



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
March 6, 2014**

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 6, 2014.

Closed Session

2:00 Property, Personnel and Litigation
3:25 Break

Work Session

3:30	Council Questions and Comments and Manager's Report	PG 6
3:40	Legislative Update	
3:50	Blue Ribbon Commission Recommendations	PG 8
4:20	RAB Visioning update	PG 25
4:40	General Plan Discussion	PG 40
5:35	Main Street Construction Update	
5:50	Break	

Regular Meeting

6:00 pm

- I. ROLL CALL
- II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF
- III. PUBLIC INPUT (*Any matter of City business not scheduled on the agenda*)
- IV. MINUTES FROM THE MEETING ON FEBRUARY 27, 2014 PG 56
- V. CONSENT AGENDA (Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon)
 1. Consideration of approval of creating a Historic Building Web App using our GIS map data and the Historic District being conducted by CRSA PG 70
 2. Consideration of approval of the Utah Department of Transportation's (UDOT)/City/County Cooperative Agreement associated with the Highway 40 underpass project. PG 82

3. Consideration of authorizing the City Manager to enter into a construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. in the amount of Fifteen Thousand Three Hundred Twenty Dollars (\$15,320.00) for the Main Street Improvements Project PG 91

VI. NEW BUSINESS

1. Consideration of a Master Festival License for an Olympic Parade and Celebration, as conditioned, on April 6th 2014 PG 101
 - (a) Public Hearing
 - (b) Action
2. Consideration of a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approved by the City Attorney. PG 106
3. Consideration of Authorizing the City Manager to execute a Professional Services Agreement with CH2M Hill, Inc. for engineering services in the amount of \$56,566 for a Well Source Alternatives Assessment in a form approved by the City Attorney. PG 127
4. Consideration of approval of the Fluter Subdivision Plat Amendment located at 225 Woodside Avenue, based on the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney. PG 142
 - (a) Public Hearing
 - (b) Action
5. Consideration of approval of The Retreat at the Park First Amended Plat Amendment located at 1450 / 1460 Park Avenue based on the findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. PG 167
 - (a) Public Hearing
 - (b) Action
6. Consideration of approval of the 115 Sampson Avenue plat amendment located at the same address, based on the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney PG 181
 - (a) Public Hearing
 - (b) Action
7. Consideration of approval of the 1185 Empire Avenue Second Plat Amendment based on the findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. PG 216
 - (a) Public Hearing
 - (b) Action
8. Consideration of an Ordinance adopting the Park City General Plan. PG 40
 - (a) Public Hearing
 - (b) Action

9. Consideration of plat amendment at Snyder's Addition to Park City Amended Lot 1, Block 15, located at 901 Norfolk Avenue
 - (a) Public Hearing
 - (b) Motion to Continue to April 17, 2017 meeting
10. Consideration of a plat amendment at the North Silver Lake Condominiums located at 7101 Silver Lake Drive, Record of Survey.
 - (a) Public Hearing
 - (b) Motion to continue to May 8, 2014

VII. ADJOURNMENT

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

Posted: 03/03/2014 See: www.parkcity.org

TENTATIVE MASTER CALENDAR

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

March

6 **See Agenda**

13 **No Meeting- Last Day of Legislative Session**

20 **WORK**

Verbal Update on Leg- Matt D

CONSENT

Approval of a change in number of on-mountain affordable Housing units – Flagstaff
Housing Plan and Development Agreement
Ice Flooring Contract-Mike

REGULAR

1049 Park Avenue plat amendment- Hearing/Action

HOUSING AUTHORITY MEETING

Housing Authority for Flagstaff housing plan

27 **WORK**

UDOT Region II Director on 2014 UDOT project -30 mins
Golf Course Update- Craig 30 mins

REGULAR

April

3 **Study**

Environmental Study Session-Energy

Work

Parking Management Update-15 Ken/Brian

Regular

Resolution honoring Park City Olympians

10 **No Meeting- ULCT Spring Conference**

17 **Work**

Regular

Snyder's Addition to Park City Amended Lot 1, Block 15, located at 901 Norfolk Avenue
Plat Amendment PL-13-02180 – continued from March 6th

24

May

1 **No Meeting**

8 **WORK**
North Silver Lake Condominium Plat, located at 7101 Silver Lake Drive, Record of Survey- PL-13-02225-continued from March 6th
REGULAR

15 **WORK**

REGULAR

22 **No Meeting**

29 **WORK**

REGULAR

Pending Items:

Latino Community outreach and engagement – study

Amendment to the housing resolution – for regular council – RS

Consideration of an Ordinance approving the McHenry Subdivision Replat Amendment located at 496 McHenry Avenue, Park City Survey, Park City, Utah

Ordinance 2519 Lucky John Drive – Plat Amendment PL-13-01980- KW

Gamble Oak Easements, new, Heinrich

Consideration of City Property Disposition Resolution-Heinrich

Ice Naming Rights



To: Honorable Mayor/Members of City Council

From: City Manager's Office

MANAGER'S REPORT – March 6, 2013

**Field Lights at Quinns
Submitted by Ken Fisher**

Currently two of the fields located at the Park City Sports Complex have field lights. The use of these lights are outlined in the Lighting Management Plan (attachment 1).

In addition the sports lights were found to be in compliance with the Land Management Code (LMC) Section 15-5-5 (I) (11) by the current Planning Director as well as the previous Planning Director. Letter of Compliance is attachment 2.

In October 2010 a Manager's Report was submitted to Council that outlined the research staff had done with regards to installing additional shielding on the Park City Sports Complex Lights. This reports is attachment 3.

Recreation staff has recently responded to information requests from neighbors with regards to the operation of the lights at the Park City Sports Complex. Staff thought it would be best to inform Mayor & Council of the history of the lights to help increase their knowledge of the issue in case this came before them in the future.

For 2013 the lights on the Sportexe & Field D had the following usage:

January	No Usage	July	38 Hours
February	29.5 hours	August	48 hours
March	32 hours	September	30 hours
April	18 hours	October	32 hours
May	40.5 Hours	November	1.5 hours
June	52 hours	December	No Usage

Total hours for the year: 343 hours.

Attachment 1:

Lighting Management Plan -Quinn's Recreation Complex- 8-16-06

The sports lights on fields C and D at the Complex will be operated by the Recreation Complex Manager. During daylight savings hours (March to October) no games will be scheduled past 9 PM in the evening, where the game should be completed at approximately 10 PM. The lights will be turned off one half hour after the last game, and no later than 11 PM . From November through February the Sportex field may be cleared of snow and available for use. If field lights are needed then they must be turned off a half hour after the last scheduled use and no later than 8 PM.

The parking lot lights are arranged on the site to provide the minimum lighting necessary for ingress and egress to the buildings. The lights at the Ice Rink parking lot and overflow lot will be used every night throughout the year. The lower lots and lights will be used as determined by the Recreation Complex Manager.

The management of all of the lights at the Recreation Complex will be subject to change by the Police Chief, Chief Building Inspector, Fire Marshall, Fire Chief, City Attorney, City Manager, and/or City Council and as may be regulated for use by any Federal, State or City codes and ordinances.



City Council Staff Report

Subject: Blue Ribbon Commission on Mayor and Council
Compensation Recommendations
Author: Matt Dias, Assistant City Manager
Phyllis Robinson, Communications & Public Affairs Manager
Date: March 6, 2014
Type of Item: Work Session

Summary Recommendations:

Staff recommends that the Mayor and Council review the Blue Ribbon Commission's report on Mayor and Council Compensation and provide direction on proceeding with the five (5) recommendations.

Topic/Description:

Mayor and Council Compensation Study

Background:

The Mayor and Council requested staff establish a Blue Ribbon Commission (BRC) to assess and make recommendations on Mayor and Council compensation for future years.

In September 2013, a three-member selection committee reviewed and selected resident applications to serve on the Commission, and forwarded their recommendations to the Mayor/Council. The selection committee included:

- Trisha Worthington, Executive Director, The Park City Foundation
- Bill Malone, Executive Director, Park City Chamber and Visitors Bureau
- George Hull, Retired Pilot, Past Chair; Parks, Recreation & Beautification Advisory Board; Current member Friends of the Farm committee

After reviewing the selection committee's recommendations, the Mayor and Council appointed the following Park City residents to serve on the BRC:

1. Melissa Band
2. Andrew Caplan
3. Becky Kearns
4. JF Lanvers
5. Teri Orr
6. Nancy Dalaska, alternate.

Dr. Rex Facer, Associate Professor of Public Finance and Management, Romney Institute of Public Management at Brigham Young University, facilitated the BRC's deliberations. Staff members Matt Dias, Phyllis Robinson, and Jody Morrison provided staff support to the Commission.

Analysis:

Over the course of two months, the BRC examined a wide variety of issues related to the compensation of elected officials here in Park City, across Utah, and around the Nation. The BRC reviewed academic literature on municipal wages and public sector compensation and conducted surveys of Park City's elected officials (past and present) and the expansive list of Leadership Park City participants. The BRC also conducted in-person interviews with Council members and the Mayor (Council member elect and Mayor elect as well), as well as reviewed various financial indicators regarding incomes and housing.

This strategy led to extensive discussions among Commission members about what motivates individuals to seek elected office, as well as some of the potential barriers to seeking elective office. Additionally, the BRC explored whether or not compensation could be utilized as a tool to foster additional diversity and broaden community participation in Park City. The BRC was, however, always mindful that compensation should not become so attractive that it becomes a motivational factor for someone seeking elective office.

Below is a summary of the BRC's key findings and recommendations:

Key Survey Findings

- In general, the elected officials interviewed and surveyed rejected the concept that wages/benefits were a motivating factor in their decision to seek office. These respondents indicated they were more interested in shaping the future of Park City and fulfilling personal obligations of civic duty than concerned for compensation.
- The majority felt the current compensation levels were adequate given elected official time commitments and Park City's form of government.
- Respondents were divided, however, on whether an increase in compensation was necessary to attract a broader pool of candidates to office.
 - o Some felt the candidates in Park City's most recent municipal election represented a broadly talented and competitive pool of individuals, diverse in community tenure, occupation, age and gender.
 - o On the other hand, several noted that additional compensation would provide greater opportunities for segments of Park City's community currently underrepresented in public office because they lack sufficient resources and time to participate.
- Respondents felt the most significant barriers to seeking public office were time commitments, conflicts with occupational obligations, and the financial implications.
- When data was analyzed by age, the 30–49 age group indicated that, while money not a motivating factor, most could not afford to forego a salaried position.
 - o This group also indicated that they lacked the financial resources necessary to fund a political campaign.

Compensation Methodologies Analysis

- The BRC spent considerable time discussing the qualities of the other communities selected by City staff to conduct the biannual comparative wage analysis.
 - A sample of communities in the most recent wage comparison includes Summit County, St. George, Orem, Draper and Aspen (CO).
- The BRC also reviewed annual operating budgets and population data for most of the comparable communities and found that several bore little resemblance to Park City, with the exception of Summit County and Aspen.
- As a result, the BRC expanded its analysis to include jurisdictions they felt better aligned with Park City; demographically, our world-class reputation, and first-class facilities and amenities, etc.
- The search for additional communities resulted in the addition of the following communities: Palm Springs (CA), Myrtle Beach (SC), Sun Valley (ID), Santa Fe (NM), and Jackson Hole (WY).
- In addition to expanding the list of communities used for wage comparison purposes, the BRC examined a host of other financial indicators, such as median household incomes, average housing costs, etc.

Recommendations

Based on the findings and research conducted above, the BRC recommends the following:

Recommendation #1: As part of the City's FY15 budgeting process, increase the Mayor's total compensation by utilizing a new, weighted compensation methodology.

- The new methodology, which can be seen in greater detail in the final report, balances the comparable-communities analysis the City conducts with the average annual income for Park City, as reported by the U.S. Census Bureau each year.
- This change would result in an increase of approximately \$25,000 for FY15.

Recommendation #2: As part of the City's FY15 budgeting process, increase Council's total compensation by utilizing a new, weighted compensation methodology.

- The new methodology would utilize wage information from new communities with more in common with Park City.
- This change would result in an increase of approximately \$9,000 for FY15.

Recommendation #3: The BRC recommends the Mayor and Council explore, with staff and the community input, setting limits on campaign expenditures, especially for Mayoral elections.

- When surveying members of Leadership Park City (over 70 responses), respondents overwhelmingly listed campaign expenditures as a major deterrent to seeking public office.
- 2013 campaign expenditure data was reviewed and found to be a considerable barrier to running for Mayor.

Recommendation #4: The BRC recommends creating an annual “Everything You Need to Know to Run for Public Office” training for individuals interested in seeking public office.

- o The Leadership Park City survey indicated an overwhelming interest in serving as a public official, yet confusion, and considerable apprehension, regarding how to run for office and conduct a political campaign.
- o Most campaigns span months over the course of a year, and include strict campaign finance regulations and filing deadlines.

Recommendation #5: The BRC recommends creating a new committee of Park City residents with long community tenure and deep ties to our civic history and community affairs.

- o Park City benefits from a wealth of individuals with helped shape Park City from a small mining town to a world-class destination.
- o These individuals could assist the Mayor and Council, as they look forward and plan our collective futures, to remember the lessons of the past and the importance of providing historical context as guideposts for community evolution and smart growth.

Council – Staff Policy Discussion Questions

A. Recommendations #1 and #2:

- i. The timing of the BRC study was designed to integrate with the FY15 budgeting process.
 - a. Does Council wish to adjust compensation methodologies and increase compensation levels with the hope of fostering additional diversity?
 - b. Does Council concur with the methodology adjustments for Mayor and Council
 - c. Does Council support staff providing analysis as part of the FY15 budgeting discussions?

B. Recommendation 3:

- i. The BRC recommends setting limits on campaign expenditures.
 - a. Does Council wish to direct staff to explore legal, policy, and community input in this area?

C. Recommendation 4:

- i. Does Council wish to direct staff to create an annual “Everything You Need to Know to Run for Public Office” training for Park City residents?
 - a. If so, staff recommends Fall 2014; well in advance of the 2015 filing

D. Recommendation 5:

- i. Does Council wish to pursue the creation of a new committee of tenured community partners to offer guidance and perspective on City affairs?

- a. Staff recommends the city facilitate an initial meeting to determine interest and scope but considers this a citizen's organization.

Staff wishes to thank the members of the Selection Committee and the BRC for their contribution of time and service to this initiative.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	Provide Amenities, Facilities, Trails & Infrastructure	Mitigate Mining Legacy Including Mine Waste, Soils and Physical Hazards	Retain & Attract Diversified Business Types	Facilitate Citizen Engagement, Public Participation and Timely Communication
Assessment of Overall Impact on Council Priority (<i>Quality of Life Impact</i>)				

Consequences of not taking the recommended action:

The recommendations of the BRC include a change in the compensation methodologies for Mayor and Council, limit campaign expenditures, and provide for additional opportunities to foster community engagement.

- Compensation: If Council defers action at this time, it will make it difficult to incorporate the recommendations as part of the FY15 budgeting process.
- May limit additional opportunities to foster diversity in locally elective office.

Department Review: This report was reviewed by Legal and Executive Departments.

Recommendation:

Staff recommends the Mayor and Council provide direction on proceeding with the recommendations outlined in this report.

Attachment:

- A. Park City Blue Ribbon Commission on Mayor and City Council Compensation Report



2014 Blue Ribbon Commission Mayor & Council Compensation

Melissa Band



Andrew Caplan



Becky Kearns



JF Lanvers



Teri Orr



Nancy Dalaska – Alternate

*Dr. Rex Facer, Associate Professor of Public Finance Management,
George Romney Institute of Public Management, Brigham Young
University*

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1. INTRODUCTION AND PURPOSE

Park City's Mayor and City Council members have heard from community members and residents that the levels of compensation for local elected officials serve as a barrier to many who would otherwise be willing to seek public office. Consequently, the Mayor and City Council (Council) authorized the formation of a community-based commission, the Blue Ribbon Commission (BRC), to review and assess policies on Mayor/Council compensation and, if necessary, recommend strategies to foster additional diversity in locally elected office.

Over the course of two months, the BRC examined a wide variety of issues related to the compensation of elected officials. Commission members reviewed the City's current compensation practices and the compensation practices of other communities, reviewed scholarly articles on municipal wages and benefits, and conducted surveys of Park City's elected officials (past and present) and Leadership Park City participants. The BRC also conducted in-person interviews with elected officials, and reviewed a host of financial information related to Park City's and surrounding area household incomes, costs of living, and housing costs.

This study strategy led to extensive discussions among Commission members about what motivates individuals to seek elected office, as well as what are some of the potential barriers to seeking office. Additionally, the Commission explored whether or not compensation could be utilized as a tool to foster additional diversity and broaden community participation, while at the same time trying to ensure that compensation does not become motivation for financial security.

The Commission was composed of five members and one alternate. All Commission members, including the alternate, were very active participants in the process. Meetings were facilitated by Dr. Rex Facer, Professor of Public Administration at Brigham Young University. Dr. Facer also consults internationally on human resource management and public finance issues and serves as a Presidential appointee on the U.S. Federal Salary Council in Washington, D.C.

This approach deepened the BRC's understanding of elected official compensation and how it can be used to foster participation and diversity in elected office, as well as what can be done to improve the compensation practices utilized in Park City to ensure that those seeking and interested in serving the community are not prevented from doing so because of compensation limitations.

2.ISSUES EXPLORED

1.GOVERNMENT OVERVIEW

Park City is a unique, dynamic, and truly world-class community. Well known for its historical origins as a boom and bust mining town, Park City has blossomed into a year round destination for visitors from all over the world. At the same time, Park City maintains a strong and vibrant sense of community despite so many visitors. This means that in addition to the relatively small year round population of 7,900, there are often tens of thousands of visitors from all over the world who demand high quality and a vast array of municipal services. Because of these demands, Park City's budget and municipal operations are considerably larger and broader than many communities of a comparable size.

To understand some of the contradictions of what it takes to operate such a unique community, the BRC spent considerable time and effort understanding of the sheer size and scope of the Park City Municipal Corporation (PCMC), how it differs from other communities, and the many different roles of staff and elected officials. The Commission gained valuable insight from many resources in this regard, including the Park City Citizens' Budget, discussions with City staff and elected officials on operating budgets and expenditures, workforce demands, as well as general discussions regarding the overall complexity of managing so many different operational functions and policy issues within one, relatively small organization.

