56.51 feet; thence North 04°36'09" West 46.24 feet; thence North 10°33'16" West 92.79 feet; thence North 18°36'06" West 45.78 feet; thence North 12°22'39" West 68.97 feet; thence North 14°41'26" West 48.79 feet; thence North 26°25'25" West 68.68 feet; thence North 23°07'39" West 37.38 feet; thence North 72°53'04" East 11.08 feet; thence South 20°49'19" East 30.93 feet; thence South 39°54'53" East 32.23 feet; thence South 26°39'43" East 51.27 feet; thence South 19°09'57" East 78.20 feet; thence South 19°57'33" East 80.12 feet; thence South 18°22'19" East 86.74 feet; thence South 13°33'00" East 61.52 feet; thence South 10°21'41" East 85.87 feet; thence South 15°00'01" East 96.26 feet; thence South 05°10'27" East 112.39 feet; thence South 11°28'30" East 26.96

feet; thence South 14°59'34" East 57.37 feet; thence South 15°56'10" East 66.18 feet; thence North 78°53'03" East 32.40 feet; thence South 31°55'32" East 36.19 feet; thence North 72°38'41" East 18.75 feet; thence North 08°45'56" West 28.50 feet; thence North 19°37'24" West 23.88 feet; thence South 84°03'43" West 19.04 feet; thence North 26°48'08" West 38.04 feet; thence North 20°46'04" West 54.75 feet; thence North 11°57'59" West 29.18 feet; thence North 19°35'49" East 32.33 feet; thence North 10°06'36" East 50.96 feet; thence North 22°03'29" West 74.48 feet; thence North 07°14'06" West 70.68 feet; thence North 01°33'38" West 66.98 feet; thence North 06°51'11" West 73.79 feet; thence North 03°53'23" West 57.77 feet; thence North 02°20'18" East 60.19 feet; thence North 07°33'56" West 64.41 feet; thence North 01°35'05" West 60.82 feet; thence North 11°05'25" West 93.00 feet; thence North 08°41'01" West 48.61 feet; thence North 30°52'56" West 33.01 feet; thence North 15°23'38" East 83.37 feet; thence North 06°46'08" East 62.74 feet; thence North 10°37'43" East 135.57 feet; thence North 04°03'38" East 60.05 feet; thence North 01°16'02" West 34.91 feet; thence North 03°46'38" East 121.63 feet; thence North 01°07'40" West 94.85 feet; thence North 00°10'17" West 38.09 feet; thence North 15°03'13" East 60.43 feet; thence North 16°37'50" East 41.89 feet; thence North 09°29'35" East 37.74 feet; thence North 04°42'05" West 64.53 feet; thence North 02°48'37" West 56.76 feet; thence North 04°30'12" West 44.80 feet; thence North 12°01'41" West 55.19 feet; thence North 36°57'09" West 42.28 feet; thence North 60°42'07" West 56.85 feet; thence North 69°22'07" West 56.92 feet; thence North 43°34'28" West 24.10 feet; thence North 00°42'41" East 86.49 feet; thence North 07°21'55" East 36.22 feet; thence North 06°38'51" East 72.05 feet; thence North 29°24'31" East 53.08 feet; thence North 15°59'38" East 70.56 feet; thence North 28°49'00" East 56.67 feet; thence North 21°28'29" East 47.17 feet; thence North 01°26'04" East 73.46 feet; thence North 24°23'42" East 79.21 feet; thence North 23°05'42" East 43.97 feet; thence North 11°32'52" East 68.99 feet; thence North 10°55'54" East 59.37 feet; thence North 02°44'57" West 31.52 feet; thence North 14°12'56" West 41.64 feet; thence North 33°02'17" West 87.14 feet; thence North 20°57'18" West 32.13 feet; thence North 40°06'53" West 60.00 feet; thence North 17°42'48" West 39.87 feet; thence North 18°37'21" West 86.23 feet; thence North 04°58'14" West 50.48 feet; thence North 01°41'07" East 52.94 feet; thence North 00°03'24" West 52.69 feet; thence North 15°29'58" East 71.70 feet; thence North 19°32'57" East 73.08 feet; thence North 12°30'56" East 48.94 feet; thence North 00°18'47" West 64.22 feet; thence North 13°39'10" West 52.13 feet; thence North 20°34'52" West 56.14 feet; thence North 36°44'11" West 39.02 feet; thence North 44°29'20" West 50.49 feet; thence North 61°54'09" West 46.51 feet; thence North 45°37'35" West 63.91 feet; thence North 41°56'49" West 86.80 feet; thence North 42°46'12" West 49.97 feet; thence North 27°02'15" West 63.36 feet; thence North 14°59'03" West 43.44 feet; thence North 11°11'51" West 38.14 feet; thence North 08°24'57" West 62.76 feet; thence North 06°53'48" West 37.78 feet; thence North 13°23'06" West 30.94 feet; thence North 25°21'41" West 61.51 feet; thence North 18°31'25" West 63.35 feet; thence North 06°13'57" West 47.93 feet; thence North 08°26'36" East 34.18 feet; thence North 25°02'31" East 41.42 feet; thence North 12°29'38" West 55.67 feet; thence North 21°38'25" East 21.83 feet; thence North 09°16'25" East 8.20 feet; thence North 51°04'05" West 47.22 feet; thence South 82°35'18" West 28.84 feet; thence North 66°49'03" West 23.19 feet; thence South 86°31'58" West 27.33 feet; thence South 81°31'50" West 64.97 feet; thence South 62°56'01" West 63.46 feet; thence South 41°17'48" West 34.28 feet; thence South 71°47'05" West 38.59 feet; thence South 33°07'39" West 87.23 feet; thence South 47°32'28" West 37.72 feet; thence South 16°36'07" West 30.38 feet; thence South 37°53'46" West 61.60 feet; thence South 27°03'01" West 59.15 feet; thence South 35°54'08" West 81.38 feet; thence South 37°32'17" West 56.36 feet; thence South 08°49'19" West 44.02 feet; thence South 13°58'51" West 54.05 feet; thence South 41°51'34" West 33.11 feet; thence North 09°28'58" East 92.12 feet; thence North 10°36'09" East 96.15 feet; thence North 15°25'51" East 114.11 feet; thence North 27°39'49" East 89.70 feet; thence North 04°25'41" East 91.07 feet; thence North 29°39'19" East 121.52 feet; thence North 37°33'10" East 81.82 feet; thence North 55°31'12" East 106.65 feet; thence North 60°28'47" East 47.13 feet; thence North 50°14'53" East 76.90 feet; thence North 60°30'50" East 82.51 feet; thence North 67°56'21" East 37.20 feet; thence North 68°21'22" East 129.69 feet; thence South 88°39'35" East 76.87 feet; thence South 76°56'44" East 47.75 feet; thence North 33°31'26" East 21.87 feet; thence North 55°24'16" West 40.33 feet; thence North 74°33'39" West 85.94 feet; thence South 82°36'41" West 63.01 feet; thence South 70°12'30" West 40.97 feet; thence South 68°45'51" West 50.22 feet; thence South 80°04'45" West 36.56 feet; thence South 83°48'10" West 46.04 feet; thence South