The Commission also studied the form of government deployed in Park City, commonly called Council-Manager, and some of the defined roles and responsibilities of the Mayor, Council, city manager and staff. The Commission believes the current form of government combines strong political leadership from hard working local officials with the managerial experience of a well-trained city manager and professional staff responsible for day-to-day delivery of services and operations.

Key Findings:

While Park City is an exceptional community, the general roles of municipal officials are not fundamentally different from those roles in other communities. For example:

- **Mayor's Functions:** Mayors are the key political leaders and policy developers. The mayor presides at council meetings, serves as spokesperson for the community, facilitates communication and understanding between elected and appointed officials, and assists council in setting goals and advocating policy decisions. The key difference for Park City is that Park City's mayor has expanded public relations and public responsibilities because of the City's standing in the international community.
- **Council's Functions:** Councils are the legislative body; its members the community's decision makers. Power is centralized in council, which approves the budget and

focuses on community's goals, major projects, and long-term considerations such as growth, land use, capital improvements, and strategic planning.

- **Manager's Functions:** City Managers serve at the will of council. They oversee delivery of services to the community and bring local government the benefits of training and experience in professionally administering services. The manager also prepares a budget for council consideration, supervises staff, and carries out council priorities and policies.

Taken together, the mayor, council, and city manager constitute a deep partnership on policy-development, management of city resources, and maintaining the trust and faith of the community.

II.ELECTED OFFICIAL SURVEY

One of the first tasks of the Commission was to gain a broader perspective and understanding of past and present locally elected officials. The Commission sent anonymous surveys to all elected officials on file with the City Recorder (over 40 percent of responses came from officials no longer serving). These responses helped identify some underlying trends about why individuals choose to serve, clarified the time commitments generally required and, to what extent, if any, public service had on professional and personal lives. The survey also solicited opinions on the importance of compensation and benefits in public office, perspectives on Park City's current form of government, and general opinions on community issues such as term limits, campaign expenditures, and how to attract a broader pool of candidates to public office.

Key Findings:

- In general, officials rejected the concept that compensation is a motivating factor in seeking office.
- In general, officials indicated an interest in shaping the future of Park City and fulfilling personal obligations of civic duty, rather than concepts of compensation and benefits.
- The majority felt that the current compensation levels provided by Park City were adequate given time commitments and form of government.
- Officials were split, however, regarding term limits:
 - Several felt that municipal elections are a de facto opportunity for voters to impose term limits.
 - Others were steadfast that term limits would create additional opportunities to foster greater community participation in government.
- Officials were also divided on whether an increase in compensation would result in a broader pool of candidates.

- Some felt the 2013 municipal election represented a broadly talented and competitive pool of individuals, diverse in community tenure, occupation, age and gender.
- On the other hand, several noted that additional compensation would provide greater opportunities for segments of Park City’s community currently underrepresented in public office because they lack the resources required to participate.

III.MAYOR/COUNCIL INTERVIEWS

In addition to the survey, the Mayor and Council were invited to in-person interviews with the Commission. The interviews provided the Commission with a rich understanding and appreciation for significant time commitments required of local officials, as well as many of the intricate details of weekly preparations for public meetings, and numerous scheduling and public commitments. The time commitments of the Mayor, in particular, appeared substantial if attempting another occupational endeavor or traditional employment.

Key Findings:

- Most officials reiterated compensation was not a consideration for them when they sought office.
- Several officials indicated, however, that without the compensation currently offered they would likely have shortened their service period or even stepped down during a term for financial reasons.
- Despite only a handful indicating compensation was important to them, many felt the current compensation levels may serve as a barrier to several groups within Park City:
 - Officials appeared particularly concerned this was the case for working classes and low-income households, as well as individuals raising children.
- The majority agreed that nominal levels of compensation are necessary to ensure people within our community can “afford” to serve, yet felt necessary to note that compensation should not serve as motivation or a means to financial security.
- On the question of how to foster additional diversity in elective office, officials were divided:
 - Several felt the last election represented a talented and competitive pool of candidates, diverse in community tenure, occupational experiences, age and gender.
 - On the other hand, many argued that additional compensation would unleash opportunities for community groups currently underrepresented because they have neither the financial resources nor occupational freedoms to forego traditional employment.

- This discussion led the BRC to develop a similar yet more community-based survey to further explore similar questions with the large group of past and present Leadership Park City participants. Leadership Park City is a highly regarded and community-wide training and development program for Park City residents with origins going back almost thirty years.

IV. LEADERSHIP PARK CITY SURVEY

Reaching out to Park City's Leadership network helped the Commission gain a much deeper community perspective regarding resident interests, motivations, and perceived barriers to seeking public office.

Over seventy (70) responses were received from participants, which represented a broad demographic mix of community members. Fifty-seven percent of respondents were female and forty-three percent male. Nearly half (49%) were between the ages of 50–69. Forty-two percent were between the ages of 30–49. The BRC was very impressed with the level of engagement and genuine interest from respondents who wanted to serve their community. Over half of all respondents indicated they had considered running for office. Unfortunately, most respondents identified campaign expenditures and the financial implications and time commitments as the most significant obstacles. The survey confirmed for the Commission that a large deterrent remains the time and financial consequences of seeking and serving in public office.

Key Findings:

- Survey results indicated that almost half of respondents considered seeking public office because of a sense of civic obligation, wanting to make a difference in their community, and/or concern about the overall direction of Park City.
- There was no substantial difference in the level of interest in seeking office among respondents of different age groups.
- The major deterrents were time commitments, conflict with current occupational obligations, and the compensation (lack thereof).
- When analyzed by age, the 30–49 age group indicated that, while compensation not a motivating factor, most could not afford to forego their full time salary.
 - This group also indicated they lacked the additional financial resources necessary to fund a political campaign for office.
- As a result, the cost of running a campaign in Park City was further explored by the BRC to determine if it was an actual issue or misperception.

- The most recent financial campaign disclosures by candidates in the November 2014 Park City municipal election were reviewed. The BRC found the following:
 - o Mayoral Candidates spent between \$28,000 - \$44,000 in the 2014 municipal election
 - o Council Candidates spent between \$1,200 and \$5,000 in the 2014 municipal election

V. PARK CITY COMPENSATION METHODOLOGY

The BRC also reviewed the current methodology used by Park City to establish Mayor and Council compensation. City staff indicated that every two years, in conjunction with the biennial budgeting process, a comparative analysis of employee and elected official compensation is conducted using information from other communities. In short, Park City's compensation is benchmarked against other communities with similar forms of government. This information is used to adjust salaries, if necessary. The vast majority of communities used for comparative purposes are from Utah and, in part, chosen because they may compete for employee retention and recruitment. The Commission found the following:

- Comparisons drawn by staff use a common wage calculation called the *Total Compensation Value* (TCV). The TCV includes the salary for a given position, as well as the monetary value of all benefits offered with the position.
 - o The most common benefits offered to Park City officials and staff include health, dental, vision, life insurance and retirement.
- The TCV's gathered from other communities are ranked highest to lowest. The two highest communities are eliminated, and an average of the next five jurisdictions (3rd – 7th) calculated and compared to the TCV's of related Park City positions.
 - o If Park City salaries are found to be five percent or more below the average TCV, adjustments are recommended to Council during the budgeting process.
- During the last comparative review, no adjustments were recommended to Council because values were within the percentage allowance.
 - o This spring, Park City will undertake another scheduled compensation analysis and any changes would, if approved, be effective July 1, 2014.

The BRC also spent considerable time discussing the qualities and types communities selected by staff to conduct the comparative analysis. Comparable communities in the most recent review included Summit County, Telluride, Moab, and Aspen, CO, but also Draper, Orem, Spanish Fork, Kaysville, Layton, and Jordan, among others. In addition, the BRC looked at

budget and population data for many of the comparable communities and found several bore very little resemblance to Park City.

As a result, the Commission requested staff expand its analysis and find jurisdictions more aligned with Park City’s demographics, world-class reputation, and state-of-the-art facilities and amenities. The search was national in scope, and resulted in the addition of several “first-name” communities, including Palm Springs (CA), Myrtle Beach (SC), Sun Valley (ID), Santa Fe (NM), and Jackson Hole (WY).

The result of adding these jurisdictions from outside of Utah to the averages were upward compensation adjustments for both Council and Mayor. Prior to the adding these communities, the compensation of the Mayor and Council was relatively consistent with the top communities. With the expansion mentioned above, Park City’s compensation fell well below the averages, from approximately \$4,400 for Council and \$8,500 below for the Mayor.

VI. OTHER FINANCIAL METRICS FOR CONSIDERATION

In addition to expanding the number and type of communities City staff was using in their annual wage comparisons, the BRC requested additional financial information related to area incomes, cost of living, and housing costs. The BRC requested this information to further their understanding of what it costs to live, work, play, and raise a family within Park City limits. Below is a snapshot of some of the financial additional data considered by the BRC?

Other Financial Data for Consideration:
A. 2012 median income for Park City was \$70,662
B. 2012 median income for Summit Co. is \$86,515
C. Park City's median income 16% higher than comparables (~\$9K)
D. Median Value Owner Occupied Housing is \$718,800
E. National Citizen Survey from 2013 income ratios:
33% at \$150,000 or more
22% at \$100,000-\$149,999
21% at \$50,000-\$99,999
22% at \$25,000-\$49,999
*Median income derived using 2010 Census Bureau Data

Two financial indicators, in particular, tended to dominate the discussion on other noteworthy financial indicators; Park City’s annual median household income, as reported by the U.S. Census Bureau, and the extremely high costs of housing and standards of living. In order to

meet the residency qualification for elected office, individuals must reside within Park City limits at least twelve months prior to election. Therefore, individuals reliant on occupational incomes to support Park City's high costs of living and housing, face difficult choices and a host of challenges, at least financially.

In 2012, for example, the median value owner occupied housing was approximately \$718,000 in Park City, as reported by the Census Bureau. In contrast, the national is \$181,000 and Utah \$218,000. Further, the Census Bureau reported in 2012 Park City's median household income approximately \$71,000. For comparison, the national is \$53,000 and Utah \$58,000.

Through this analysis, the BRC was able to get a more comprehensive picture of what it might take to allow a member of our community, without independent means, to forego an annual salary and pursue elected office.

3.RECOMMENDATIONS

Recommendation 1

The Commission recommends, as part of the FY 15 biennial budgeting process, increasing the Mayor's Total Compensation Value (TCV) by utilizing a new, weighted compensation methodology:

- Equally weight the Annual Median Income (AMI) for Park City against the annual wage comparison generated by staff:
 - a. The AMI should be from the U.S. Census Bureau
 - b. Comparable communities used for comparison should include jurisdictions outside of Utah
- The new methodology, and any resulting recommendations, should take place as part of the City's regular budgeting process
- Staff should also work to better define and clarify the role of the Mayor

Recommendation 2

The Commission recommends, as part of the FY15 budgeting process, increasing Council's Total Compensation Value (TCV) by utilizing a new, weighted compensation methodology:

- Expand the communities used to compare TCV to include jurisdictions outside of Utah
- The new methodology, and any resulting recommendations, should take place as part of the City's regular budgeting process

Recommendation 3

The Commission recommends the Mayor and Council explore, with staff and with the community input, setting limits on campaign expenditures, especially for Mayoral elections:

- A significant number of survey respondents between the ages of 30 – 49 indicated that the initial campaign expenditure necessary to run for elected office were a major deterrent.
- 2013 campaign expenditure data was reviewed and found to be a considerable barrier to running for Mayor.
- Set campaign expenditure limits, especially for the Mayor’s race, in order to provide stability and predictability for those interested in office.

Recommendation 4

The Commission recommends creating an annual “Everything You Need to Know to Run for Public Office” training for individuals interested in seeking public office:

- The BRC was surprised by the number of respondents to the Leadership Program survey indicating an interest in running for local office in Park City. The BRC believes it would benefit our community and promote diversity to better educate our population on how to run for public office.
 - a. Hold at least one training per year by City staff and other interested public officials.
 - b. Create a mentoring program between former elected officials and prospective candidates on the challenges of running for elected office, including campaign financing.

Recommendation 5

The BRC recommends creating a new committee of Park City residents with long community tenure and deep ties to our civic history and community affairs:

- Much of what is today the fabric of Park City – from the Kimball Arts Center to KPCW to the Park City Institute to the Peace House – was created by the vision and commitment of residents who came to Park City in the 1970s and 1980s. We are fortunate to have tenured, knowledgeable, and engaged residents who continue to care about the direction of their community.
- These individuals could assist the Mayor and Council, as they look forward and plan our collective futures, to remember the lessons of the past and the importance

of providing historical context as guideposts for community evolution and smart growth.

- Encourage the creation of an ad hoc group willing to provide context to newer community members, elected officials and staff as we continue to evolve as a community.

4.CONCLUSIONS

This report explored community opinions and underlying concepts regarding elected official compensation and benefits in our community and across the nation. Through numerous meetings, survey responses, and interviews with elected officials and City staff, the Commission feels strongly that Park City is in a unique position to make small changes in its compensation practices that will reap big rewards in terms of community participation.

It is no secret that Park City is a world-class destination with an exception and engaged community. Yet it is also no secret that Park City is an extremely expensive place to live. In particular, the working classes of Park City face real challenges if they wish to continue making Park City home and participate in ongoing community conversations, such as running for elected office.

Despite valiant and robust efforts to maintain Park City's affordability and sense of community, we must be honest with ourselves in terms of how difficult running for office can be for those with other time commitments and financial responsibilities.

We believe that strategic adjustments to the current compensation practices deployed by city officials, coupled with additional community engagement and educational endeavors, will enhance the public process and reduce some, but not all, challenges to seeking public office. Through these targeted adjustments and additional opportunities for community engagement, we hope to foster and create additional diversity in locally elected office.



City Council Staff Report

Subject: RAB Visioning
Author: Ken Fisher, Recreation Manager
Department: Recreation & Library
Date: March 6, 2014
Type of Item: Informational

Summary Recommendations:

Provide direction to the Recreation Advisory Board (RAB) and staff with regards to the recommended work plan for the next year.

Topic/Description:

Annual RAB Visioning with Council

Background:

As outlined in the Recreation Advisory Boards Policy & Procedure (Attachment 1) the Board shall meet annually with the City Council to receive updated city goals and direction from City Council. The RAB met with City Council in February 2013 for this purpose. The staff report from last year is "Attachment 2" and the minutes are Attachment 3.

Last year, Council was supportive of the rebuilding and expansion of the City Park Tennis Courts & the PC MARC Outdoor Tennis Courts; development of a practice wall; completion of a Recreation Master Plan; development of Cardio in the Park; additional dog park improvements and potentially additional playground shade.

Analysis:

RAB's primary focus has been to work on the development of new parks, improvements to existing parks and the development of new recreation facilities.

The RAB and staff are looking for Council feedback and direction on the proposed work plan for the coming year.

Projects for the next year:

Mountain Recreation Strategic Action Plan: The department in conjunction with Basin Recreation completed the Mountain Recreation Strategic Action Plan in July 2013. The document can be found at <http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=12391>

The top three new facilities that were identified to be constructed based on the study were a second sheet of ice, indoor aquatics and indoor field space. These are also the facilities that we should look to partner with Basin Recreation on since they are major capital facilities to not only build but to own and operate.

RAB recommends that the City begins the process of testing the level of public support in using general obligation (GO) bonds to fund implementation of these facilities. This

would entail issuing a RFP for conceptual design and an operational assessment on the facility. The RFP would also outline several public meetings so the public can weigh in on the facilities. In order to gauge public support for a potential GO Bond it is necessary to get a clearer picture of what the facilities will potentially look like, where they are located as well as what they may cost to own & operate. Another component of the study would be to gauge public support for voter issued General Obligation Bonds. RAB & staff are concerned that while residents have identified that their needs are not being met and desire these facilities, there is a real concern about their willingness to tax themselves to build them. The RFP would likely be issued in collaboration with Basin Recreation with the costs split 50/50.

Basin Recreation is currently contemplating a GO Bond in November of 2014 for open space and other recreational improvements. If they place a bond on November's ballot it is likely that the earliest they would place another bond on the ballot would November 2016.

Currently there are no funds budgeted for the steps outlined above. If Council is supportive of moving forward with the implementation of the Mountain Recreation Strategic Action Plan for these three major facilities staff will submit a CIP request for each facility as part of this year's budget process. It is estimated that if the facility analysis is split 50/50 with Basin Recreation we would need approximately \$35,000 per facility. A total contribution from Park City of \$105,000 would be required to analyze all three identified facilities. This is 50% of the estimated total cost.

City Park: The widening of the Poison Creek Trail is a walkability project that will be under construction this spring. Heinrich Deters approached RAB about the possibility of additional park improvements that could be made as part of the project as well as to receive input from RAB on what is planned.

RAB is supportive of the project and liked the idea of developing backcountry trails that would gain access to the stream as well as thinning of branches in the Boo Radley forest. The soil would not be disturbed but a backcountry trail network could be created that is covered with wood chips.

Recreation & Parks staff met with Alliance Engineering to identify improvements that could be made around the sand volleyball courts and the basketball court by the Recreation Building as well as the location of additional pavilions in the park.

Currently the area by the basketball & volleyball court has no formal seating area. Due to this the area by the bathrooms on the east side of the building is in very poor shape with no grass on the hill and is a maintenance issue for parks. Alliance Engineering is working on some conceptual design that will clean up that area and create some formalized seating similar to what is by the softball field. The concrete sit wall would not have turf in it for seating but instead pavers so maintenance is easier.

Staff also identified two locations for additional pavilions with in the park. One would be a small pavilion by the south west corner of the sand volleyball courts by the recreation building. The second location is in the area just north of the playground in the park. This pavilion could be larger and potentially rented out to park users. This location would provide shelter for those using the playground as well as those using the playing

field. The fabric shade structure that is on the west side of the recreation building is currently not available for rent and is used during the week by the summer day camp that operates out of the building.

Additional pavilions were identified as “Low Hanging Fruit” in the Mountain Recreation Strategic Action Plan. “Low Hanging Fruit” was defined as projects that are under \$1 million for planning and construction costs, and can be implemented on an on-going basis using existing resources of the agencies, and can be implemented by each agency on its own timeline (pg. 25).

At this time staff does not have a firm cost estimate for the work from Alliance Engineering but believes it will be in the \$75,000 range. There is sufficient funding in the current City Park CIP to cover the project.

Fitness in the Park: Staff is moving forward with implementation of this project. A Manager’s Report went to Council on January 23, 2014 that outlined the location and cost of the equipment. Council was supportive of the project at that time. The outdoor fitness equipment from FitGround will be located at the Park City Sports Complex. The equipment will cost \$29,428 which is covered in the existing CIP for the project. The equipment has been ordered with anticipated delivery in April. The site prep is not included in the price above and will likely need additional funds from impact fees to cover this work.

Dog Park Improvements: This past fall a 16’ X 16’ pavilion was installed at the Bark City Dog Park at the Park City Sports Complex. Due to the weather the contractor decided to wait till spring to pour the concrete pad that will go under the pavilion. The cost to purchase and install the pavilion was \$16,596 before the pad is poured underneath it.

RAB and staff conducted a survey of dog park users in July 2012. The top three improvements identified in the survey that could be made to the Bark City Dog Park were additional shade, dog training & agility equipment and variations in terrain (berms & hills). RAB and staff would like to move forward with the agility equipment and variations in terrain.

Currently there is \$33,404 allocated for improvements to the dog park. Obstacles cost between \$700 and \$3,000 per obstacle. To add some variety in terrain is estimated to cost between \$5,000 and \$10,000 depending on the availability of dirt.

Playground Shade: Last year during RAB Visioning staff discussed with Council the idea of installing large fabric shade structures that would cover the existing playgrounds at Prospector, Creekside and Park City Sports Complex.

Last year Council was looking for more information on the potential project before moving forward. Staff was unable to get to this project last year but would like to research and look at options for this coming year. RAB and staff also recommends that we look at adding shade to the Fitness in the Park area.

From last year’s staff report: *In the summer several of our playgrounds have intense sun which makes sun exposure for kids an issue that parents must try to mitigate. As a result our playgrounds tend to experience the most use when the sun is lower on the*

horizon and see limited use during the middle of the day. Our parks have shade structures for picnics and such (except Park City Sports Complex) for users to get out of the sun but none of the playgrounds are covered. RAB recommends that the City install fabric shade structures over the playgrounds at Creekside Park, Prospector Park and at Park City Sports Complex. Creekside playground is comparable in size to the one at Matt Knoop Memorial Park but the other two locations are smaller. Estimated cost ranges from \$50,000 to \$200,000 depending on location and the number of structures installed

Last Year the CIP Committee approved funding for the sunshades with parks impact fees with \$100,000 in FY 2015 and another \$100,000 in FY 201. This funding is under the Neighborhood Parks project. The funding for this project is dependent on impact fee revenues.

Emergency Call Boxes in Parks: At last year's RAB Visioning Council asked RAB to look at adding Emergency Call Boxes in the parks. Staff contacted Hugh Daniels, Emergency Program Manager, who provided great information on the call boxes.

He said the Building Safety Committee discussed the issue as well as having discussed it if our security camera and access control vendor. Hugh also polled some colleagues who have these, which are mostly at universities/colleges.

He did not find any cities that were currently using Emergency Call boxes. There were a few who used to use the hardwired variety but took them out with the advent of cell phones and the large number of prank pushes or calls. The Emergency Call boxes are most effective when they have a camera used in conjunction with them, however to do that and get them connected to our network is very expensive. A basic call box starts around \$5,000 and go up from there. It is estimated that to get a unit with a camera & connect it to the network will be an additional \$5,000 to \$10,000 per unit as they would need electricity.

The City currently has a number of call boxes out at the Park and Ride lot (required by the FTA grant and due to the remoteness of the lot). Those have spent more time offline than on (a lot has to do with our climate). The Building Safety Committee felt with cell phone availability and a poor cost/benefit ratio, plus the opportunity for misuse they were not recommended. Our vendor says they are expensive, definitely have maintenance issues in our climate and they do not do a lot of installations anymore. There is also the concern about providing a false sense of security.

Chief Carpenter and Daniels are looking into the possibility of cameras and/or call boxes at our various tunnels. There are four exterior video cameras at the City Park Recreation Building and long-term plans to add cameras at the Skateboard Park.

Department Review: Budget, Legal, Police, Sustainability, Emergency Management Recreation & Library, and City Manager

Alternatives:

A. Approve:

Provide direction to RAB and staff with regards to the recommended work plan.

B. Deny:

Council may direct RAB and staff in a different direction than the one outlined in this report.

C. Continue the Item:

Council may continue the item to a future date

D. Do Nothing:

This will result in a lack of clarity and direction to staff & RAB.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Accessible and world-class recreational facilities, parks and programs	~ Abundant preserved and publicly-accessible open space ~ Managed natural resources balancing ecosystem needs	+ Residents live and work locally	+ Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Neutral 	Neutral 	Very Positive 
Comments:				

Funding Source:

The following funds are currently available for improvements.

City Park Funds (CIP #cp0005)

Revenue Source	FY 2014	FY 2015 (tentative)
Lower Park RDA – Property Tax Increment	\$4,331	\$100,000
Bond Interest - Parks	\$184,510	
Current Available Funds	\$188,841	

Neighborhood Parks (CIP #cp0100)

Revenue Source	FY 2014	FY 2015 (tentative)
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Open Space Impact Fees	\$10,652	\$100,000
Current Available Funds	\$10,652	

Fitness in the Park (CIP #cp0321)

Revenue Source	FY 2014
Open Space Impact Fees	\$20,286
Current Available Funds	\$20,286

Cement Practice Walls (CIP #cp0322)

Revenue Source	FY 2014
Open Space Impact Fees	\$59,667
Current Available Funds	\$59,667

Dog Park Improvements (CIP #cp0323)

Revenue Source	FY 2014	FY 2015 (tentative)
Open Space Impact Fees	\$33,404	\$5,000
Current Available Funds	\$33,404	

Table 3 - Projects Recommended by RAB in Order of Priority

Project	Estimated Cost	Funding
Fitness in the Park	\$10,000	Impact Fees; will need to use additional impact fees that are budget for practice walls. Estimated total project cost of \$45,000
City Park Pavilions	\$75,000	RDA & Bond Interest
Mountain Recreation Strategic Action Plan	\$105,000	Submit budget request through CIP budget process. Will need to be funded with General Fund.
Dog Park Improvements	\$30,000	Fund with Impact Fees
Playground Shade	\$50,000 to \$200,00	Fund with Impact Fees; submit funding through upcoming budget process.

Consequences of not taking the recommended action:

No action is required only direction to the RAB and staff with regard to the items outlined in the proposed work plan.

Recommendation:

Provide direction to RAB and staff with regards to the recommended work plan for the next year.

Attachment 1: Policies & Procedures

RECREATION ADVISORY BOARD

Policies and Procedures

1. The RECREATION ADVISORY BOARD (BOARD) is created by Municipal Code of Park City ("Code") Section 2-4-17, attached as Exhibit A and incorporated herein. Nothing in these policies shall overrule any requirement in Section 2-4-17, as amended
2. The Board will advise City Council and staff on parks and recreation policy as requested by the City Council and consistent with the Code. The City Council will refer particular matters to the Board for discussion, public input and recommendations. The Mayor or Council liaison member will communicate the Council's referral of a matter to the Board.
3. The Board shall meet annually with the City Council as part of the Council's visioning workshop, or as otherwise directed by the Council, to receive updated city goals and direction from the City Council.
4. The Chair of the Board shall communicate regularly with the City Council Board liaison member regarding priorities of the Board as they relate to City Council goals. The City Council liaison member will typically report Board progress on matters to the City Council at least once a month. The Board will provide a quarterly progress report to the City Council during work session of a regular meeting.
5. The role of the City Council liaison will be to:
Attend regularly scheduled meetings.
Communicate back to the Board recreation issues brought to Councils attention, or acted on by City Council.
Notify Council of recreation issues brought to the Board by citizens.
Align Board priorities with Council goals.
Be a non-voting member of the Board.
6. The Board may request background information from the recreation staff, but such requests shall typically occur at meetings and information shall be requested by the Board as a whole, and all members of the Board shall receive a copy of the information. Board members will use reasonable efforts to communicate independent research material and ex parte information received from the public to the other Board members.
7. Closed meetings may only be held for purposes authorized by U.C.A. 54-4-5, as amended. A quorum for the transaction of business shall be a simple majority of the Board members. Minutes shall be kept at all meetings.

8. Special Task Forces for the study of particular issues may be created by the Mayor and Council. Task Forces may include members of the Board. They will typically serve for 6 months, or until they have completed the work for which they were appointed. Each Task Force shall meet goals and objectives as outlined by the Mayor and Council. The Task Force will elect a Chair to communicate with the Mayor and City Council. City Manager will approve any staff involvement in these Task Forces.
9. Special committees may be appointed by the Chair, with the advice and consent of the Mayor and City Council. These committees will deal with operational and capital project issues. City Manager will approve any staff involvement in these committees.
10. Special “Friends” groups may be formed by Staff, with the advice and consent of the Mayor, City Council, and City Manager. These groups may include members of the Board. Staff will communicate directly with Council any Council issues brought to the group. These groups will deal with user specific programming, operational, and capital issues.
11. At its first meeting, and annually thereafter, the Board shall elect a Chair, Vice-Chair and any additional officers as necessary. The Chair shall preside at all meetings, appoint all committees with the concurrence of the Board, call special meetings, and generally perform the duties of a presiding officer. The Vice-Chair or a Board member designated by the Chair shall preside when the Chair is absent. The agenda for meetings shall be prepared and noticed by the Recreation Manager and the Chair.
12. The Board shall also act as a sounding board for new recreation policies and programs. The Board will hear initial proposals by the public for new programs and ideas, unless otherwise decided by the City Council. Prior to initiating staff time or resources on a new program or policy, the Board shall inform the City Council of the matter and request direction on how to proceed and the timing priority of the new matter.
13. The Board may provide annual policy recommendations in conjunction with the City’s review of the General Plan with regard to use of City facilities and property for recreation purposes, and recommendations on recreation policies generally.



City Council Staff Report

Subject: RAB Visioning
Author: Ken Fisher, Recreation Manager
Department: Recreation & Library
Date: February 14, 2013
Type of Item: Informational

Summary Recommendations:

Provide direction to the Recreation Advisory Board (RAB) and staff with regards to the recommended work plan for the next year.

Topic/Description:

Annual RAB Visioning with Council

Background:

As outlined in the Recreation Advisory Boards Policy & Procedure (Attachment 1) the Board shall meet annually with the City Council to receive updated city goals and direction from City Council. The RAB met with City Council in January 2012 for this purpose. The staff report from last year is "Attachment 2" and the minutes are Attachment 3.

Last year, Council was supportive of the rebuilding and expansion of the City Park Tennis Courts, developing signage for neighborhood parks (Main St & Creekside), developing a plan for the dog park, working on trail etiquette with Mountain Trails and developing a memorial wall in the cemetery.

Analysis:

RAB's primary focus has been to work on the development of new parks and recommendations on improvements to existing park facilities.

The RAB and staff are looking for Council feedback and direction on the proposed work plan for the coming year.

Projects for the next year:

Replacement and Expansion of the City Park Tennis Courts:

Project has completed regulatory process and is in the final design stages. Anticipated project completion is summer 2013. Estimated project cost \$300,000 which is an increase of \$75,000. The increased cost is due to the need to change the fencing from all chain-link to wood posts with chain-link between the posts. Project is funded in the City Park CIP.

PC MARC Outdoor Tennis Courts: These existing courts were built in the early 1970's and are asphalt based and can no longer be repaired as the cracks reappear in the same location each year. The project consists of rebuilding the existing seven courts, adding a low wall around the three center courts that are covered by the bubble

to help with snow removal and overall bubble functionality, adding two 36 ft. and one 70 ft. youth tennis court. The expansion of the youth courts will be a great benefit to the tennis program as tennis pros will be able to teach youth clinics on the smaller courts freeing up the full size courts for adults.

Last summer the City received \$450,000 from the Recreation, Arts and Parks Tax (RAP) for the reconstruction of the seven outdoor tennis courts at the PC MARC. The RAP Tax funds must be used within 18 months of receiving them or they will be forfeited back to the County. This project went out to bid in the fall of 2012 and came back at \$680,000. Staff has been working with VCBO to make some changes to the height of the bubble wall, fencing, drainage system and seating area in an effort to bring the project cost down. Staff will be submitting a CIP budget request this year in order to cover the shortfall from the RAP Tax funding. If the project does not receive additional funding we will look to scale the project back further by removing the smaller youth courts so that it could potentially be constructed with only RAP Tax funds. If funding is allocated it is anticipated that construction would begin the first week of August and be complete in late fall so that the bubble courts would be available next winter.

Practice Walls: RAB was approached by the lacrosse organization about the idea of the City building cement practice walls that could be used by various groups and individuals to practice many ball sports (lacrosse, tennis, soccer). These would be designed similar to an outdoor handball court as the wall would be 20 ft. wide, 16 ft. high and have a flat area that is 20 ft. wide by 34 ft. in length. For the greatest efficiency they would be designed so that the vertical wall could be used on both sides for practice.

RAB would like to look for potential locations for these walls. If a suitable location is found, work to develop plans and construct a wall will be done over the next year. It is estimated that each wall would cost approximately \$70,000. Potential funding depends on where they are constructed. For example if it is built in City Park RDA funds could be used and if it is built at the Park City Sports Complex then Debt Service Funds or Open Space Impact Fees could be used.

Recreation Master Plan: The department recently completed two recreation studies with Basin Recreation. One was a Recreation Facility Demand Study and the other a Community Interest and Opinion Survey. Basin Recreation and Park City Recreation would like to collaborate on a Regional Recreation Master Plan that would combine the information from the studies and include a capital improvement and development plan, and a strategic action plan for future facilities. The last official Recreation Master Plan was done in May 1997.

RAB is recommending that a subcommittee work with the Basin subcommittee to develop a scope of services and to work with the consultant on the Recreation Master Plan.

The cost of the master plan would be split 50/50 with the Basin and would be funded with existing City funds. It is estimated that the joint master plan would cost a total of \$40,000 with the City's share being \$20,000.

The Park City School District is also looking to restart their capital facilities master planning process. It will be important to engage each entity in the planning process to see where needs may align for future facility development. This would be seen as an “implementation” plan and include recommendations on prioritizing facilities, projects and possible locations. The Plan would include a recommended phasing schedule.

Cardio in the Park: Interest has resurfaced nationwide for outdoor fitness equipment in parks. These pieces are self- propelled or static (such as chin up bars). There are two ways to organize the equipment; in a cluster so that people can move quickly from one piece to another or stretched along a trail so that the overall exercise includes movement from station to station.

There are a number of companies which provide this type of equipment. Pricing ranges from \$12,000 to \$24,000 for eight (8) pieces of equipment and approximately \$8,000 to install (not including landscaping) for a total of \$32,000.

RAB would like to research potential locations such as City Park, the Farm trail, Park City Sports Complex or along the McCleod Creek trail.

If Council is supportive, RAB and staff will submit a CIP request to add an outdoor fitness equipment component to an approved location in Park City. The amount of funds allocated will determine the type and number of pieces.

Dog Park Improvements: This past summer RAB administered an online survey about the dog park. The survey consisted of 14 questions and had 92 responses. The summary results of the survey are Attachment 4. The need for quality off-leash dog areas continues to be a high unmet need and of high importance to the community as demonstrated by the result of the Community Attitude and Interest Survey that was completed this summer. Basin Recreation has just received approval to convert a two plus acre section of Willow Creek Park into a dog park that will be fenced, have shade pavilions and incorporate the existing pond. This will be a nice upgrade and should help meet the needs of the community.

The top three improvements identified in the survey that could be made to the Bark City Dog Park are additional shade, dog training & agility equipment and variations in terrain (berms & hills). Currently there are no funds allocated for improvements to the dog park. If Council is supportive, RAB & staff will submit a CIP request for dog park improvements as part of this year’s budget process. The amount of funds required depends on the level of improvements Council wishes to make. The existing shade structures cost about \$7,500 each when they were installed. Obstacles cost between \$700 and \$3,000 per obstacle. To add some variety in terrain is estimated to cost between \$5,000 and \$10,000 depending on the availability of dirt.

Playground Shade: The recently constructed Matt Knoop Memorial Park in the Basin has a large fabric shade structure that covers the playground area. The cost to install the shade was approximately \$90,000. In the summer several of our playgrounds have intense sun which makes sun exposure for kids an issue that parents must try to mitigate. As a result our playgrounds tend to experience the most use when the sun is

lower on the horizon and see limited use during the middle of the day. Our parks have shade structures for picnics and such (except Park City Sports Complex) for users to get out of the sun but none of the playgrounds are covered. RAB recommends that the City install fabric shade structures over the playgrounds at Creekside Park, Prospector Park and at Park City Sports Complex. Creekside playground is comparable in size to the one at Matt Knoop Memorial Park but the other two locations are smaller. Estimated cost ranges from \$50,000 to \$200,000 depending on location and the number of structures installed. If Council is supportive RAB would look to fund the project through this year's CIP budget process.

Department Review: Budget, Legal, Sustainability, Recreation & Library, and City Manager

Alternatives:

A. Approve:

Provide direction to RAB and staff with regards to the recommended work plan.

B. Deny:

Council may direct RAB and staff in a different direction than the one outlined in this report.

C. Continue the Item:

Council may continue the item to a future date

D. Do Nothing:

This will result in a lack of clarity and direction to staff & RAB.

Significant Impacts:

Which Desired Outcomes might the Recommended Action Impact?	+ Accessible and world-class recreational facilities, parks and programs	+ Abundant preserved and publicly-accessible open space + Managed natural resources balancing ecosystem needs	+ Residents live and work locally	+ Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Positive 	Neutral 	Very Positive 
Comments:				

Funding Source:

The following funds are currently available for improvements.

Table 1 – City Park Funds (CIP #cp0005)

Revenue Source	FY 2013	FY 2014 Budget
Lower Park RDA – Property Tax Increment	\$256,691	\$100,000
Bond Interest - Parks	\$192,000	
Current Available Funds	\$448,691	

Table 2 – Neighborhood Parks (CIP #cp0100)

Revenue Source	FY 2012
Open Space Impact Fees	\$11,430
Current Available Funds	\$11,430

Table 3 - Projects Recommended by RAB in Order of Priority

Project	Estimated Cost	Funding
City Park Tennis Courts	\$300,000	Lower Park RDA; Current funds budgeted
PC MARC Outdoor Courts	\$650,000	\$450,000 RAP Tax Grant; Look to secure remaining funding through budget process
Recreation Master Plan	\$20,000	Fund with existing budget from several departments
Practice Wall	\$70,000	Depends on location but could be funded with RDA, bond interest or impact fees.
Dog Park Improvements	\$50,000	Fund with debt service
Cardio in the Park	\$32,000	Depends on location but could be funded with RDA, bond interest or impact fees.
Playground Shade	\$50,000 to \$200,00	Fund with bond interest balance; submit funding through upcoming budget process.