48°03'20" West 62.99 feet; thence South 50°56'05" West 60.41 feet; thence South 60°03'24" West 49.86 feet; thence South 37°31'08" West 57.98 feet; thence South 70°18'21" West 41.00 feet; thence South 43°55'12" West 42.36 feet; thence South 79°42'10" West 25.76 feet; thence South 39°03'53" West 119.79 feet; thence South 03°38'27" West 36.23 feet; thence South 33°53'43" West 137.88 feet; thence South 01°16'26" East 59.37 feet; thence South 24°32'49" West 124.47 feet; thence South 23°50'43" West 68.77 feet; thence South 17°00'02" West 112.66 feet; thence South 18°11'27" West 119.51 feet; thence South 22°10'15" West 156.49 feet; thence South 21°35'33" West 128.21 feet; thence South 22°14'22" West 114.91 feet; thence South 28°04'30" West 128.29 feet; thence South 29°53'33" West 102.43 feet; thence South 38°24'40" West 114.12 feet; thence South 33°59'48" West 114.49 feet; thence South 78°49'02" West 112.62 feet; thence North 47°30'40" West 143.92 feet; thence North 88°24'36" West 127.40 feet; thence North 55°16'57" West 77.57 feet; thence North 39°00'02" West 98.54 feet; thence North 40°39'52" West 95.28 feet; thence North 42°19'24" West 86.51 feet; thence North 41°51'16" West 71.95 feet; thence North 83°35'18" West 151.54 feet; thence South 77°54'51" West 129.86 feet; thence South 83°48'04" West 209.84 feet; thence North 71°50'42" West 212.60 feet; thence North 51°19'11" West 88.11 feet; thence North 44°21'28" West 153.77 feet; thence North 41°31'20" West 108.66 feet; thence North 36°02'52" West 127.07 feet; thence North 43°26'58" West 88.33 feet; thence North 43°56'25" West 145.31 feet; thence South 89°17'42" West 97.44 feet; thence South 69°47'21" West 108.39 feet; thence South 57°19'13" West 73.60 feet; thence South 25°20'31" West 165.59 feet; thence South 02°31'41" West 84.08 feet; thence South 06°28'29" West 120.59 feet; thence South 08°23'00" West 137.68 feet; thence South 10°10'07" East 75.06 feet; thence South 23°02'50" East 73.89 feet; thence South 04°50'25" East 101.82 feet; thence South 10°09'20" East 121.87 feet; thence South 13°46'15" East 127.29 feet; thence South 07°38'02" East 142.55 feet; thence South 11°08'11" East 150.18 feet; thence South 07°25'43" East 114.44 feet; thence South 01°24'35" West 97.90 feet; thence South 07°38'46" East 66.37 feet; thence South 64°02'52" West 86.20 feet; thence South 89°27'26" West 119.28 feet; thence North 78°00'19" West 213.92 feet; thence North 80°59'55" West 211.57 feet; thence North 64°56'16" West 229.67 feet; thence North 79°56'19" West 136.38 feet; thence South 68°44'22" West 99.82 feet; thence South 23°54'51" West 109.86 feet; thence South 29°15'22" West 119.17 feet; thence South 23°56'27" West 97.83 feet; thence South 19°49'51" West 174.91 feet; thence South 19°05'02" West 210.84 feet; thence South 19°21'37" West 292.10 feet; thence South 12°12'09" West 151.68 feet; thence South 24°07'16" West 94.44 feet; thence South 22°51'32" West 162.13 feet; thence South 13°48'07" West 150.22 feet; thence South 45°13'33" East 204.27 feet; thence South 31°20'01" East 109.24 feet; thence South 31°03'00" East 115.77 feet; thence South 88°03'31" West 149.83 feet; thence South 83°41'58" West 99.55 feet; thence South 73°28'26" West 67.82 feet; thence South 15°54'36" West 92.83 feet; thence South 16°21'17" West 80.78 feet; thence South 00°35'21" East 73.70 feet; thence South 02°38'21" West 86.93 feet; thence South 00°47'18" West 92.52 feet; thence South 16°40'45" East 70.80 feet; thence South 24°24'59" East 133.30 feet; thence South 28°23'24" East 136.15 feet; thence South 29°18'00" East 58.57 feet; thence South 29°18'00" East 10.82 feet; thence South 02°51'53" West 22.65 feet; thence South 78°29'41" West 31.19 feet; thence North 50°51'39" West 70.78 feet; thence North 41°10'32" West 95.42 feet; thence North 41°21'03" West 120.39 feet; thence North 31°48'39" West 219.79 feet; thence North 23°48'07" West 188.08 feet; thence North 44°54'16" West 118.43 feet; thence North 52°01'21" West 85.02 feet; thence North 30°22'42" West 83.29 feet; thence North 52°53'48" West 100.78 feet; thence North 57°06'15" West 70.65 feet; thence North 81°06'34" West 47.03 feet; thence North 61°50'35" West 131.13 feet; thence North 49°50'38" West 55.49 feet; thence North 38°59'02" West 75.14 feet; thence North 28°23'58" West 64.10 feet; thence North 12°26'39" West 104.32 feet; thence North 13°29'38" East 74.36 feet; thence North 38°33'59" East 86.98 feet; thence North 12°24'28" East 37.87 feet; thence North 13°22'19" West 46.79 feet; thence North 09°28'26" East 48.11 feet; thence North 29°28'43" East 33.22 feet; thence North 12°39'48" West 23.11 feet; thence North 72°25'20" West 29.71 feet; thence North 85°21'49" West 71.15 feet; thence North 78°46'18" West 58.20 feet; thence North 75°45'03" West 62.91 feet; thence North 35°19'26" West 20.95 feet; thence North 06°19'31" East 62.68 feet; thence North 26°50'54" East 24.93 feet; thence North 67°08'49" East 33.92 feet; thence North 53°32'49" East 37.26 feet; thence North 39°19'14" East 34.96 feet; thence North 57°32'04" East 39.77 feet; thence North 30°02'55" East 25.89 feet; thence North 01°15'20" East 21.56 feet; thence North 30°50'21" West 20.43 feet; thence North