Consequences of not taking the recommended action:

No action is required only direction to the RAB and staff with regard to the items outlined in the proposed work plan.

Recommendation:

Provide direction to RAB and staff with regards to the recommended work plan for the next year.

Attachment 3: Recreation Advisory Board Visioning Minutes February 2014 Recreation Advisory Board Visioning.

RAB members in attendance introduced themselves and are indicated above. Ken Fisher referred to the City Park tennis court expansion project which is hoped to be completed by the first week of July.

He discussed the replacement of the seven outdoor tennis courts at the MARC and expanding use by adding court lines to accommodate more players. The City received \$450,000 in RAP Tax money last year to help fund this project. There is a shortfall of about \$200,000 and RAB is looking to cut back on features of the project, for example to drop the wall to 18 feet decreasing structural costs.

The idea of practice walls was introduced by the lacrosse community and RAB would like to research potential locations and construct these walls during the next year. Locations could include the Recreation Complex or City Park. Andy Beerman pointed out that practice walls are not identified in the recreation survey or in the wants of the community and asked if there is enough demand. John Halsey responded that lacrosse is growing substantially and Kraig Moyes pointed out that the walls can help get players off of the field space which can then be better programmed. Mr. Fisher felt that School District property or City property in the North 40 could be considered. The surface is cement, and the wall is 16 feet high, 20 feet wide with a 34 foot pad.

Mr. Butwinski asked if tennis court surfaces count toward open space as he recalls that the MARC project just met its open space requirements. He asked that staff double check the open space calculation. He questioned some of the indicators in significant impacts section of the staff report.

Mr. Fisher reported that two studies were completed last year. One related to regional facilities which were compared to the mountain resort standard, and the other was a community attitudes and interests survey. This data can be combined together to develop a regional recreation master plan with the Basin and the project is on track to publish a RFP in the next few days, pending Council support. The estimate is \$20,000 and members were supportive.

He discussed a new idea of *Cardio in the Park* and placing fitness equipment in the parks either adjacent to playgrounds or along trails. The Mayor commented that this amenity is common in Beijing and well used.

Mr. Fisher referred to the dog park survey included in the staff report, pointing out the number of requests for a water feature. This was not included in the list of potential improvements because it didn't seem realistic. The Basin is fencing off a section of the Willow Creek dog park that will include the pond. Ms. Matsumoto pointed out that many respondents commented about the dog park being dusty and wind-blown. Mayor

Williams pointed out that when the dog park was approved, there was a commitment from citizens about raising money for improvements which didn't happen but Liza Simpson stated that the group actually raised \$10,000. The Mayor felt that the dog park is unattractive but Mr. Fisher pointed out that it is well used. Andy Beerman referred to the recommendation for a shade structure but suggested trees instead but it was pointed out that there is no irrigation at the location. Ms. Simpson indicated that she uses the dog park and based on her experience of using dog parks in other cities, most facilities are very basic. She encouraged replacing the water fountain which doesn't always work. Matt Twombly reported that the area has a $\frac{3}{4}$ " culinary line servicing the water fountain and is equipped for an irrigation system. Ms. Simpson suggested installing a drinking trough.

Alex Butwinski warned members about friends groups who commit to raise money but later approach the City for funding and the Mayor interjected that \$10,000 was raised for the dog park. Cindy Matsumoto expressed that dog parks are projects that cities commonly undertake. Kathy Kahn felt that the number of comments about how the dog park looks is partly based on its visibility. She is not in favor of a lot of landscaping around it for security reasons, feels it needs to stay wide open, but supports providing shade. Ken Fisher believed RAB will focus on adding shade, creating terrain features and obstacles. He asked if Council is supportive of submitting a CIP request and felt that improvements could total \$50,000. A 10 x 10 shade structure could cost as much as \$7,500 and would be taken down in the winter. Liza Simpson was also supportive of planting trees in the area.

Ken Fisher explained that another recommendation is putting a shade structure over existing playgrounds including Creekside, Prospector and Quinns. Two of the three parks already have shade but not the playgrounds. The Mayor pointed out that many shade trees can be purchased for \$200,000. Mr. Fisher pointed out that the trees at the Recreation Complex were planted in 2006 and are still pretty small. Andy Beerman asked how often the shade canvasses need to be replaced and the cost. Mr. Fisher acknowledged that he has to research the product more. Rena Jordan reported that it cost SBSRD about \$100,000 to \$120,000 for a shade structure and commented on the need for massive footings to handle the wind. Liza Simpson emphasized that when Prospector Park was constructed, the neighborhood did not want shade structures and she asked that more research be done for shade at each location.

The Mayor referred to Council comments last year about security in the parks and Ms. Kahn's comment about safety today. Ms. Simpson agreed and asked that RAB revisit research about emergency stations. Mr. Butwinski felt it would be interesting to know about the incidence of false alarms. Liza Simpson relayed that emergency stations are placed throughout the campus at the University of Utah which could provide data.

In response to a question from Alex Butwinski, Ken Fisher explained that the neighborhood parks bond passed in 2001 for \$2 million and there is money available for projects from the interest earned from the bonds when they were sold.

City Council Staff Report



Subject: General Plan
Author: Thomas Eddington, Planning Director
John Paul Boehm, Planner
Date: March 6, 2014
Type of Item: Legislative Action

Background

During the February 27th City Council Meeting, planning staff presented the changes to the General Plan that were recommended by the Planning Commission during their two General Plan specific meetings on January 15th and 28th. In addition to the recommended changes by the Planning Commission, staff also presented changes that came out of the two joint meetings between the Planning Commission and City Council (February 5th and 13th) as well as recommendations that were based on public input. While the City Council did direct staff to incorporate the majority of the changes as presented with no changes (those pages have been incorporated into the final draft of the General Plan as directed by the City Council), the Council also directed staff to make several substantive changes to certain elements of the General Plan. Those changes, which are listed below, will be presented to the Council during a work session on March 6th for review prior to the scheduled vote on the adoption of the General Plan at the public hearing.

Final Changes

Annexation Expansion Area Map

Based upon the discussion and recommendation of the City Council, the revised Annexation Expansion Area map is illustrated in Exhibit A.

Daylighting Creeks

Staff was directed to remove the examples of creeks that were daylighted in larger cities as the Council felt that these examples were not relevant to Park City. Staff has removed these examples and has inserted a photograph of Silver Creek in its current state that was taken near the Shoe Tree Park. In addition, a quote has been added as well regarding the value of water in our region. (Exhibit B)

Incentivizing Reduced Parking Requirements in the HR-1 and HR-2 Districts

Staff has made the following changes to the language found in Volume II (Historic Character, Detailed Strategies) incentivizing reduced parking requirements:

As an incentive for smaller structures on single lots within the HR-1 and HR-2 Districts, the City should consider offering relief from certain parking requirements. **An incentive could be the reduction in the parking requirement from two (2) spaces to one (1) space subject to the building footprint not being greater than 75% - 80% of the Land Management Code maximum building footprint. This would allow a property owner to construct a smaller home with a one car garage without having to increase the setback from ten feet (10') to eighteen feet (18') to provide for a second parking space.**

All of these recommendations should only be considered in conjunction with parking enforcement (Public Works – Transit/Transportation) and the City Engineering office. (Exhibit C)

Greywater Infrastructure

Staff recommends changing the following language in Strategy 6.7 of Natural Setting:

~~Work with State and regional entities to incorporate grey water systems in large scale projects.~~

The City should investigate opportunities to encourage greywater infrastructure (internal reuse only; not for landscaping) in existing and future developments. This must be coordinated with the State and the County Health Department. (Exhibit D)

Land Use Document Hierarchy

In order to address lingering public concerns regarding homeowner's associations and CC&R's staff is recommending that the following language be incorporated into the General Plan:

- At the bottom of page 8 in Volume I and page 10 of Volume II, add the following redlined language: * May conflict with **and be more restrictive than** the Zoning Ordinance standards. (Exhibit E)
- Add the following statement to the bottom of *each* neighborhood statistics page: **HOAs may exist in this neighborhood; please refer to page 10.**

(Exhibit F - single page example of what will be incorporated into *all* Neighborhood Statistics pages)

Thaynes Section 1.5

Based on the discussion that occurred during the February 27th City Council meeting, staff is recommending that 1.5 of the Thaynes neighborhood section of the General Plan read as follows:

1.5: Thaynes should remain a quiet residential neighborhood dominated by single family homes.

Existing zoning should continue to allow for additional multi-generational housing options that are compatible within the existing single-family built environment. (Exhibit G)

Recommendation

Staff recommends that the City Council review the final revisions for the General Plan and consider adopting the new General Plan for the City.

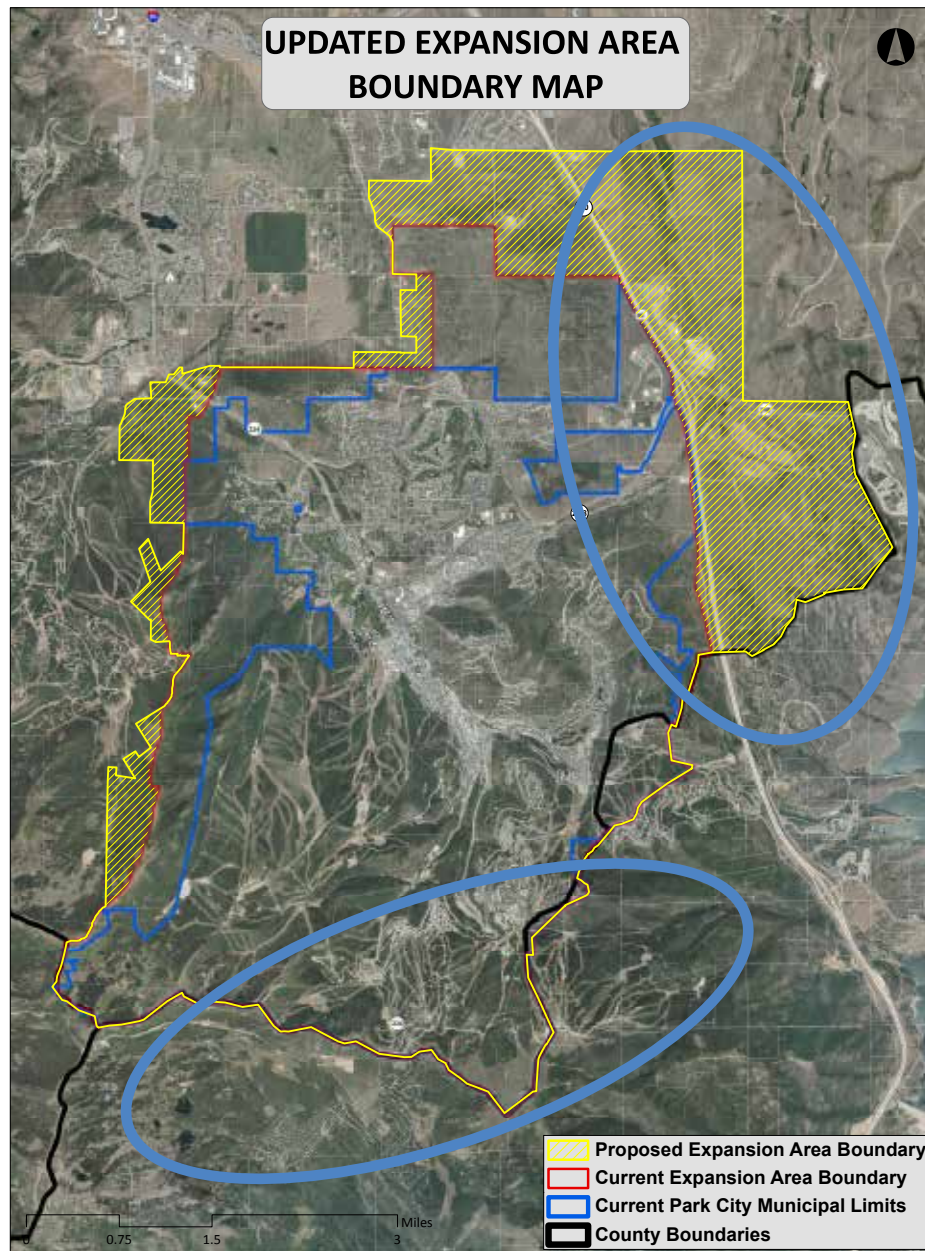
Exhibits

- Exhibit A – Revised Annexation Expansion Area map and language
- Exhibit B – Revised Daylighting Creeks photo and language
- Exhibit C – Revised Incentives for Historic Districts – parking and structures
- Exhibit D – Revised Greywater Infrastructure language/strategy
- Exhibit E – Revised HOA Graphic language
- Exhibit F – Inclusion of HOA language in each neighborhood section
- Exhibit G – Revised Thaynes neighborhood Language
- Exhibit H – Proposed Ordinance for Adoption of the General Plan

Annexation Expansion Area

Modifications to the expansion area require full analysis of the annexations within the state and local code. This map represents the need to discuss expansion possibilities with our regional partners and the Park City Planning Commission and City Council. This map is a draft to be utilized for discussions toward adoption of an expansion area that is consistent with the City and Counties' regional planning goals as well as the mandates of the State Code. Additional lands may be considered for annexation after further consultation with adjacent jurisdictions; this map is not intended to exclude such lands.

Area for future discussions with our regional partners in Wasatch County.



Annexation Expansion Area (AEA) Outlined

It is worth noting that the Annexation Expansion Area (AEA) that is included within this General Plan is the recommended area for the City to consider formally adopting as part of the Annexation Policy Plan in Chapter 8 of the LMC, pursuant to state code procedure. This process involves public noticing, public input, Planning Commission review and recommendation to the City Council and, ultimately, adoption by the City Council. The areas outlined in yellow crosshatch on the map on the prior page are explained in detail below regarding why these areas might be considered for annexation by the City:

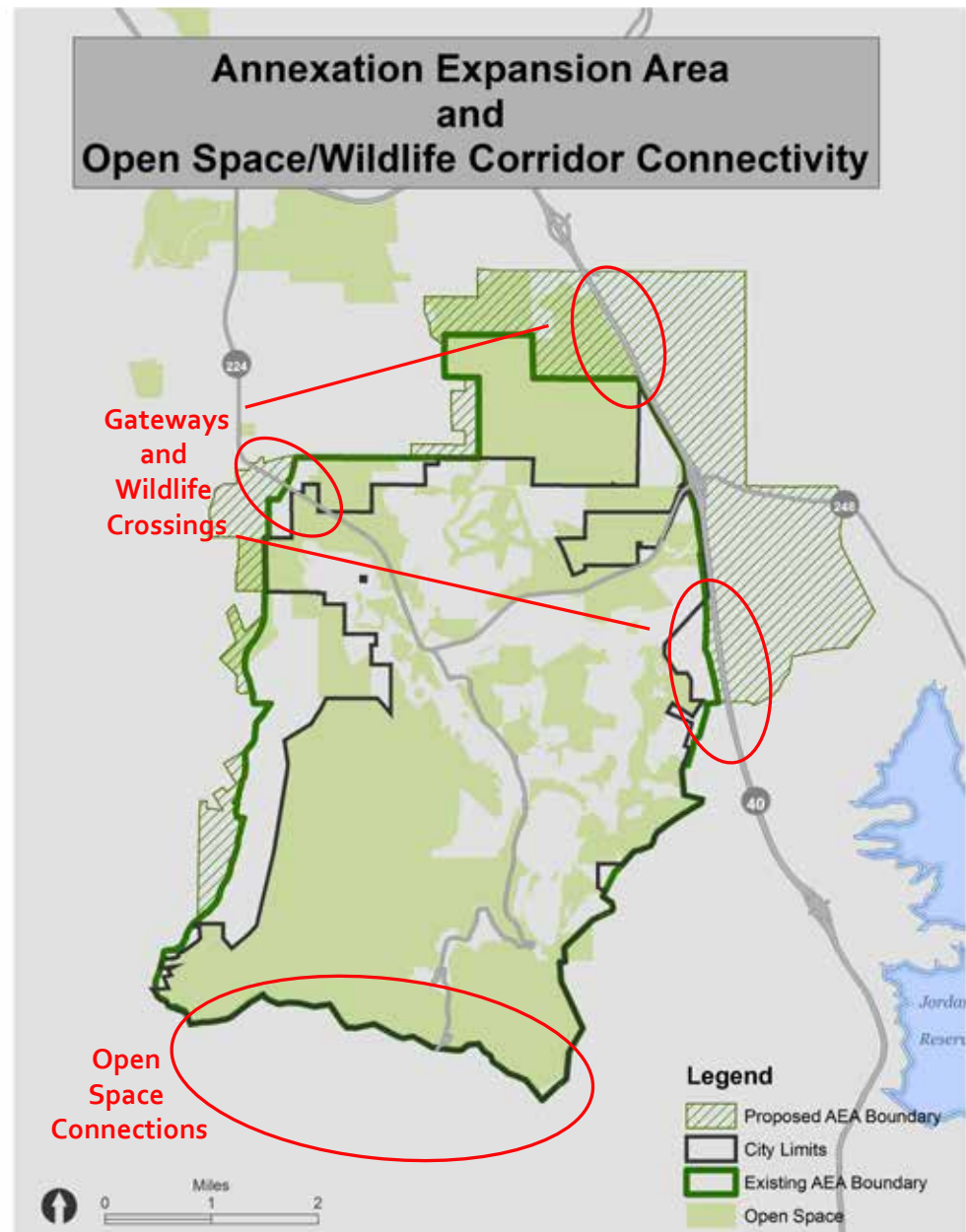
- The proposed AEA boundary to the northeast of the current City boundary will allow the City to bring much of our acquired and protected open space within Round Valley into the City limits. In addition, the

proposed expansion of the AEA east of SR40 will allow the City to jointly plan this area in conjunction with the County recognizing that the General Plan recommends this area to generally be preserved as open space with the consideration of a wildlife corridor over SR40 in the future. Preserving this area along the corridor preserves one of the gateways to the City while also recommending any future development be directed to the existing development nodes of Silver Creek/Summit to the north (where the land is currently zoned by the County as Community Commercial – CC) and the east side of SR40 at Quinn’s Junction to the south where the County has the land zoned by the County as Service Commercial (SC). In addition, the land located further to the east – to the Snyderville Basin jurisdictional boundary and south to the Wasatch County line is included also as an opportunity to protect and plan this gateway into the City.

- The proposed AEA boundary to the southeast of the current City boundary will allow the City to ensure that the south gateway to the City will be preserved, specifically in light of the anticipated development that will result as part of the Jordanelle Basin entitlements. Again, the General Plan recommends protecting the corridor from sprawl and concentrating any future development into nodes – in this case, in the Jordanelle Regional Special Planning Area and not allowing corridor creep toward the north.
- The proposed AEA boundary to the west of the current City boundary will allow the City to clean up the existing AEA boundary by following existing property lines. In addition, the proposed AEA expansion to the northwest of the City along SR224 will allow the City to actively plan within the area to protect the

gateway to the City (just before you get to the McPolin Barn). There may be opportunities in this area to look at clustering and/or the creation of a TDR sending zone to protect some of these entitled lands.

Land to the south of the City may be explored for possible inclusion within the AEA subject to collaborative efforts with Wasatch County. Opportunities may exist in this area to mutually plan, consider creating TDR "sending" zones for entitled lands, and/or look at open space and wildlife connections.



STRATEGY: Daylighting Creeks in Urban Settings

NATURAL SETTING

Not so long ago, Silver Creek wound its way through Park City, separating the hustle and bustle of Main Street from the Marsac Mines. Pollutants, such as mining tailings, however, quickly diminished the health of the natural creek, and the stream was soon renamed “Poison Creek” to prevent locals from drinking its water. As Swede Alley developed, the stream was diverted underground where it currently flows through a pipe beneath the roadway. Uncovering this babbling brook would improve the overall aesthetics of Swede Alley, creating development opportunities for plazas and open space along the vegetated creek bed. Much like other municipalities, the City would not restore the original creek bed but rather introduce a new path for the stream that accommodates neighborhood needs along Swede Alley. To keep the water moving, thus preventing stagnant water and mosquitos, the water could be filtered through a water feature at the new Brew Pub Plaza.

This photo of Silver Creek running behind Marriot Summit Watch and along Deer Valley Drive is an excellent example of a small creek’s positive impacts upon the built environment. The creek provides a central focus point for the pathway that follows alongside it. This image also includes the City’s “Shoe Tree” in an area known locally as Shoe Tree Park.



"We never know
the worth
of water till
the well is dry."

Thomas Fuller, *Gnomologia*

The blue line shown on
this aerial image of Sweede
Alley depicts the location
of the currently buried
Silver Creek.

Sweede Alley Poison Creek/Storm Drain



NATURAL
SETTING



allowed only to combine lots to match the existing development pattern. In this case, an average lot size per block should be demonstrated by the home builder to determine how many lots have traditionally been combined and built upon in the past. Existing home owners wishing to combine lots should be limited to the same standards as described above, with an exception for existing homes that straddle lots lines. Remnant parcels, not straddling the property line and not within the required setback area, may be combined only if it can be demonstrated that the parcel is not buildable on its own (e.g. cannot meet minimum lot requirements). In areas in the HR-1, HR-2, and HRL where no lots are platted, new lots should respect the historic lot patterns of 25'x75' lots.

Lot combinations within the Historic Residential-Low (HRL) District have been encouraged in the past due to the larger minimum lot size requirements; however, they should also be treated much the same as previously suggested, where the average of each block is analyzed to determine the historic fabric and development patterns established.

Incentivizing Development on Single Lots

As an incentive for smaller structures on single lots within the HR-1 and HR-2 Districts, the City should consider offering relief from certain parking requirements. An incentive could be the reduction in the parking requirement from two (2) spaces to one (1) space subject to the building footprint not being greater than 75% - 80% of the Land Management Code maximum building footprint. This would allow a property owner to construct a smaller home with a one car garage without having to increase the setback from ten feet (10') to eighteen feet (18') to provide for a second parking space.

In addition, consideration should be given to allowing an increase in the footprint on a lot for a living structure and a detached single-car garage OR consider not including the SF associated with a detached single-car garage within the building footprint on the lot. A detached garage might allow for the primary structure on a lot to be slightly smaller and more compatible with the surrounding neighborhood.

To address increased parking demand on Old Town Streets, the City should consider implementing a paid parking

permit system, and limit the number of permits for each address, thus encouraging more overnight parking within the China Bridge parking structure.

All of these recommendations should only be considered in conjunction with parking enforcement (Public Works - Transit/Transportation) and the City Engineering office.



Community Planning Strategies

- 6.1** Implement the Community Wildfire Protection Plan in cooperation with the Park City Fire District and local partners including the ski areas.
- 6.2** Adopt a natural resource management plan to manage wildfire prevention, water conservation, energy conservation, and biodiversity protection.
- 6.3** Regulate impermeable surface area of lots to ensure proper drainage, hydrology, and mitigation of heat island effect.
- 6.4** Adopt standards to allow community gardens within neighborhoods and subdivisions.
- 6.5** Zone existing agricultural lands and future agricultural land within the Annexation Declaration Area as low density (1 unit per 60 acres).
- 6.6** Factor climate change into long term budget policies and projections. Incorporate adaptable planning principles and sustainable capital projects to mitigate impacts of changing resort development and operations.
- 6.7** The City should investigate opportunities to encourage grey water infrastructure (internal reuse only; not for landscaping) in existing and future developments. This must be coordinated with the State and the County Health Department.



"We are in a unique position to lead with exposure to the nation and the world on how to incorporate sustainable values in the context of an existing historic place."

Comment from resident during 2009 Community Visioning

The Hierarchy of Land Use Documents



*May conflict with and be more restrictive than the Zoning Ordinance standards.

The hierarchy of land use in Park City is based upon the State of Utah's land use legislation. The General Plan is the guiding document for Park City - it is the blueprint for the future of the City. It is a long range policy plan that will guide future Land Management Code (LMC) and zoning decisions.

The LMC is the regulatory document that addresses specific zoning and land uses within respective zones. The LMC and associated Zoning Map provide for specific uses within noted districts on the Zoning Map.

Beyond these governmental tools for regulating land use are private Covenants, Conditions and Restrictions (CCRs) that are typically associated with HomeOwners Associations (HOAs). These CCRs are enforced by their respective HOAs.

Total Area (sq. miles)	0.97 square miles
Total Area (acres)	620 acres
Total Units	250
Unbuilt Units	99
% of Total Park City Units	2.7%
Average Density	3.16 units per acre
Range of Density	0.1 - 7.7 units per acre
Population	418
Total Businesses	17
% of Total Park City Businesses	2%
Housing Type	Single Family and Agriculture
Historic Sites	McPolin Barn
Affordable Housing	None
Occupancy	65% Primary residence 59% Owner-occupied 6% Renter-occupied
Neighborhood Icons	McPolin Farm, Rotary Park, Hiking Trails, Streams, Park City Golf Course
Parks	Rotary Park
Amenities	McPolin Farm, Frank Richards Farm, Aspen Springs Open Space
Trails	McPolin Farm Trail and Thaynes Canyon Trail, Connection to McCleod Creek Trail
Walkability	Internal streets and trails; few amenities within 1/4 mile that would decrease Vehicle Miles Traveled
Sub-Neighborhoods	Aspen Springs, Iron Canyon, Thaynes Canyon, Thaynes Creek Ranch

* HOAs may exist in this neighborhood; please refer to page 10.





extends 250 feet from the Utah State Highway 224 north of Holiday Ranch Loop Road and Payday Drive. This overlay should be maintained or strengthened, preserving the sense of arrival into Park City. These efforts to preserve the Entryway will be furthered by improved connectivity to Snow Creek Shopping Center, e.g. sidewalks, crosswalks.

Relative to buffers and greenspace, the City's golf course runs through this neighborhood as well as the Resort Center neighborhood and is a significant community asset that should be protected for its summer and winter recreational opportunities.

1.4: The Thaynes Neighborhood, a local neighborhood in which primary residents choose to live.

Of the neighborhoods in Park City, Thaynes has the highest percentage of primary residents (65%). Planning within the neighborhood should be focused toward sustaining the primary residential population. Improvements to public neighborhood amenities, including sidewalks, trails, parks, and access to public transportation are planning priorities for the area.

The City should consider a slight modification to the existing bus route to provide more access to public transportation within a ¼ mile of homes and direct access to the neighborhood park.

Trail access has been an



ongoing struggle for the neighborhood residents and the public. The original Iron Canyon subdivision created two routes to access the trail. One access route, which has been a point of debate in the neighborhood, is trail head parking adjacent to residential homes. The second trail access originates at the McPolin Barn. This access winds throughout the neighborhood up to the trailhead, yet is in need of way-finding signs. The City should continue to work with the HOA to identify the best solution to mitigate neighborhood impacts while providing public access.

1.5: Thaynes should remain a quiet residential neighborhood dominated by single family homes.

Existing zoning should continue to allow for multi-generational housing options that are compatible within the existing single-family built environment.

1.6: The aesthetic of the Thaynes Neighborhood should be preserved.

The Thaynes neighborhood is dominated by single family



Ordinance 14-

AN ORDINANCE ADOPTING THE PARK CITY GENERAL PLAN AS A COMPREHENSIVE REWRITE OF THE MARCH 20, 1997 GENERAL PLAN AND SUBSEQUENT AMENDMENTS

WHEREAS, the Park City General Plan was first adopted by the City Council in 1985;

WHEREAS, the Park City General Plan was rewritten and adopted by the City Council in 1997;

WHEREAS, subsequent amendments to the General Plan were adopted by resolution in 1999, 2000, 2001, 2002, 2007, and 2011;

WHEREAS, the City desires to adopt a comprehensive rewrite of the Park City General Plan to incorporate the Core Values of Small Town, Sense of Community, Natural Setting, and Historic Character as identified by the City's residents in 2009 following a lengthy, inclusive, community wide visioning process;

WHEREAS, the City desires to adopt a General Plan that includes unique attributes of Exceptional Resident Benefits, Vibrant Arts and Culture, and World Class Skiing and Recreation as qualities that make Park City unique and set Park City apart from other communities that may have similar core values;

WHEREAS, City desires to adopt a General Plan that incorporates four levers that work in an interconnected framework to "keep Park City, Park City", namely Environmental Impact, Quality of Life Impact, Social Equity Impact, and Economic Impact and that is a comprehensive, long-range plan identifying the present and future needs of Park City;

WHEREAS, the Park City General Plan is a guiding document to be utilized by the City to make decisions regarding key elements of the City, including Land Use, Housing, Transportation, Open Space, Resource Conservation, Parks and Recreation, Historic Preservation, Community Facilities, and Economic Development;

WHEREAS, the Park City General Plan implements a Neighborhood Portfolio approach that acknowledges and incorporates unique characteristics of each neighborhood, while also ensuring that individual neighborhoods complement each other to ensure citywide balance and health;

WHEREAS, it is in the best interest of Park City to provide General Plan policy direction resulting in orderly and balanced growth, sustainable and smart development and redevelopment, creation of more diverse housing opportunities, protection and conservation of natural resources, and a regional approach to transportation planning in order to preserve the Small Town experience that is Park City;

WHEREAS, the comprehensive rewrite of the Park City General Plan complies with the Utah State Code Section 10-9a-401 regarding required elements of a General Plan in considering 1) present and future needs of the municipality; 2) growth and development of land within the municipality; 3) health, general welfare, safety, energy conservation, transportation, prosperity, civic activities, aesthetics, and recreational, educational, and cultural opportunities; 4) the reduction of waste of physical, financial, or human resources that result from either excessive congestion or excessive scattering of population; 5) efficient and economical use, conservation, and production of the supply of food and water; 6) storm water, sanitary sewer, and other facilities and resources; 7) the use and promotion of energy conservation and solar and renewable energy resources; 8) protection of existing development; 9) promotion of moderate income housing; 10) protection and promotion of air quality; 11) protection and preservation of historic resources; and 12) identifying future uses of land that are likely to require an expansion or significant modification of services or facilities provided by each affected entity;

WHEREAS, the Planning Department conducted neighborhood outreach open houses during the Summer of 2010 and conducted neighborhood charettes in the various neighborhoods during the Summer of 2011 to receive public comment on proposed goals, objectives, and specific land use concepts and ideas for individual neighborhoods as well as the community as a whole;

WHEREAS, On May 30, 2012, the Park City Planning Commission and Snyderville Basin Planning Commission met in a joint work session to discuss and collaborate on issues regional concern and to discuss the work each Commission is undertaking regarding updating and rewriting their General Plans;

WHEREAS, August 13 and Sept 24, 2012, the Planning Commission appointed General Plan Task Force, comprised of community stakeholders and citizens, met five times to review and provide input on draft goals, objectives, strategies, and other elements of the General Plan during the community outreach process;

WHEREAS, on March 13 and 27, 2013 the Planning Commission discussed the March 2013 draft General Plan document and provided input to the Planning Staff regarding the content and format of the plan;

WHEREAS, during the spring and summer of 2013 the Planning Commission conducted various work sessions and joint meetings with community and City Council to discuss the draft document and recommended various changes to the draft document and an amended draft General Plan document was presented on December 19, 2013;

WHEREAS, the Planning Commission held public hearings on the draft General Plan on December 11 and 18, 2013 and January 15 and 22, 2014, and on January 22, 2014, forwarded a positive recommendation to the City Council,

WHEREAS, on February 13 and 27, 2014 and on March 6, 2014, the City Council conducted public hearings and took public testimony on the General Plan, as required by law; and

WHEREAS, the existing Strategic Plans including the City Owned Properties Plan, the Conservation and Drought Management Plan, the Economic Development Plan, the Entry Corridors Transit/Transportation Strategic Plan, the 2012 Housing Assessment and Plan, the 2011 Traffic and Transportation Master Plan, the Environmental Initiatives Plan, the Short Range Transit Plan, the Solid Waste Strategic Plan, the Trails Master Plan, the Water Strategic Plan and other strategic plans remain in full effect in conjunction with this General Plan;

NOW THEREFORE BE IT ORDAINED by the City Council of Park City that this comprehensive rewrite of the Park City General Plan is hereby approved and adopted, replacing in its entirety, the 1997 Park City General Plan and all subsequent amendments. This Ordinance shall take effect upon publication, pursuant to the Utah Code Annotated Section 10-9A-401.

PASSED AND ADOPTED this 6th day of March, 2014.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



**PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
February 27, 2014**

**Study Session
Community Engagement**

Phyllis Robinson, Public Affairs & Communication Manager, spoke to community engagement, encouraging the Council to design programs with the purpose of engaging the community. Talked about going to the people. Reminded then that personal relationships with government creates trust. Stated that public hearings/input opportunities are very important; however, they are not community engagements. Spoke to the Council about their role in helping to create a comfortable atmosphere, help guide the residents on how to be heard, it can be a scary process and it will be hard but not impossible. Robinson went through the steps of how to create these opportunities: inform, consult, involve, collaborate, and empowerment. Reminded Council of who is involved in terms stakeholders, shareholders, etc. think broadly about who we want to engage. Recognizing that we need to be multi-faceted for those who cannot physically participate in keeping the website and social media aspects up to date. Success is defined differently with community engagement by matching goals, being ready to present all information, creating the right situation and approach, and finding synergies. Robinson relayed a statement that she heard at a conference that we need to "Go Slow so we can Go Fast". Meaning if we take the time to get community involvement then the outcomes will be far better. Follow the principles of open and responsive, proactive, honest, meaningful and community centered. Feels the one piece of improvement is closing the loop, letting the community know what our intentions are and letting them know that they were heard. Taking it to the streets includes what Council would like to see. Robinson suggested a few engagement opportunities such as a Lower Park Avenue discussion, Council events, specific project open houses and citizens toolbox.

Council member Simpson spoke to the living room gatherings from the 90's. Each home had a facilitator and residents from all areas and classes assigned to homes and with the desire to find out what was going on in their community.

Council member Henney thanked Robinson for the great staff report. Spoke to the idea of getting the citizens involved with other citizens, and the importance of sharing the picture with the other peers.

Council member Matsumoto recognized the hard work that has been accomplished to create community engagement, reminded staff to keep up the website as a tool for the younger generations. Spoke to neighborhood committees as a way to link the community.

Robinson stated that she feels that Park City is too small to set up a higher archy in each neighborhood. Mayor Thomas stated that he feels the community is represented by interest groups and feels that the neighborhoods need to be represented.

Council member Simpson pointed out that this is a community vision not a neighborhood vision

and feels that neighborhood committees could be too formal and could be positional.

Council member Matsumoto suggested that they go door to door as a Council and engage in the residents stating that her favorite part of campaigning was going door to door.

Peek stated that this is removing the barriers and opening up the lines of communication between the formal body and the residents.

Council threw out more ideas of other ways to engage the community along with door to door, small groups, formal setting at community events with the council in one place for Q & A. Keeping the group format as a comfort level. Creating citizen boards for problem solving such as blue ribbon, COSAC, walkability etc.

Mayor Thomas stated that he feels this would be a very nice time to give the public an opportunity to comment.

Steve Swanson spoke to his concern about the process and has felt that now that the doors have been open he feels better about engaging with staff and Council. Public outreach is very important. Publicity in creating an event instead of a meeting. Spoke to the website as a great resource as well as social media being a great option. Suggested a "Host a speaker" event and liked the ideas of committees and living room discussions.

Mary Wintzer commended Robinson for the fabulous report and concurs with Council member Simpson's ideas. Wants a way to all come together to work for a goal of making Park City better. If mistakes occur due to humanity then we work together to fix them. Liked the "go slow so we can go fast" comment and feels that was well represented with the General Plan.

Public Works Operations Update

Blake Fannesbeck spoke to the areas of the Public Works department: Streets, Parks, Golf & Cemetery maintenance and Building maintenance. The goal is to keep the everyday details taken care of so the residents are happy, it is a high level of service due to the tourist town.

Council member Henney stated that in the staff report Fannesbeck said that the Public Works department did not rate high on the Council goals portion and they should take it as a compliment. They did not rate high because they do not require improvement.

Mayor Thomas related the Public Works department to the foundation of a house and how important they are to the everyday details.

Fannesbeck spoke to the everyday operations and staffing during the seasons stating the Streets department is responsible for the curb, gutter, and sidewalks/bike paths, street lights and signs. Storm Water and flood control systems ditches and inlet boxes stating they currently can clean the storm water boxes and are looking to purchase the equipment to clean the lines. They have sandbags on hand in the spring for residents. The Streets department also works with pavement management, a software program that will determine the proper applications for the 126 miles of street as well as the life cycle of our roads. They help with event support- traffic control, parking and clean up.

Council member Simpson stated that she has witnessed the Streets crew cleaning up Old Town

following the storms and really appreciates it.