45°39'38" West 22.31 feet; thence North 32°04'56" West 37.37 feet; thence North 22°42'06" West 25.70 feet; thence North 08°24'58" West 32.75 feet; thence North 31°05'39" West 26.66 feet; thence North 42°35'51" West 54.16 feet; thence North 02°01'24" East 36.85 feet; thence North 36°48'22" West 55.58 feet; thence North 24°50'02" West 45.20 feet; thence North 17°35'09" West 31.24 feet; thence North 06°09'08" East 63.51 feet; thence North 58°55'04" West 97.15 feet; thence North 42°07'20" West 87.69 feet; thence North 62°37'42" West 46.54 feet; thence North 34°45'00" West 22.74 feet; thence North 12°57'15" West 49.85 feet; thence North 21°09'56" East 22.28 feet; thence North 57°50'11" East 29.69 feet; thence North 76°47'46" East 68.83 feet; thence North 33°33'15" East 18.56 feet; thence North 03°07'45" West 39.05 feet; thence North 21°38'57" West 74.14 feet; thence North 39°54'16" West 18.19 feet; thence North 66°41'04" West 20.50 feet; thence North 83°44'47" West 28.78 feet; thence South 85°08'36" West 63.17 feet; thence South 84°44'54" West 46.34 feet; thence North 50°00'48" West 30.82 feet; thence North 05°43'48" East 8.77 feet; thence North 23°03'35" East 49.01 feet; thence North 02°07'46" West 25.58 feet; thence North 29°20'25" West 35.42 feet; thence North 27°07'47" West 34.32 feet; thence North 02°33'20" East 43.29 feet; thence North 31°54'10" West 18.18 feet; thence North 71°56'37" West 26.44 feet; thence South 79°19'13" West 15.78 feet; thence North 75°11'24" West 19.79 feet; thence North 63°46'22" West 39.05 feet; thence North 74°38'26" West 45.63 feet; thence North 87°41'45" West 30.04 feet; thence South 80°53'38" West 32.19 feet; thence North 84°14'26" West 47.74 feet; thence North 67°33'26" West 14.57 feet; thence North 84°22'41" West 34.28 feet; thence North 75°01'20" West 69.39 feet; thence North 74°00'52" West 65.67 feet; thence North 85°06'50" West 29.61 feet; thence South 83°41'06" West 30.59 feet; thence North 63°33'30" West 36.60 feet; thence North 17°44'16" West 8.47 feet; thence South 78°58'48" West 10.00 feet; thence North 85°41'47" West 68.96 feet; thence South 87°36'58" West 24.91 feet; thence North 66°23'52" West 58.28 feet; thence North 53°50'24" West 23.29 feet; thence North 33°22'35" West 55.12 feet; thence North 37°18'21" West 71.64 feet; thence North 37°48'19" West 51.69 feet; thence North 52°27'49" West 76.33 feet; thence North 71°51'14" West 88.88 feet; thence North 71°39'55" West 94.29 feet; thence North 76°43'29" West 32.65 feet; thence North 85°02'12" West 30.84 feet; thence North 63°07'13" West 23.54 feet; thence North 48°45'49" West 38.91 feet; thence North 50°40'15" West 67.50 feet; thence North 55°23'38" West 92.09 feet; thence North 61°19'33" West 38.90 feet; thence North 86°13'54" West 37.58 feet; thence South 60°23'04" West 33.66 feet; thence South 82°15'46" West 20.83 feet; thence South 58°57'54" West 28.93 feet; thence South 02°54'14" West 4.30 feet; thence North 66°05'57" West 29.89 feet; thence South 77°11'39" West 46.19 feet; thence South 73°45'30" West 56.14 feet; thence South 60°19'29" West 96.35 feet; thence South 70°32'23" West 83.83 feet; thence South 84°14'59" West 37.90 feet; thence South 54°26'51" West 25.36 feet; thence South 84°58'49" West 55.33 feet; thence South 49°26'52" West 15.00 feet; thence South 78°34'50" West 13.77 feet; thence North 45°32'33" West 41.61 feet; thence North 03°53'49" West 14.34 feet; thence North 36°16'02" East 64.63 feet; thence North 13°07'06" East 51.63 feet; thence North 07°19'34" East 42.75 feet; thence North 07°55'59" East 86.50 feet; thence North 03°26'02" West 108.48 feet; thence North 12°43'26" West 52.93 feet; thence North 03°24'11" West 65.87 feet; thence North 02°12'52" East 73.34 feet; thence North 24°01'55" East 60.32 feet; thence North 13°40'06" East 87.30 feet; thence North 24°15'23" East 78.62 feet; thence North 18°21'00" East 56.89 feet; thence North 05°58'08" East 32.01 feet; thence North 09°16'14" West 38.26 feet; thence North 05°04'31" East 41.04 feet; thence North 01°18'57" East 48.65 feet; thence North 15°09'31" West 60.23 feet; thence North 33°23'30" West 80.20 feet; thence North 42°56'53" West 38.18 feet; thence North 56°52'47" West 81.20 feet; thence North 58°14'24" West 34.88 feet; thence South 27°00'10" West 12.07 feet; thence South 73°03'23" West 106.42 feet; thence South 68°10'20" West 83.97 feet; thence South 76°10'00" West 43.46 feet; thence South 41°46'01" West 26.15 feet; thence South 78°58'07" West 20.24 feet; thence South 52°26'33" West 45.96 feet; thence South 47°23'49" West 95.71 feet; thence South 72°42'48" West 35.82 feet; thence North 43°02'24" West 21.08 feet; thence North 20°18'36" West 16.28 feet; thence North 27°01'04" East 76.81 feet; thence North 14°12'38" East 38.91 feet; thence North 41°43'14" East 66.92 feet; thence North 57°17'29" East 25.35 feet; thence North 02°09'26" West 23.29 feet; thence North 89°16'42" West 59.61 feet; thence North 78°03'40" West 35.81 feet; thence North 33°02'49" West 12.69 feet; thence North 03°03'32" East 77.60 feet; thence North 07°18'08" East 70.51 feet; thence North 07°33'12" West 21.54 feet; thence North 32°09'53" West 23.42 feet; thence North 40°23'01" West 59.11 feet; thence North 78°55'38" West 15.37 feet; thence South 58°24'12" West