The Parks, Golf and Cemetery Maintenance department is responsible for the parks, fields and Cemetery including the variety of area of the city to include open space. Golf course maintenance keeps the highly manicured premiere course in working order with a complex water system, narrow watering options to conserve water. They work for City Beautification with 170 flowers and shrub beds to keep the resort community feel. Spoke about the Arbor Day celebration planting 10 trees and stated Park City has been a Tree City USA for 21 years. Requirements of this honor require year round work include pruning and treating. Parks, Golf & Cemetery take care of the Holiday/Town decorations- hanging baskets, holiday lights and banners. Sports fields & event support- continuation of prepping the fields they clear the sport track of snow for the lacrosse and soccer leagues. As well as maintenance on all outdoor facilities, play grounds, tennis courts, volley ball courts, skate park, dog parks. They keep the sidewalks and stairs clear of snow to keep walkability vital.

Fonnesbeck spoke about Building maintenance stating they keep up the maintenance on all City buildings and China bridge. Maintain the Geothermal systems at Marsac and the police building, the staff has performed very well learning new computer controls. Also maintain the Solar panels and are involved with event support.

Public works has partnered with recycle Utah for a clean-up program that allows residents to bring their yard waste etc. to the recycle center.

Council member Simpson said kudos to the Public Works department for this program; it has saved the City money and has been an incredible partnership.

Fonnesbeck stated that they also work to clean up vandalism & graffiti- broken lights, stickers, graffiti. Working on a tracking program on the dollar amount spent to repair and replace. .

Weidenhamer, Economic development, stated that the Public Works department is amazing, and they make it all happen. The level of service is stellar and they also sit in on the design aspect of projects and bring creative solutions to all of those projects.

Work Session

Council Questions and Comments and Manager's Report

City Manager Foster stated that staff would like to speak to the manager's report regarding Main Street at the 6:00 hour to accommodate residents who have expressed concerns and cannot be present until then.

Ann Ober, Regional Collaboration director, inquired about regional meetings and informed Council of the upcoming meetings. Discussions regarding the number of meetings ensued and it was pointed out that regional collaboration is a top priority.

Council member Beerman inquired if there were any questions on the charters for Mountain Accord as he is to sign on the City's behalf. Council concurred they were in agreement with what they reviewed.

Council member Matsumoto attended the Chamber board meeting stating they discussed the forecast of tourism and felt March is picking up. Discussed the lobbyist bill that allows them to show tourism is growing then funding is available for up to 3 million dollars. Also spoke to a

bill moving forward to see if they can increase the tourism budget due to the lack of funds during the recession. Attended the planning commission meeting and said all things went smoothly, the largest item turned out to not be a large issue due to communications with the neighbors and the developer. She relayed two comments regarding parking that she heard last week. One regarding poor communication with the transportation from the airport. The comment was from her daughter who was out to dinner and spoke to the restaurant owner regarding parking who stated that China Bridge is full of Main Street employees and feels that the Main Street alliance needs to come with a plan to handle employee parking.

Council member Peek attended COSAC discussing stewardship endowments and the recommendation is to fund stewardship as is.

Council member Simpson said "Let it snow."

Council member Henney attended the Comcast tour and found it amazing. Stated he jumped on a bus leaving deer valley during load out and found standing room only stating it great to have such a great capacity. He was also impressed with the engagement of the driver. Attended the Historic park city alliance meeting stating that parking is the number one issue. They feel that if visitors cannot find a parking spot they will have a negative opinion of Park City and will not return. They also did a post Sundance meeting and had a very good discussion including taking in account the tapering of the festival.

Legislative Update

Matt Dias, Assistant City Manager and Jody Morrison, Assistant City Recorder presented the weekly update speaking to the Big 5 bills that include: Transportation, Schools, Climate, Count my Vote and Medicaid. At this point only 70 bills have been passed with only two weeks left. Have worked hand and hand with the League to deter some bills and do have a few small wins.

Council member Peek inquired about adding a stance column to the spreadsheet. Morrison went over the color coding of the chart. Dias stated that he & Henney attended the policy session last Monday and we will be hearing a lot of information regarding revenue coming in the next few days.

Council member Simpson inquired about the lodging bill that she asked for more information on. Dias stated that the word now is that it has not had a hearing as of yet which is good.

Council member Beerman inquired about a gas tax bill, Dias stated that the league has not taken a position yet.

City Council Retreat Notes Review

City Manager Foster asked for input on the notes presented in the packet.

Council member Simpson stated that on page 53, section titled Council's expectations of Mayor- there was blending of words, that he be a cheerleader for staff and then after the decision is made during a meeting he be a cheerleader for Council. Also, pointed out a word change from won to one. And would like a follow-up half day of retreat and half day of Myers Briggs training. Council member Beerman suggested that do a public survey of dreams and fears to see if they are on track. Also, on page 59, titled Take Aways, wants it left at "together".

Farm Animal code amendments

Deb Wilde, Code Enforcement, Roger Evans, Building & Gabe Jaramillo, Building, presented the history of the current farm animal code, stating that Park City has adopted the County code. Wilde presented the research she gathered from other Cities and feels that the code should remain the same unless future complaints come in. She asked for Council input.

Council member Beerman stated he spoke to a resident that was told that the County did not have any teeth to enforce the code.

Wilde stated that the County does have teeth and they are enforcing their own code.

Evans stated that these issues go in cycles and with the popularity of “growing” your own food it could come back around.

Council member Henney stated that it is not an issue of the animal but an issue of the noise and odor. He feels the only change could be to disallow roosters.

Council member Simpson responded that she felt it would be sexist to ban only roosters.

Council member Beerman stated that he does not feel cattle and swine belong in the definition section of domesticated animals.

Council responded with a 3-2 vote to keep the code the same.

General Plan discussion

Planning Director Thomas Eddington followed up with the edits from the last meeting as well as the feedback from the General Plan open house. Discussed the incorporations of the changes from the last joint meeting regarding Nodal development, discussions revolving the background of how the graphic was interpreted continued.

City Attorney Harrington stated that he felt the Planning Commission was suggesting to either change the text to where existing nodal development exists or have it state where the future nodal developments areas are suggested.

Eddington discussed the annexation expansion area. Stated that staff did add a note to the annexation section to clarify the purpose of the graphic addition. City Manager Foster stated that she had met with the County Manager and he was unsure how the County Council would feel having this printed as an option.

Council member Simpson stated that with the goal of working toward regional collaboration and developing healthy relationships she would be in favor of backing off on this at this time.

Council member Beerman stated he has concerns with pulling this item from the General Plan even with the sensitive issues with Wasatch county, feels that with the other upcoming meetings the City can repair those issues.

Council member Matsumoto stated that it is an entry corridor and is an important area, would like to pull the item and see if the year of collaboration works and then move forward.

Council member Peek suggested that the item be pulled and then during a joint meeting with the County bring it up as a discussion item.

City Attorney Harrington added language that would allow the additional use of the land.

Mayor Thomas stated that he is with Council member Beerman that this prime land and feels that we need to be ahead of the game.

Council member Simpson stated that she feels that this would cause a huge issue and would be noticed with plenty of time if any development were to be looked at.

City Attorney Harrington outlined what the positives and negatives would be for adding this to the General Plan stating that this is only the first step in the process.

Council member Beerman stated that he feels it was disingenuous to take it off the map knowing that we are going to turn around and put it on in a year.

Eddington stated that staff is recommending leaving the annexation map as is. Council agreed that the yellow hatching be removed and leave the blue oval suggesting that there could be future annexations working with Wasatch County.

Discussed the licensed architect factor. This has been a debate during multiple meetings.

Council member Simpson again pointed out the discussion she had with her father who is a licensed architect stating in his option requiring a license does not guarantee quality product.

Council member Matsumoto clarified that every project has to follow design guidelines and if they have to follow the process no matter what then who is this language helping.

Council member Henney inquired if this even needs to be stated in the General Plan couldn't it be looked at in reference to the Land Management Code.

Council member Peek stated he is not willing to take peoples livelihood away for good paper work or design.

Council member Beerman concurred with Council member Henney that this should be brought forth in a LMC discussion.

Mayor Thomas stated his theory when he suggested this during his time on the Planning Commission. He stated that licensed architects are held to a higher standard due to the length and nature of their education. It would require them to be held accountable for their design.

The Council agreed to strike this language from the General Plan.

The Council then discussed the definitions sections related to the affordable/attainable /middle/moderate housing definitions. Concurred with either deleting or defining but do not use circular language.

Mayor Thomas invited public input on what has been discussed so far.

Jeff Camp- spoke on behalf of Snow Park subdivision, stating the biggest concern is the wild life corridor that goes through the BLM land, he understands that a piece of the property has been deeded, and noticed on the zoning map as medium density. He stated he would be in favor of changing the zoning from medium to low density. Thanked the Council for the landscaping in his neighborhood; however, the parking during Sundance ruins the landscaping and would love to be included in the permit parking.

Mary Wintzer seconded Mr. Camp's comments. She would admonish the Council to sleep on the licensed architect factor prior to scratching it out of the plan. Spoke from experience as a member of the Board of Adjustments that the process is much smoother with a licensed professional.

Gary Strong, Tall Pines Construction, past president of Park City Home Builders Association would like to see 15.3 related to requiring a licensed architect be removed all together. He stated that he has been in the business for many years and has seen both architects and designers alike good and bad.

Mary Olshefsky- asked for clarification for 7.2 and asked for it to say "that which is more restrictive". Eddington stated that staff added language at the very beginning of both volumes discussing CC&R's. Council member Simpson stated that by making that point clear at the beginning of the document instead of burying it deep in the General Plan.

Jim Tedford- stated that he feels that the new document is a great effort and has a few suggestions regarding the historic character. Would like to see the HPB more involved in the decision making process and not the appellate board. If the Council would not like to see the change then the \$500 fee should be lowered. Council member Simpson stated that Council felt the fee needed to be a hefty enough fee that the residents think heavily before appealing every decision. Mr. Tedford would like to see an email notification system put in place to inform when applications have been submitted. Page 111 section 16.1. also discussed the definition of subordinate. Feels that there are too many strategies and would like the title of volume two be Implementation and would like to see all the goals started the same.

Chistina Shebler- publically agreed with Camp and Wintzer with low density and wildlife corridor.

Regular Meeting

6:00 pm

I. ROLL CALL

Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, January 9, 2014. Members in attendance were Jack Thomas, Andy Beerman, Cindy Matsumoto, Dick Peek, Liza Simpson and Tim Henney. Staff present was Diane Foster, City Manager; Mark Harrington, City Attorney; Matt Dias, Assistant City Manager; Jason Glidden, Special Events; Clint McAfee, Water Manager; Roger McClain, Water; Thomas Eddington, Planning Director; Chad Root, Chief Building Official; Roger Evans, Building; Matt Cassel, City Engineer; Marci Heil, City Recorder

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

There were no communications or disclosures from Council or staff.

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

Terry Ore, Park City Institute brought a video showcasing the artists that will be performing Saturday and will be a part of the Park City school district out-reach program tomorrow.

Allison Butz, Historic Park City Alliance, spoke to the Main Street construction hurting the mall traffic. Asking if the fence could be moved to back of curb and offer off street parking on the East side as well as exploring staging options off Park Avenue. Also inquired about a construction liaison.

Monty Coates, Pine store, has experienced a 33% loss this winter. It is not his intent to slow the construction project just to look at the other options for flexibility especially during peak season for pedestrian flow. Also supports a construction liaison with all the projects along Main Street. Feels the impacts are directed at the businesses along Main Street and would like to see those spread out.

Susan Meyer, Meyer Gallery, noticed a significant drop in walk-in traffic. She has heard that everyone is seeing a decline and is encouraging that there be a sight line so the tourists will continue uphill

Karen Terzian, Terzian Galleries, 309 Main Street, has been in this location for 10 years and has noticed a lack of foot traffic and it is very difficult to see the store signs and would like to see signs that list the businesses that are on upper Main Street.

Mary Wintzer, 320 McHenry, stated when was a general contractor the schedule was very strict with one day for footings, one day for foundations and would like to see if the policies have shifted or loosened.

Jane Schaffner, 401 Main Street, is located on the down side of the construction so she has not seen the decline but in the 28 years she has been there they are still have parking issues. Has concerns with the upcoming events in the spring and feels that the appearance of Main Street is the jewel of the town and now looks like a war zone.

Rinaldo Hunt, developer at 333 Main, spoke to the issue at hand as it relates to the construction project. Stated they have been working with the HPCA and City Staff to accomplish this large project. He feels that the construction partner, Jacobson, has worked very well with staff in bringing an efficient plan. Stated that the barriers are for the safety of the walking traffic. Stated that they had a meeting with the HPCA and they agreed with the plan and brought it to the City and now the HPCA is saying that it is not working. They are already squeezing in the construction as is. They are committed to complete the project in a timely manner and leave a great finished project.

Mayor Thomas stated that this item is not on the agenda but seeing the turmoil offered to discuss this item and bring it back as an agenda item if needed.

Council member Peek inquired why there was not a crane on site. Chad Root, Chief Building Official, stated that the contractor did not feel they would need the crane on site for over the allotted 14 days.

Council member Simpson stated that the 562 Main construction project has been a great example of the construction mitigation plan working well.

Root spoke to the considerations of the project to ensure public health, safety, lessen the negative economy impacts in the neighborhood, pedestrian access, traffic and parking, aesthetics to make it fun and pretty. The construction projects along Main are to be shut down during events and holidays. They are adding additional lights for the site and to make the walk way friendlier. The thought is directory signs would guide the pedestrians to the other shops to keep the impact of economic hardship to a minimum. Staff met with HPCA to discuss additional signs and flags & banners.

City Manager Foster stated that staff has decided to have Craig Sanchez, Golf Director, fill the role of construction liaison to act as a conduit for the HPCA, merchants and staff.

Root discussed the mitigation of neighborhood plans to include no construction at this phase on Park Avenue, no construction parking in residential areas, construction hours 7am -9pm Monday-Saturday and Sunday 9am-6pm. Noise most of the time will be below 65 decibels.

Council member Henney inquired if the allowance of use of Park Avenue for staging would be a minor gain or major gain.

Root stated that it would be a minor gain and would not meet the requests of the merchants to lesson impact other areas as well.

Council member Beerman inquired about the construction expansion during peak season. Root stated that it was always the intention of the project to expand.

Council member Simpson stated that she brought issue of the aesthetic looks to the attention of staff back in November. The project is unattractive and needs the line of sight option. Would like staff to look into a wooden protective walkway and make it look more attractive. She understands that safety is the issue but the aesthetics need to be mitigated as quickly as possible.

Council member Peek stated he too is in favor of a ridged walkway and staff needs to look at the use of public right of way, are we charging the contractor for the use of sidewalk and street as a staging area.

Council member Beerman would like to see if all of the 300 feet of construction needs to be used all the time.

City Manager Foster stated that the next step will be to hold a staff meeting with the contractor & HPCA to make sure all the items are being looked at and come back to Council and report on the next steps.

Council requested a verbal update at the next meeting.

Council member Henney thanked Root for all the help detailing the issues and working with both sides. Council concur the sentiment.

IV. MINUTES FROM THE SPECIAL JOINT CITY COUNCIL/PLANNING COMMISSION MEETING ON FEBRUARY 5, 2014 AND REGULAR MEETINGS ON FEBRUARY 6, 2014 AND FEBRUARY 13, 2014

Council member Matsumoto moved to approve the minutes from the Joint City Council/Planning Commission meeting held on February 5, 2014 and the regular meeting minutes held on February 6, 2014 and February 13, 2014

**Council member Henney seconded
Approved unanimously**

V. NEW BUSINESS

1. Consideration of authorizing the City Manager to execute an Amendment to the Wyatt Earp Way Improvements Construction Agreement, in a form approved by the City Attorney, with Lyndon Jones Construction, Inc., as Change Order No. 2 for an increase to the contract in an amount not to exceed \$256,636.56.

Roger McClean spoke to the item regarding the change order increase. Based on the soils that were tested by URS found that they differed from the soils found in the geotechnical survey from the initial review. It is thought that through the trenching and road construction in that area had contaminated the soils and needed to haul off the soils to a stock pile area until the final disposition could be determined. All the soils have been hauled to Clean Harbor and the clean-up of the stock pile area has been completed.

Council member Simpson inquired if the initial analysis was done incorrect. McClean stated that the problem was with the impacts of the pipeline work in the area and mixing the soils from other projects. This had a huge cost impact and has raised a red flag for staff in the future.

Council member Peek moved to authorizing the City Manager to execute an Amendment to the Wyatt Earp Way Improvements Construction Agreement, in a form approved by the City Attorney, with Lyndon Jones Construction, Inc., as Change Order No. 2 for an increase to the contract in an amount not to exceed \$256,636.56.

**Council member Matsumoto seconded
Approved unanimously**

2. Consideration of an Ordinance approving the Park City Heights Phase 1 Subdivision, located at Richardson Flat Road, Park City, Utah upon findings of fact, conclusions of law and conditions of approval stated in the attached ordinance.

Kirsten Whetstone, Planner, Brad McKay and Spencer White with Ivory Homes presented the plan for phase 1. Stated the final subdivision plat for phase 1 and consists of 103 residential lots. 28 townhouse units, 35 small lot park homes, 40 additional lots for cottage homes and homestead lots. Phase 1 also includes the 5 acre City park and an HOA club house parcel with City trails and easements. There will also be a soils repository. Planning Commission has forwarded a positive recommendation.

Council member Peek inquired if the construction recycling mitigation area would be contained within each phase. McKay stated that the current location will remain the same through multiple phases.

City Attorney Harrington requested a modification to condition of approval number 7 regarding the timing of the dedication of the City Park stating that it should be irrevocably offered to be dedicated as part of the plat but the dedication will not be accepted until the sign off of the VCP in a form approved by the City Attorney.

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

**Simpson moved to approve the Ordinance approving the Park City Heights Phase 1 Subdivision, located at Richardson Flat Road, Park City, Utah upon findings of fact, conclusions of law and conditions of approval stated in the attached ordinance with the amendments made by the City Attorney to condition of approval number 7
Council member Peek seconded
Approved Unanimously**

3. Consideration of extending the Settlement Deadline included in the Real Estate Purchase Contract with Greenpark Cohousing LLC, from 3/1/2014 to 9/1/2014, for the sale of 1450 & 1460 Park Avenue, Park City, UT.

Matt Dias, Assistant City Manager and Jason Glidden, Special Events Manager, representing the City and Marianne & Darrel representing Greenpark discussed this item. Greenpark is requesting extending multiple deadlines two which have passed and one which is current. Staff is recommending that we extend the one deadline that has not passed and go hard on the other two deadlines calling the escrow.

Council member Matsumoto stated she would be okay with the retroactive extension.

Council member Beerman inquired of Greenpark what due diligence remains on this project.

Darrel stated that there are two conditions waiting to be met. The architect met with the City Engineer about parking layout and now needs to finalize the drawings as well as waiting for the formal written approval from Planner Anya Grahm on the historic renovation plan.

Council member Henney asked for clarification as to the intent of calling out the earnest money other than the fact that it is written out in the contract. Dias stated that it was a public process and had requests for proposals and had a contract signed. Dias then reminded the Council that there have been two subsequent extensions. Henney agreed that it was logical.

Council member Simpson stated she would have to side with staff and feels that Greenpark is at no risk of losing the earnest monies.

Council member Beerman inquired if they could find a middle ground and call the earnest contingent upon them receiving the financing.

Marianne stated that she does not know what the risk is of losing the earnest money but does know that seven of the units are affordable and \$2400 is a lot of money to someone trying to purchase this unit.

Council member Matsumoto moved to approve extending the deadlines as

stated on page 235 of the packet, which lists the two deadlines that have passed to read coming due on 6/15/2014 and the one that has not passed to be extended to 9/1/2014.

Council member Peek seconded

Henney- Aye

Simpson- Nay

Peek- Aye

Matsumoto- Aye

Beerman- Aye

Motion Carried

4. General Plan Review

Planner Boehm passed out public input comments that were received after the packet had gone out. Eddington continued the discussion from the work session. Spoke to small towns regarding transportation options. Looking at typologies of open space and tying the language to the LMC. Council concurred that this adds creative aspects to the neighborhoods for use of nooks and crannies as open space. Discussed the language adding the roof top garden as urban open space and worried about the idea of a roof top garden not having public access. Harrington suggested language to mitigate the future problems and LMC amendments would follow the language in the general plan. Discussed parking in the historic character section.

Mayor Thomas opened the public hearing.

Ron Whaley – Park Ave, spent 10 years as a Planning Commission member and Historic District board member, spoke to the parking issues stating that 20 years ago a Council member sat right here and talked about getting people out of cars. He is concerned that limiting houses in Old Town to one parking space would preclude a social aspect of visitors at any site. Adequate parking needs to take place somewhere. Discussed the purpose of the General Plan and how it has been used.

Ruth Meintsma- 305 Woodside, spoke to goal 16 regarding the title of Main Street and would like to see consistency. Spoke to day lighting creeks and parking issues stating that enforcement is the solution. Spoke to the licensing issue stating that in Utah it is legal for a homeowner to be the general contractor when building their own home as well as anyone could design landscape/xeriscaping with research. Spoke to the previous comment regarding email notifications. Wanted to address the concept of the general plan being a living document.

Mary Oshelsky would like to make a request to remove the language in the Thaynes neighborhood.

Brad Smith asked for the exact language of the item 1.5 Thaynes Canyon.

Jo Scott proposed a resolution that when a hearing goes past 8 Council member Beerman should pass the cookies. Feels this discussion has taken a turn away from what the residents of Thaynes wanted. Feels when housing is changed it needs to be stated that the CC&R's be called out.

Evie Lundine, stated that she has purchased a home for family use. She her primary home is a single family residence in California and they are large fabulous homes with casitas/cottages for

a house keeper or family member. She spoke to federal funding that would allow veterans to have a care taker on the property and allowing the veteran to stay in their homes. Spoke to the water issue and using grey water lines for irrigation instead of potable water. Spoke to day lighted streams in her subdivision in California. Concerned with the historic areas and the narrow streets speaking to the fire safety issues and needs to preserve the historic care but not sacrificing the safety of the residents.

Rob Sletten appreciated the opportunity to work with staff and stated that the plans and progress are slipping with each discussion. Is very frustrated with the way it is going.

Mary Wintzer speaking as an observer, stated she along with the Thaynes residents have attended every meeting since November and feels they have been concerned with the CC&Rs not about affordable housing. She encouraged Council to think about how this turn in the discussions looks, it is as if none of it mattered. She feels that the Council should have just told the residents of Thaynes Canyon up front what their intentions were. Council member Simpson stated that it does not work that way, the Council take in all the comments and evolve in the decision making process.

Jim Tedford clarified a point that he had made earlier regarding the subordinate definition. He also provided City Recorder Marci Heil with a copy of his comments to be included with the minutes.

Beerman suggested that Council take 5 minutes to agree on a definition.

Council member Matsumoto and Council member Simpson concurred that Thaynes should be treated the same as any other neighborhood.

Existing zoning should continue to allow additional opportunities for local multi-generational housing

Brad Smith continued to speak to the Thaynes Canyon stating language and feels that no other neighborhood section has this strong of language.

Marie Lundine- commended the Council and City for the beautiful town that has been developed. But it saddens her to hear about the affordable housing is unattainable and that others are not opening their hearts and their homes. Council member Simpson spoke to all the points that she brought forth stating that it is a goal. Lundine suggested offering incentives to entice people to provide affordable housing.

**Council member Peek moved to continue the General Plan
discussion to the March 6th meeting
Council member Simpson seconded
Approved unanimously**

VI. ADJOURNMENT

**Council member Simpson moved to adjourn the meeting
Council member Matsumoto seconded
Approved unanimously**

MEMORANDUM OF CLOSED SESSION

The City Council met in a closed session at approximately 12:30 p.m. Members in attendance were Mayor Jack Thomas, Andy Beerman, Liza Simpson, Dick Peek, Cindy Matsumoto and Tim Henney. Staff present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney; Heinrich Deter, Trails & Open Space Manager; Ann Ober, Regional Collaboration Director; Jonathan Weidenhamer, Economic Development. **Council member Simpson moved to close the meeting to discuss Property, Litigation, and Personnel. Council member Beerman seconded. Motion carried.**

Council member Simpson moved to open the closed session. Council member Peek seconded. Motion carried.

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

Prepared by Marci S. Heil, City Recorder


Marci S. Heil, City Recorder





City Council Staff Report

Subject: Historic Buildings Web Application Development
Author: Spencer Lace, GIS Administrator;
Anya Grahn, Historic Preservation Planner
Department: Information Technology
Date: March 6, 2014
Type of Item: Administrative

Summary Recommendations:

Staff recommends Council give direction on creating a Historic Buildings Web App using our GIS map data and the Historic Preservation and Intensive Level Survey (ILS) of the Main Street National Register Historic District being conducted by CRSA.

Topic/Description:

The concept for this Historic Buildings Web App is to be an outlet for the historic preservation information, similar to a “coffee table book” for Park City’s historic inventory. This application would allow residents and visitors to browse and learn about buildings using our database and maps. The Web App is a key to unlocking information for everyone in an attractive and compelling interface – without it the historic inventory will be delivered in office document formats, similar to the existing Historic Site Inventory (HSI) forms available online at the City’s website.

Background:

On October 15, 2012, staff advertised a GIS Application Development RFP, which stated “Park City Municipal Corporation seeks to develop a multi-purpose, reliable, web app and/or mobile friendly app, and/or native app(s) to support our international visitors and residents for the purposes of wayfinding and enhancing visitor experience in our vicinity.” Staff received 12 responses, which all proposed one of three different approaches: (1) native apps for the main platforms (iOS and Android); (2) a web app wrapped in a native installer (hybrid approach); and (3) a native app coupled with a web app. Proposals ranged from \$24,000 to \$240,000. Staff decided the RFP was too broad and unclear on the specific type of application. Staff discussions and negotiations with the developers over the last 15 months led to reduced scope and more than one project was identified. Our historic buildings seem like a particularly good place to start in the wayfinding arena. The proposed Historic Buildings Web App, which is not exclusively a map and will not be distributed on major app stores – users will discover it through community websites and/or QR codes – is a realistic option compared to where we started.

Analysis:

This project will support Council’s priority of “Responsive, Cutting Edge & Effective Government”, and the vision for preserving Historic Character. The Historic Preservation Board and Historic Park City Alliance are supportive of this project to create and maintain a Web App for the community to reference and benefit from. The

Park City 2030 Plan's Strategic Approach V. "Use of technology as a competitive advantage" is another reason to pursue this project.

The Information Technology business plan also supports developing applications to improve customer service and access to information. Application development is a general way of describing a mix of programming aimed at desktop computers, tablets, and mobile devices, without specifying certain devices or app stores.

The Planning Department's Consulting Services for Historic Preservation and Intensive Level Survey of the Main Street National Register Historic District states that a "GIS database of historic properties were not required deliverables of this RFP; however, the City was open to accepting these as additional deliverables of the project".

The related staff report goes on to say "The City does have an existing geodatabase of historic resources that could be used as a schema during data creation. Currently, the City has no plans on making these properties available as a layer in its public interactive map viewer; however, this could be addressed in the future."

In summary, staff is working on that future disconnect with this proposal, and there will be staff time involved in coordinating the consulting efforts. A component of the first phase is a simple content management system (CMS) for editing and uploading content as it becomes available by any authorized editor.

Though the RFP process was completed last year, the revision process has allowed staff to narrow the focus of the app, establish better understanding with the developer, and feel comfortable with the recommendations herein.

The top four responses to the RFP are shown below. Sitepen was selected for the original wayfinding app, and changed the scope of their proposal as requested to be specific to historic sites. WebMapSolutions was also engaged for creating mobile versions of the city's ArcGIS Online web map.

Proposal	Bid Total	Reduced Scope (Phase 1)	FY2015 (Phase 2)	FY2016 (Phase 3)
Old Town Creative	\$80,000			
Sitepen	\$150,000	\$70,000	\$30,000**	\$30,000**
Webmap Solutions	\$35,000	\$15,000*		
Northline	\$24,000			

*A project with reduced scope was awarded to WebMapSolutions for a mobile GIS App.

**Funding for future phases depends on CIP process.

Department Review:

IT, Planning, Legal, Budget, Executive

Alternatives:

- A. Allocate existing funding to current Web App proposal (recommended)
- B. Identify additional funds to implement all project phases
- C. Continue the Item
- D. Do Nothing

Significant Impacts:

None

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life ~ Multi-seasonal destination for recreational opportunities		+ Preserved and celebrated history; protected National Historic District ~ Shared use of Main Street by locals and visitors	+ Ease of access to desired information for citizens and visitors + Engaged and informed citizenry
Assessment of Overall Impact on Council Priority (<i>Quality of Life Impact</i>)	Positive 	Neutral 	Positive 	Very Positive 

Comments: This will be a free, responsive mobile resource for visitors and community members to discover local historic amenities.

Funding Source:

Current funding sources: \$70,000 from App Development CIP

Consequences of not taking the recommended action:

None

Recommendation:

Staff recommends Council give direction on creating a Historic Buildings Web App using our GIS map data and the Historic Preservation and Intensive Level Survey of the Main Street National Register Historic District being conducted by CRSA.

Proposal Overview

Overview

Park City is a popular international tourist destination known for its excellent outdoor sports and recreation areas (skiing, hiking, cycling) and special events, including the Sundance Film Festival. Park City was also once a small mining town, and is on the National Register of Historic Places. With the proliferation of smart phones and tablets, Park City Municipal Corporation (Park City) would like to create an application platform that helps visitors get the most out of their time visiting the city. The emphasis of this platform is on their historic district. Park City is looking to provide an optimal experience for its users, to further differentiate the city from other tourist destinations, provide high quality content and photos for each landmark, and create interactive walking tours with maps and directions.

Park City leverages the ESRI ArcGIS server and its APIs. The ArcGIS JavaScript API, commonly used to power mapping web applications, is built on top of the Dojo Toolkit. These technologies will help power the Park City application.

Objective

Park City seeks assistance in developing the following:

1. Responsive web application to provide a guided tour of Park City historic sites, with interactive capabilities, viewable on desktop computers, tablets, and mobile phones.

The Deliverable

SitePen will work with Park City to develop these components. SitePen will provide source code, tests, and documentation to solve Park City's specific needs, as well as

identify areas of improvement and make recommendations where relevant. SitePen will work with Park City to ensure that the deliverables work as required.

The biggest challenge for this project will be the seamless integration between various content sources, in a manner that city staff and community members can update, and a highly efficient multi-platform web application that can clearly present these details in a friendly, efficient and customizable manner to end users.

We recommend a phase-driven approach. This is not a traditional agile approach, but one that we believe offers a better approach to delivering early and measurable results, rather than one very long project without visible progress until late in the project.

The Plan

1. Work with the Park City team to gather requirements, make development decisions, and create a project plan.
2. Create wireframes and mockups showing the visual design and user interactions of the user interface. Work with the Park City team to iterate on these visual designs.
3. Create the application framework and architecture needed for the application components, testing harness, multi-platform consistency, and mocked APIs so that we can begin development efficiently.
4. Develop the client-side portion of the application using the framework, architecture, and mock data services created.
5. Conduct a guided walkthrough of the developed components and documentation.
6. Resolve any issues that are found.

Approach

Requirements Discovery and Planning Phase: 2 weeks

We begin every project with an initial discovery phase to make sure we have gathered as many key details as possible prior to the start of designing and developing an application. We do this through a series of meetings where we ask copious questions, gather answers, and meld this information into an amazing application. We leverage a web-based system (the SitePen Hub) for gathering information and communicating key details and decisions, soliciting feedback, and generally keeping you informed about the project.

We gather and organize your requirements in a clear and consistent manner. This phase will not result in every requirement being solved, but it will be sufficient to make it possible to start making solid architecture and design decisions based on the needs of Park City and its visitors.

From these requirements, we will work with you to formulate a plan for a modular development and design of your platform. This would include defining the APIs, planning how to optimally deliver web services to the application, and how to best leverage third-party APIs and services based on your specific requirements.

Wireframes, Framework and Architecture Implementation: 2 weeks

We will then start working on creating wireframes for the user interfaces for the targeted platforms. This would include a careful analysis of each feature, the experience of each feature on fairly different platforms, while making things work consistently across platforms. The application would share consistent software architecture and user interface paradigms, with per-platform optimizations made to deliver the best possible user experience in each environment. We will work with the Park City team to iterate on these wireframes so that we end up with a mutually agreed upon user interface.

In parallel to the wireframe creation, we will work on implementing the overall application architecture. We will set up the ideal client-side, Dojo-based architecture. This would include a testing harness, builds for performance optimization, multi-platform considerations, the initial layouts for each target platform, mocked APIs matching the agreed upon data structures, and whatever else is needed at that stage to set us up for efficient development.

Wireframe Iteration and Mockup Creation Phase: 2 weeks

We will conduct a guided walkthrough of the wireframes created in the previous phase with the Park City team, gather feedback, and iterate on them as necessary.

With the wireframe iterations completed, we will work on visual design mockups for each wireframe to match the modern look and feel desired for the application. We will work with your team to ensure that the designs and styles coincide with your vision of the application.

Development Phases: 4-10 weeks

In parallel with the visual designs, we will begin in-depth development of the application. This would involve working with the ESRI and other APIs to generate the maps, as well as developing custom user interface components, User Preferences and Settings, Help and About sections, styling, and implementing the design against test data services.

The expected set of features for the development phases are as follows:

Phase 1:

1. Overall web application framework
2. Main view
 - a. Default lists/tours (e.g. Historic Park City Alliance main street walking tour)
 - b. Link to Search

- c. Link to Featured landmark
 - d. Link to Map
 - e. Geolocation hook (find landmark closest to my location)
- 3. List of historical landmarks
 - a. Summary of each landmark
- 4. Detail view of one historical landmark
 - a. Navigation between landmarks
- 5. Admin UI (simple)
 - a. Edit content for landmarks
 - b. Edit metadata
 - c. Upload photos

Phase 2:

- 1. Main
 - a. Link to Map
- 2. Detail view of one historical landmark
 - a. Geolocation hook (display proximity to my location)
- 3. Map (leverage Esri APIs)
 - a. Display buildings on map
 - b. Geolocation (show current location on map)
 - c. Route based on list
 - d. Kiosks/points of interest
 - e. Walking directions (list view)
- 4. Search/filter/tour creator

- a. Search by street, year/age of building, other building features, current location, movie appearance
 - b. Specify time available for tour (walking time and time to see each landmark provided as metadata)
5. QR codes
- a. These can be used to link to a web site URL (no effort needed client-side for this, just need to agree on URL structure)

Phase 3:

1. List of historical landmarks
 - a. Checklist (optional)
 - b. Reorder landmarks within the list (Optional?)
 - c. Save list for later viewing (TBD, optional?... generate a bookmarkable URL that is stored in the DB, that could be revisited later?)
2. Detail view of one historical landmark
 - a. Facebook/FourSquare checkin hook?

Customer Review and Quality Assurance Phases: 2 weeks each

You will review the work we deliver and report any issues. We will then resolve and fix any issues related to the scope of the Development Phase.

Before we're ready to launch, we believe in an extensive and thorough quality assurance phase to eliminate and fix bugs before real users are working with the application.

First, we will perform full browser testing on all supported browsers and work out any issues that are found. We will also focus on finding places where performance

needs to be optimized. You will then review it and inevitably think of things that were not defined or that could be improved in the application. We'll work together to get things right for the initial feature set, so that when we work on the next set of features, we're even more efficient.

Assumptions and Notes

Here is a quick summary of the details we have determined to date, which we have used to estimate our approach, schedule, and investment:

1. Customer will handle all server-side and API/data service development as well as integration of the client-side application.
2. All client-side development will be done against mock data sources, which we will create in the Discovery and Mock Service Development Phase.
3. All client-side development can be done on SitePen computers and delivered via a compressed archive. No considerations have been made for VPN access or other special connectivity or access needs.
4. Must work in IE (8, 9, 10, 11), Chrome latest, Firefox latest, Tablet with Android 4+, and iPad iOS 6+.

Investment

We will help Park City deliver a web-based, multi-platform application to provide a guided tour of Park City historic sites, with interactive capabilities, using the Dojo Toolkit, and collaborate with them to make recommendations and key decisions along the way. As we do not have all of the details of the application, we have provided a range, which depends on what comes out of the Discovery & Planning phase.

Discovery & Planning	\$15,000
Wireframes, Framework, and Architecture	\$15,000 - 25,000
Wireframe Iteration and Mockup Creation	\$10,000 - 20,000
In-Depth Development, Phase 1	\$25,000
Customer Review and QA, Phase 1	\$5,000
In-Depth Development, Phase 2	\$25,000
Customer Review and QA, Phase 2	\$5,000
In-Depth Development, Phase 3	\$25,000
Customer Review and QA, Phase 3	\$5,000
Total Investment:	\$70,000 - \$150,000

This proposal is non-binding, and is based on the limited information we have gathered to date. The final budget, approach, and feature set will be determined upon completion of the initial Discovery & Planning phase.