48.93 feet; thence South 51°52'03" West 27.68 feet; thence North 45°01'31" West 34.07 feet; thence North 19°57'16" West 52.87 feet; thence North 29°14'10" West 34.14 feet; thence North 04°16'06" West 32.26 feet to a point on the northerly boundary of THE COLONY AT WHITE PINE CANYON PHASE II, recorded as Entry No.548270, and the point of terminus. Said point of terminus being North 1719.46 feet and West 2828.93 feet from said North Quarter Corner of Section 12, Township 2 South, Range 3 East, Salt Lake Base and Meridian.

IRONMAN TRAIL

That portion of a 15.0' foot trail easement being located within the boundary of PARCEL PP-8-A, PARCEL PP-10, PARCEL PP-25, PARCEL PP-25-B, THE COLONY AT WHITE PINE CANYON-PHASE 4E PINECONE RIDGE SUBDIVISION, THE COLONY AT WHITE PINE CANYON-PHASE 4E THE LAKES 1 SUBDIVISION, THE COLONY AT WHITE PINE CANYON-PHASE 4E THE LAKES 5 SUBDIVISION, being 7.5' perpendicularly distant on each side of the following described centerline:

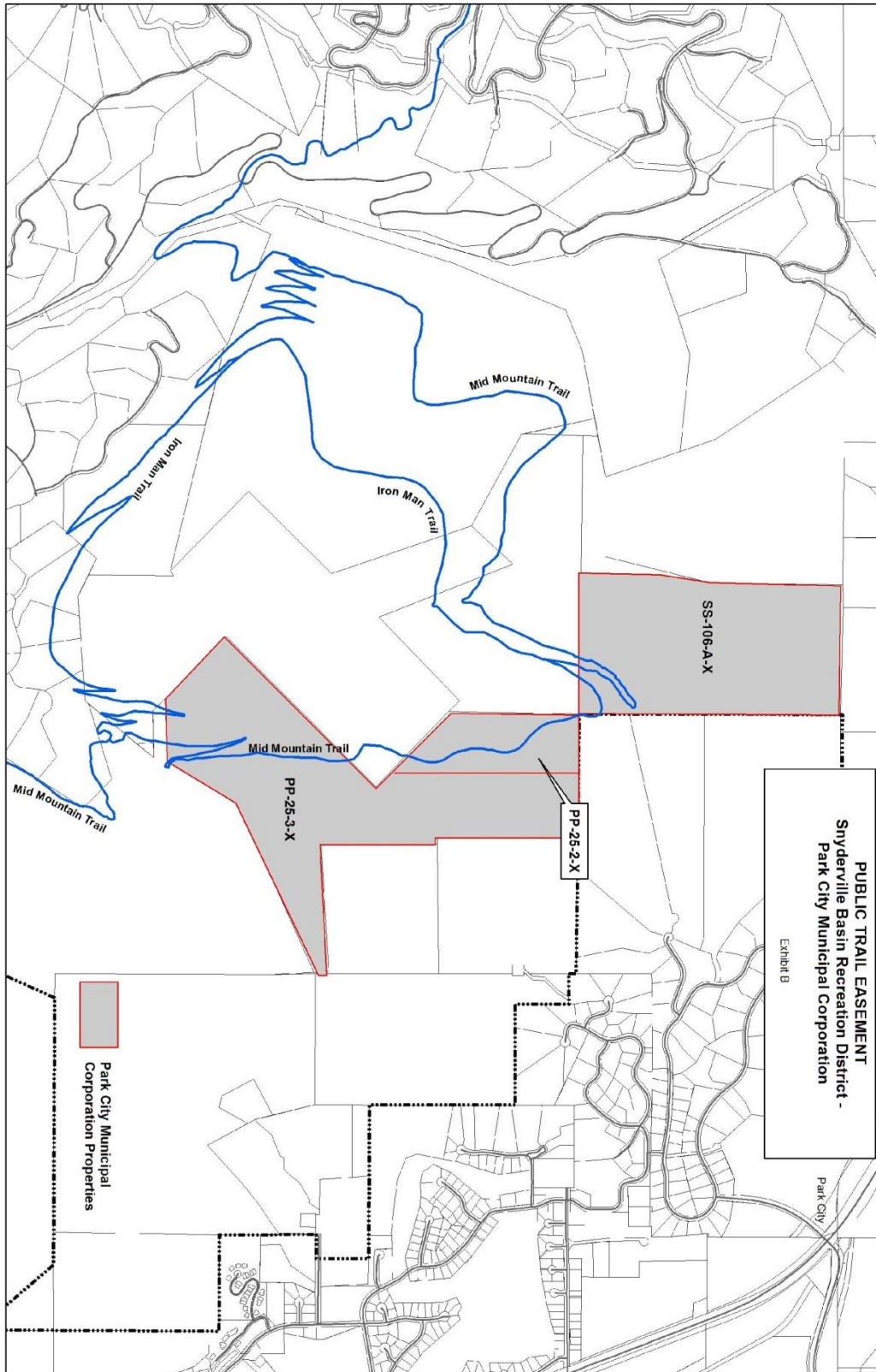
Beginning at the point of intersection of the existing Mid Mountain trail and the existing Ironman trail, said intersection being East 6,127.61 feet and South 3,502.13 feet from the North Quarter Corner of Section 12, Township 2 South, Range 3 East, Salt Lake Base and Meridian, and running thence North 49°19'34" West 18.77 feet; thence North 83°03'51" West 20.26 feet; thence South 78°39'13" West 37.39 feet; thence South 70°48'22" West 13.91 feet; thence South 55°53'24" West 17.03 feet; thence South 37°20'32" West 11.20 feet; thence South 21°21'30" West 16.08 feet; thence South 05°26'00" East 27.33 feet; thence South 33°47'54" East 13.25 feet; thence South 51°29'28" East 35.86 feet; thence South 44°07'46" East 25.67 feet; thence South 18°12'44" East 17.38 feet; thence South 13°10'57" West 5.46 feet; thence South 52°41'53" West 6.39 feet; thence North 85°32'43" West 36.25 feet; thence North 79°29'59" West 25.55 feet; thence North 64°38'37" West 30.49 feet; thence North 54°39'07" West 22.44 feet; thence North 33°06'57" West 31.01 feet; thence North 15°30'22" West 24.31 feet; thence North 00°30'27" East 26.21 feet; thence North 15°54'28" East 18.98 feet; thence North 33°25'57" East 42.09 feet; thence North 11°33'50" East 15.17 feet; thence North 09°28'10" West 14.72 feet; thence North 01°17'47" East 71.29 feet; thence North 14°57'10" West 86.70 feet; thence North 04°50'07" West 69.51 feet; thence North 76°51'44" West 5.86 feet; thence South 17°09'00" West 40.66 feet; thence South 14°15'05" East 67.57 feet; thence South 01°51'48" West 68.95 feet; thence South 14°55'34" West 71.62 feet; thence South 23°28'37" West 102.14 feet; thence South 20°28'59" West 46.90 feet; thence South 19°17'37" West 33.52 feet; thence South 45°34'07" West 3.38 feet; thence South 62°13'01" West 9.92 feet; thence North 03°54'14" East 10.68 feet; thence North 14°00'49" East 53.19 feet; thence North 11°34'30" East 104.99 feet; thence North 04°58'33" East 67.46 feet; thence North 12°17'48" West 75.14 feet; thence North 20°27'19" West 79.24 feet; thence North 04°50'41" East 91.87 feet; thence North 04°00'48" East 110.71 feet; thence North 11°38'44" East 44.76 feet; thence North 00°42'11" West 76.17 feet; thence North 09°02'07" East 54.05 feet; thence North 05°19'34" East 72.13 feet; thence North 02°41'00" East 106.00 feet; thence North 86°28'34" West 8.20 feet; thence South 13°20'42" West 8.73 feet; thence South 13°29'43" West 81.94 feet; thence South 11°30'09" West 61.17 feet; thence South 11°10'54" West 40.89 feet; thence South 18°50'41" West 127.14 feet; thence South 22°10'22" West 108.12 feet; thence South 05°31'57" West 125.39 feet; thence South 01°39'14" East 118.80 feet; thence South 12°18'47" West 78.20 feet; thence South 15°22'03" West 89.35 feet; thence South 11°39'51" West 118.59 feet; thence South 10°35'57" West 111.77 feet; thence South 16°01'06" West 90.89 feet; thence South 17°32'00" West 37.53 feet; thence South 26°05'16" West 21.40 feet; thence North 65°52'58" West 13.93 feet; thence North 18°16'55" East 45.43 feet; thence North 07°00'06" East 75.45 feet; thence North

07°08'21" East 13.82 feet; thence North 07°08'21" East 32.17 feet; thence North 02°45'28" East 48.26 feet; thence North 03°04'52" East 55.29 feet; thence North 02°35'11" West 56.71 feet; thence North 00°51'30" West 41.00 feet; thence North 05°06'10" East 88.01 feet; thence North 83°02'14" West 9.70 feet; thence South 13°06'01" West 13.20 feet; thence South 09°51'43" West 50.05 feet; thence South 12°01'56" West 60.44 feet; thence South 07°24'58" West 80.17 feet; thence South 16°39'26" West 77.31 feet; thence South 17°45'14" West 27.57 feet; thence South 19°45'03" West 29.03 feet; thence South 29°26'38" West 21.65 feet; thence South 28°52'55" West 66.90 feet; thence South 40°03'33" West 90.57 feet; thence South 43°22'38" West 81.14 feet; thence South 35°55'31" West 80.23 feet; thence South 48°47'49" West 56.14 feet; thence South 62°07'31" West 66.66 feet; thence South 75°19'48" West 25.65 feet; thence South 74°32'38" West 56.00 feet; thence North 84°05'33" West 69.27 feet; thence North 88°17'33" West 61.81 feet; thence North 62°53'39" West 23.93 feet; thence South 89°12'20" West 53.65 feet; thence North 81°00'16" West 42.08 feet; thence North 80°09'49" West 97.37 feet; thence North 88°04'34" West 30.92 feet; thence North 78°55'48" West 64.03 feet; thence North 67°03'35" West 99.46 feet; thence North 72°35'57" West 75.03 feet; thence North 56°08'34" West 88.84 feet; thence North 60°19'54" West 89.14 feet; thence North 67°04'04" West 114.21 feet; thence North 59°44'39" West 77.66 feet; thence North 64°47'45" West 49.54 feet; thence North 53°34'41" West 113.88 feet; thence North 52°17'18" West 128.88 feet; thence North 52°12'12" West 145.47 feet; thence North 38°33'29" West 158.80 feet; thence North 38°55'31" West 133.11 feet; thence North 47°30'40" West 88.76 feet; thence South 50°12'54" West 14.20 feet; thence South 34°00'56" East 146.14 feet; thence South 28°07'52" East 81.03 feet; thence South 21°25'40" East 107.26 feet; thence South 26°33'58" East 138.37 feet; thence South 32°14'09" East 134.30 feet; thence South 31°20'07" East 130.27 feet; thence North 52°12'52" West 114.29 feet; thence North 48°39'46" West 121.34 feet; thence North 45°43'54" West 127.35 feet; thence North 35°28'24" West 126.21 feet; thence North 57°33'44" West 17.58 feet; thence North 43°43'51" West 39.01 feet; thence North 44°02'00" West 41.04 feet; thence North 25°33'36" West 64.36 feet; thence North 40°58'09" West 55.16 feet; thence North 39°48'21" West 83.31 feet; thence North 39°55'06" West 45.98 feet; thence North 49°58'16" West 33.94 feet; thence North 43°22'31" West 69.20 feet; thence North 41°33'05" West 43.93 feet; thence North 60°07'57" West 91.31 feet; thence North 51°02'24" West 61.74 feet; thence North 40°00'38" West 62.70 feet; thence North 57°55'27" West 58.55 feet; thence North 40°16'15" West 77.40 feet; thence North 41°06'50" West 83.85 feet; thence North 56°54'56" West 40.05 feet; thence North 43°46'34" West 91.04 feet; thence North 44°34'14" West 77.46 feet; thence North 46°38'07" West 60.61 feet; thence North 61°38'28" West 38.99 feet; thence North 30°41'16" West 29.63 feet; thence North 54°16'07" West 98.76 feet; thence North 42°13'12" West 106.09 feet; thence North 64°06'23" West 49.08 feet; thence North 14°04'42" West 42.21 feet; thence North 71°21'04" West 49.36 feet; thence North 38°37'19" West 96.49 feet; thence North 46°11'43" West 73.60 feet; thence North 45°44'01" West 93.01 feet; thence North 35°28'10" West 101.41 feet; thence North 65°34'32" West 29.98 feet; thence North 21°24'30" West 77.48 feet; thence North 37°20'17" West 35.59 feet; thence North 18°33'56" West 16.77 feet; thence North 49°01'00" West 70.22 feet; thence North 23°32'50" West 88.37 feet; thence North 23°33'02" West 64.26 feet; thence North 12°22'13" West 61.14 feet; thence North 07°48'08" West 77.93 feet; thence North 00°11'50" East 52.86 feet; thence North 09°40'16" East 79.33 feet; thence North 22°32'17" East 58.23 feet; thence North 23°53'23" East 53.01 feet; thence North 22°51'46" East 95.70 feet; thence North 32°00'28" East 69.87 feet; thence North 46°00'29" East 61.82 feet; thence North 47°39'54" East 64.51 feet; thence North 60°53'46" East 60.50 feet; thence North 72°16'56" East 67.41 feet; thence North 88°40'19" East 134.25 feet; thence South 81°30'50" East 82.69 feet; thence South 66°22'04" East 70.81 feet; thence South 62°50'03" East 94.18 feet; thence South 84°17'06" East 49.29 feet; thence South 62°01'33" East 40.61 feet; thence South 80°15'57" East 53.10 feet; thence South 80°31'06" East 78.38 feet; thence South 89°40'27" East 74.06 feet; thence North 80°40'11" East 96.82 feet; thence North 85°02'01" East 44.90 feet; thence North 84°45'22" East 66.99 feet; thence North 74°16'51" East 35.45 feet; thence North 32°16'25" East 48.24 feet; thence North 29°30'51" East 66.62 feet; thence North 17°15'37" East 48.55 feet; thence North 05°30'40" East 101.58 feet; thence North 22°30'49" East 57.34 feet;

thence North 05°13'48" East 57.65 feet; thence North 03°53'51" East 47.62 feet; thence North 23°42'59" East 49.58 feet; thence North 01°24'20" East 71.72 feet; thence North 00°17'51" West 77.97 feet; thence North 16°25'01" East 95.92 feet; thence North 14°04'38" East 28.91 feet; thence North 04°34'39" East 40.54 feet; thence North 12°25'29" East 56.55 feet; thence North 19°29'12" East 59.58 feet; thence North 19°03'49" East 71.87 feet; thence North 23°43'03" East 52.95 feet; thence North 14°38'58" East 74.53 feet; thence North 32°36'50" East 57.50 feet; thence North 15°09'16" East 50.67 feet; thence North 48°13'33" East 47.10 feet; thence North 35°08'11" East 37.62 feet; thence North 43°46'03" East 78.90 feet; thence North 46°13'51" East 76.53 feet; thence North 51°04'16" East 41.25 feet; thence North 71°35'29" East 37.21 feet; thence North 51°36'54" East 64.64 feet; thence North 60°36'41" East 51.40 feet; thence North 80°00'59" East 80.12 feet; thence North 73°56'38" East 62.77 feet; thence South 69°09'34" East 55.61 feet; thence South 47°47'32" East 86.62 feet; thence South 58°14'07" East 108.64 feet; thence South 69°01'14" East 77.18 feet; thence North 88°16'48" East 59.15 feet; thence South 82°02'45" East 84.08 feet; thence North 87°05'24" East 41.64 feet; thence South 48°15'43" East 54.96 feet; thence South 37°18'18" East 72.99 feet; thence South 70°36'48" East 65.25 feet; thence South 56°28'12" East 89.66 feet; thence North 19°17'38" West 47.63 feet; thence North 64°37'46" East 56.04 feet; thence North 43°59'54" East 49.02 feet; thence North 44°41'20" East 68.76 feet; thence North 37°57'03" East 101.30 feet; thence North 36°56'52" East 69.59 feet; thence North 31°24'35" East 87.96 feet; thence North 05°24'08" East 55.56 feet; thence North 41°35'25" East 94.78 feet; thence North 16°54'35" East 40.60 feet; thence North 32°17'33" East 31.19 feet; thence North 13°34'13" East 48.30 feet; thence North 27°12'49" East 68.87 feet; thence North 20°58'08" East 71.52 feet; thence North 12°01'46" East 61.37 feet; thence North 24°02'58" East 83.52 feet; thence North 12°20'17" East 105.64 feet; thence North 18°57'04" East 110.09 feet; thence North 22°58'53" East 32.52 feet; thence North 08°04'41" East 50.97 feet to a point on the existing Mid Mountain trail and point of terminus. Said point of terminus being East 5,310.06 feet and North 944.07 feet from said North Quarter Corner of Section 12, Township 2 South, Range 3 East, Salt Lake Base and Meridian.

EXHIBIT B

(Site Map)





DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

Each week during the 2018 Legislative Session, staff will provide a verbal update and synopsis of the Session to date, as well as an updated Legislative bill tracking list at the meeting for Council and the public's review.

Respectfully:

Michelle Kellogg, City Recorder



DATE: March 8, 2018

TO HONORABLE MAYOR AND COUNCIL

In June of 2017, staff started exploring options to enhance neighborhood connectivity to and from Main Street along with providing safer options for residents to avoid Hillside Avenue. Additionally, staff wanted to provide aesthetic improvements and erosion control on the existing soft surface trail. Council should review the bid analysis and approve the award of the construction agreement in order to proceed with the construction of the Chambers soft-surface trail.

Respectfully:

Julia Collins, Senior Transportation Planner

Redevelopment Agency Staff Report

Subject: Chambers Trail Project Contract Award

**Author: Julia Collins, Senior Transportation Planner
Logan Jones, Trails and Open Space Coordinator**

Department: Transportation Planning and Sustainability

Date: March 8, 2018

Type of Item: Administrative – Award of Construction Contract by the Redevelopment Agency

Summary Recommendation

Staff requests the City Council, acting as the governing board of the Redevelopment Agency (RDA), authorize the City Manager to Execute a contract with Earthworks Landscape for the construction of Chambers Trail, in a form approved by the City Attorney's Office in the amount of Forty Four Thousand Eight hundred and Eighty Dollars (\$44,880).

Executive Summary

In June of 2017, staff started exploring options to enhance neighborhood connectivity to and from Main Street along with providing safer options for residents to avoid Hillside Avenue. Additionally, staff wanted to provide aesthetic improvements and erosion control on the existing soft surface trail. Council should review the bid analysis and approve the award of the construction agreement in order to proceed with the construction of the Chambers soft-surface trail.

The Opportunity

In June of 2017, staff worked with Alliance Engineering Inc. to design trail improvements to the existing soft-surface trail in the Chambers Right of Way (ROW). Alliance Engineering Inc. was procured to support the engineering design, survey and construction support for the project. As part of the design development and refinement, staff conducted extensive neighborhood outreach by means of in-person discussions with 16 residents, email communication and hand delivered 35+ letters in the surrounding neighborhoods: Grant Avenue, Main Street, Hillside Avenue, Prospect Street and Sandridge Avenue. The public outreach effort aimed to gather and incorporate the community's comments in the development of a final design, trail features, and alignment for the trail enhancement project. The neighborhood comments were in support of the project, refined alignment and their feedback was incorporated into the overall trail design. The design of the trail will look to enhance the function, safety, and aesthetics of the existing trail. The project will provide additional connections and improvements to support trail accessibility between Hillside Avenue, Swede Alley and Main Street.

Analysis

On Thursday October 5th, 2017 a public bid opening was held at the Marsac building 3rd floor. The construction bidding saw a lack of ready and willing respondents to the construction project. Alliance Engineering Inc. advised staff that this may be due to the

seasonality of the construction bidding as many companies are trying to complete existing projects before the winter season.

Staff and Alliance Engineering decided to revisit the bid early in 2018. The Invitation to Bid was advertised on January 20, 2018 and again on January 24, 2018 in the Park Record. The invitation to bid was posted on January 18, again on January 20, then again on January the 22nd, 2018 in the Salt Lake Tribune. Additionally, the Advertisement was posted on the City's website, e-notify and Utah Legals website. On February 13, 2018 a public bid opening was held at the Marsac building 3rd floor. There were four bidders on the project and the bids are as follows:

Bidder	Base Bid
Earthworks Landscape	\$ 44,880.25
England Construction	\$ 198,895.00
MC Contractors	\$ 149,255.00
Beck Construction & Exc	\$ 237,675.00

Earthworks Landscaping L.L.C construction company was the lowest responsive and responsible bidder. The bid was reviewed and determined to be compliant with the terms of the construction and bid documents. The current bidding climate is competitive and the inconsistency in the bid received could be due to Earthworks Landscape's familiarity with Park City and other comparable projects such as the recent Poison Creek Trail expansion and landscaping work on the Comstock Tunnel. Earthworks Landscape bid is also aligned with the original engineering estimate from Alliance Engineering which ranged between \$40,000 and \$50,000. The construction of the Chambers Trail is anticipated to commence in late April, early May 2018 with completion by the end of June 2018.

Staff will notify the residents of the updated project timeline and anticipated construction through e-mail or door-to-door outreach. Given that the new project alignment will be routed through the Chambers Right of Way, staff is recommending the name for this trail be "Chambers Trail," which is a significant shift from the previous unfriendly name.

Alternatives for City Council to Consider

Recommended Alternative: Staff recommends: Council authorize the City Manager to enter into a construction agreement in a form approved by the City Attorney's Office with Earthworks L.L.C., in the amount of Forty Four Thousand Eight hundred and Eighty Dollars (\$44,880).

Pros

1. The project recommended by staff is within the RDA Budget.
2. The bid is in line with the past costs of trail construction.
3. The overall improvements will not be further delayed.
4. The project will not compete with the construction slated in the area for 2018.

Cons

- a. There will be construction related impacts for the improvements in the construction area.

Null Alternative: Council could choose to postpone the project at this time.

Pros:

- a. Money will not be allocated.

Cons:

- a. The neighborhood will not see increased trail connectivity and access to/from Main Street and Hillside Avenue.
- b. The erosion issue on the trail could become hazardous to the historic rock walls and the trail could be negatively impacted over longer periods of time unless dealt with.

Department Review

This report has been reviewed by Sustainability, Transportation, City Attorney's Office, and City Manager.

Funding Source

Funding for this project will come from the Old Town Stairs Main Street Redevelopment Agency. There is currently approximately \$489,000 budgeted in the Old Town Stairs Main Street RDA Budget.

Attachments Exhibit A Project location

Soft Surface Recreational Trail