About SitePen

We are a major contributor to the Dojo Toolkit and we have made a name for ourselves by creating, building, and committing to one of the most robust JavaScript toolkits available today. Our suite of services is designed to efficiently handle complex application development while providing world-class training and Dojo support. SitePen has been successfully assisting extraordinary companies launch web apps since 2000, and we're proud to employ an unsurpassed, US-based development team that leads the industry in innovation and skill.

Our Customers

We are committed to creating and advancing development toolkits such as Dojo, dgrid, Persevere, and Intern. Companies such as Cisco Systems, NASA, JPMorgan Chase, Verizon Wireless, IBM, Thomson Reuters, and VMware leverage these technologies with our services to build their most sophisticated, mission critical web applications. We work with amazing companies, providing complex, challenging solutions.



City Council Staff Report



Subject: Utah Department of Transportation
Highway 40 Underpass Agreement
Author: Heinrich Deters
Department: Sustainability
Date: March 6, 2014
Type of Item: Administrative

Summary Recommendations: Staff recommends Council approve the Utah Department of Transportation's (UDOT)/City/County Cooperative Agreement associated with the Highway 40 underpass project.

Topic/Description: Collaborative regional planning efforts and regional trail connections.

Background:

In June of 2012, the Director of Region 2 for the Utah Department of Transportation announced a funding opportunity for the construction of a pedestrian/wildlife tunnel under Highway 40 between the City's Round Valley Open Space and the city/county Triangle parcel (Exhibit A). This location was preferred by UDOT because:

- a) The topography of that area presents the easiest and lowest-cost construction; and
- b) UDOT does not want the tunnel to terminate on privately owned land.

Final design plans call out a 12' high by 24' wide structure, with an estimated cost of \$2,442,954.

Staff brought the project before Council on three separate occasions, on August 9th and 30th, 2012, discussing possible planning impacts to the county/city owned Triangle Parcel, wildlife corridors, trail connectivity, funding and coordination. On August 30, 2012, Council provided direction to conceptually support the project but not provide any City funding. On June 27, 2013 Council provided direction to provide a funding recommendation that included the application for grant funds. The proposal did not include any City funds. Council approved the funding recommendation.

City and County staff collaborated on two grant opportunities for the project.

1. UDOT Transportation Alternative Program (TAP)- \$100,000
2. Summit County Recreation and Parks Grant (RAP)- \$400,000

Both grant applications were approved for requested funds. The TAP funds were directed within the UDOT organization directly to the project. The RAP funds have been awarded to the City \$200,000 and County \$200,000 as the applicant. The provided agreement is the mechanism to ensure the funding is provided collectively to UDOT who is overseeing the entire project.

Committed/Approved Funding:

UDOT	\$1,400,000
Basin Recreation	\$750,000
Park City	\$200,000 (RAP Tax Grant funding)
Summit County	\$200,000 (RAP Tax Grant funding)
Total:	\$2,550,000

Analysis:*Regional Trail Connection*

The project will provide an off grade trail connection for City and County residents between the two recreational trail systems and greatly improves the safety for recreationalists currently utilizing the Silver Summit overpass.

Construction Timeline

UDOT is proposing to construct the project spring/summer 2014.

Funding Agreement

UDOT/City/County Cooperative Agreement (Exhibit B)

The Utah Department of Transportation would like to enter into an agreement with Park City Municipal and Summit County to clarify funding for the project as outlined above. The agreement recognizes the funding by the City and County for the project. Furthermore, the agreement notes that any remaining project funds will be returned in equal amounts the City and County.

The County has already approved and signed the document.

Special Event Impact

Construction of the project may include closures on Highway 40 which may impact special events proposed in the fall.

Alternatives:

- A. Approve: Approve the Utah Department of Transportation Cooperative Funding Agreement as provided (staff recommendation)
- B. Modify the request: Provide additional information and direction.
- C. Deny the request: Deny the Utah Department of Transportation Cooperative Funding Agreement as provided
- D. Continue the Item: Ask staff to return with more information.
- E. Do Nothing: Same effect as continuance.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Accessible and world-class recreational facilities, parks and programs	+	+	+
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Very Positive	Very Positive	Very Positive
Comments:				

Departmental Review

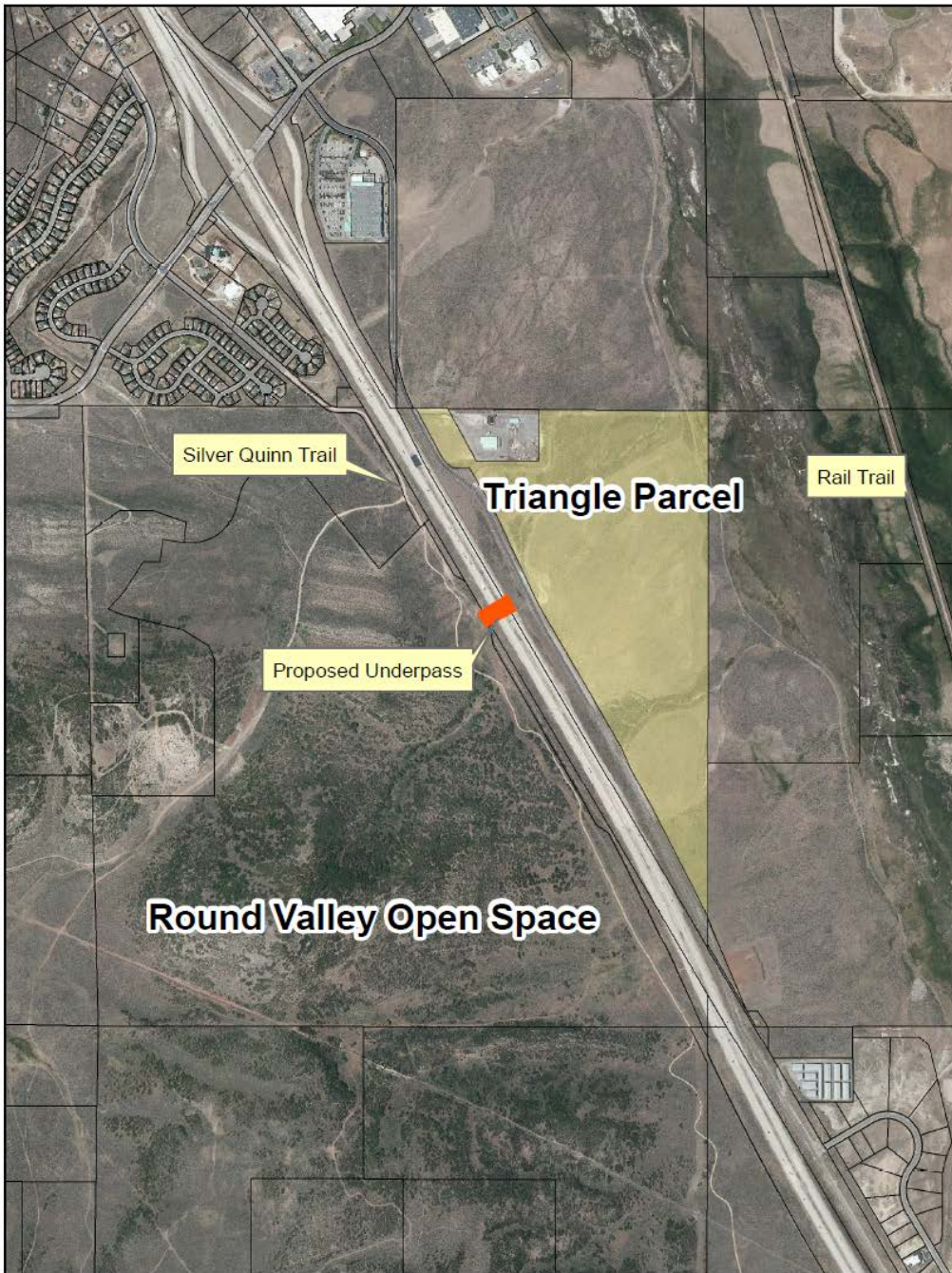
This report has been reviewed by the City's Sustainability, Legal Departments and the City Manager.

Staff Recommendations:

Staff recommends Council approve the Utah Department of Transportation's (UDOT)/City/County Cooperative Agreement associated with the Highway 40 underpass project.

Exhibit A- Project Location

Utah Department of Transportation Highway 40 Underpass Project



0 0.1 0.2 0.4 Miles



F-0040(116)0; Summit County
US-40 Pedestrian/Wildlife Crossing
SUMMIT COUNTY/PARK CITY
Authority No. 53827 PIN 10916

COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT, (the "Agreement") made and entered into this 12th day of ~~FEBRUARY~~ 2014, by and between the UTAH DEPARTMENT OF TRANSPORTATION, a state agency, hereinafter referred to as "UDOT" and SUMMIT COUNTY, a political subdivision of the State of Utah, hereinafter referred to as "County," and PARK CITY CORPORATION, a Municipal Corporation in the State of Utah, hereinafter referred to as "City." UDOT, the City and the County are hereafter sometimes referred to individually as a "Party" and collectively as the "Parties."

WITNESSETH

WHEREAS, UDOT is engaged in preparing plans, specifications and estimates of costs toward constructing the highway project identified as F-0040(116)0; Pedestrian/Wildlife Crossing, under US-40 at Mile Post 2.16, in Summit County, Utah; and

WHEREAS, in the interest of public safety, the Parties hereto desire to coordinate for the purpose of funding the construction and providing maintenance of above said project pedestrian/wildlife crossing, (hereinafter referred to as the "Project"); and

WHEREAS, the proposed Project funding is as follows

County	\$200,000.00
City	\$200,000.00
Snyderville Basin Special Recreation	\$750,000.00
UDOT	\$1,400,000.00;
and	

WHEREAS, the County desires to participate in the funding of the Project construction in the amount of \$200,000.00;

WHEREAS, the City desires to participate in the funding of the Project construction in the amount of \$200,000.00;

WHEREAS, the Parties hereto desire to enter into this Agreement to define the terms and conditions for the participation of the Project funding and maintenance of the Project work; and

NOW THEREFORE, it is agreed by and between the Parties hereto, as follows:

1. UDOT has provided copies of the Project Engineering Plans to the City and County for their review and comment. UDOT shall meet its 2012 Standard Specifications and other applicable standards concerning the Project construction.
2. UDOT shall advertise for bids, award the Project contract, and administer the Project construction.
3. Within fifteen (15) days from receipt of the executed Agreement, County and City shall each send a check payable to UDOT in the amount of Two Hundred Thousand Dollars (\$200,000.00) to the UDOT Comptroller's Office located at UDOT/COMPTROLLER, 4502 South 2700 West, Box 141510, Salt Lake City, Utah 84119.
4. UDOT reserves all rights in and to the existing No Access (N/A) Line related to the facilities contained in this Agreement and nothing in this Agreement should be construed otherwise. UDOT does not relinquish any rights to said N/A Line by entering into this Agreement. UDOT shall own all Project improvements located within its right-of-way.
5. The crossing shall only be used for wildlife and pedestrians. No motorized vehicles, except for maintenance purposes, shall be allowed to use or access this trail system. If at any time motorized vehicles, other than maintenance vehicles, are allowed or permitted, then the Parties hereto agree that this Agreement shall be void and the Project improvements shall no longer be open for use by pedestrians.
6. The Parties hereto agree that any modification, expansion, increased impact of anticipated use(s) to the trail, that are not defined in this Agreement or allowed as part of the Project, constitute grounds for a written amendment to this Agreement. Any and all uses not otherwise described as permitted uses in this Agreement are prohibited.
7. The City shall permit UDOT to enter and construct a portion of the Project on City property. The City property shall be accessed from the UDOT right-of-way and not from Highland Drive, as set forth in Exhibit "A" hereto.
8. Upon completion and final inspection of the Project construction, UDOT shall maintain the crossing structure and drainage on the US-40 right-of-way and the City shall maintain the Pedestrian Trail on City property as shown in Exhibit "A".
9. Upon final Project closeout, UDOT shall return any remaining Project funds to the County and City on an equal basis.
10. This Agreement may not be assigned without the express written consent of UDOT.

11. UDOT, the City, and the County are governmental entities subject to the Governmental Immunity Act of Utah, UCA §§63G-7-101 thru 904 (1953, as amended). Each Party agrees to indemnify, defend and save harmless the other from and against all claims, suits and costs, including attorneys' fees for injury or damage of any kind, arising out the negligent acts, errors or omissions of the indemnifying Party's officers, agents, contractors or employees in the performance of this Agreement. Nothing in this paragraph is intended to create additional rights to third parties or to waive any provision of the Governmental Immunity Act of Utah, provided said Act applies to the action or omission giving rise to the protections in this paragraph. The indemnification in this paragraph shall survive the expiration or termination of this Agreement.

12. This Agreement may be executed in one or more counterparts, each of which shall be an original, with the same effect as if the signatures thereto and hereto were upon the same instrument. This Agreement shall become effective when each Party hereto shall have received a counterpart hereof signed by the other Party hereto.

13. This Agreement shall be governed by the laws of the State of Utah both as to interpretation and performance.

14. Nothing contained in this Agreement shall be deemed or construed, either by the Parties hereto or by any third party, to create the relationship of principal and agent or create any partnership, joint venture or other association between the Parties.

15. This Agreement contains the entire agreement between the Parties, with respect to the subject matter hereof, and no statements, promises, or inducements made by either Party or agents for either Party that are not contained in this written Agreement shall be binding or valid.

16. If any provision hereof shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule or public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever. The invalidity of any one or more phrases, sentences, clauses, or paragraphs herein contained, shall not affect the remaining portions hereof, or any part thereof.

17. Each Party represents that it has the authority to enter into this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed
by their duly authorized officers as of the day and year first above written.

SUMMIT COUNTY,
A Political Subdivision of the State of Utah

By: [Signature]
County Manager
Date: 2/13/2014

PARK CITY CORPORATION,
A Municipal Corporation in the State of Utah

By: [Signature]
City Attorney
Date: 2/27/14

By Honorable: _____
Mayor

Date: _____

RECOMMENDED FOR APPROVAL: UTAH DEPARTMENT OF TRANSPORTATION

By _____ By _____
Region Project Manager Region Director

Date: _____ Date: _____

APPROVED AS TO FORM:

By _____
UDOT Comptroller Office
Contract Administrator

Utah State Attorney General's
Office has previously approved all
paragraphs in this Agreement as to
form.

Date: _____

[illegible]

City Council Staff Report



Author: Matthew Twombly
Subject: Main Street Improvements - Award of Construction Manager at Risk (CMAR) Contract
Date: March 6, 2014
Type of Item: Administrative - Award of Contract

Sustainability

Summary Recommendation –

Staff requests authorization to proceed with the Main Street Improvements Project and authorize the City Manager to enter into a construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. in the amount of Fifteen Thousand Three Hundred Twenty Dollars **(\$15,320.00)**.

Topic: Main Street Improvement Project.

Background:

On December 12, 2013 Council authorized the City Manager to enter into a professional service provider contract with MGB+A for the design, engineering and construction management for the 2014 streetscape improvements which includes the East side of Main from 5th Street to Heber Avenue, the West side of Main from the Claimjumper bulbout to Heber Avenue, the Bear Bench walkway/plaza, and the Swede Alley City Hall Plaza.

The project team consisting of HPCA Executive Director, MGB+A, the sub-consultants (civil engineer, architect), City staff from Public Works, Planning, and Sustainability met each week to develop the project plans/drawings through concept and schematic design on the projects, and into design development for the Main Street streetscape portion. The architects and engineers of the project team are moving into construction drawings for the Main Street sidewalks portion of the project. The sidewalks will continue the same design and materials using granite curb, granite pavers (alternating pattern), concrete bands, new water meter vaults and storm drain catch basins.

Staff wanted to use the CMAR type delivery instead of the traditional Design/Bid/Build delivery for the 2013 Main Street projects because of the ability of the contractor to work with the design team prior to going to bid to assure that cost estimates are accurate, starting a rapport with the HPCA and businesses and also to give flexibility in the timing of bidding portions of the project where we will want to begin the sidewalks ASAP while the plazas continue through the approval process. Seeing as this delivery method was used successfully in 2013, staff felt it appropriate to use this type of project and the preferred time to bring on a construction manager to help with cost estimating, design/construction solutions, and scheduling in order to begin the sidewalk construction in early April.

As defined in the City's purchasing policy: **Contracts for Professional Services, where the Service Provider is responsible for Building Improvements/Public Works Project (Construction Manager / General Contractor "CMGC" Method)** are contracts where the City contracts with a "Construction Manager/General Contractor" which is a contractor who enters into a contract for the management of a construction project when that contract allows the contractor to subcontract for additional labor and materials that were not included in the contractor's cost proposal submitted at the time of the procurement of the Construction Manager/General Contractor's services. The CMGC contract is exempt from competitive bidding. The selection of CMGC contracts shall be based on a documented evaluation process such as a Request for Proposals (RFP), Statement of Qualifications (SOQ), Qualification Based Selection (QBS), etc. The CMGC will implement all bid packages and subcontractors under a competitive bid requirement as required in the City's purchasing policy. The purchasing policy requires that the Project Manager will attend the award of all subcontracts which meet the threshold requirements in which the State Code (and our purchasing policy) requires a sealed bid if it was bid individually. The proposed CM/GC contract also requires that any competitive quotes for items of work between \$15,000 and the State Code amount (approximately \$135,000) will use the City's Local Bidder Preference.

The Construction Manager/General Contractor (CM/GC) is also referred to as a Construction Manager at Risk (CMAR) and the terms are interchangeable. The CM/GC construction method is different from the traditional Design-Bid-Build method in that the contractor is brought on board during the design phase as a professional service provider to work with the project team to help reduce construction costs, improve quality control and most importantly improve schedule with early mobilization and phased bidding and construction.

Analysis:

The Request for Qualifications (RFQ) for construction contractors was advertised on January 18 and 22, 2013 in the Park Record and January 17th and 18th in the Salt Lake Tribune. Additionally, the RFQ was posted on the City's website and at utahlegals.com.

Park City's purchasing policy states that Contracts for Professional Service where the Service Provider is responsible for Building Improvements/Public Works Project CM/GC method) are exempt from competitive bidding. The selection of CMGC contracts shall be based on a documented evaluation process (such as a Request for Qualifications (RFQ)). Usually, emphasis will be placed on quality, with cost being the deciding factor when everything else is equal.

There were six members of the project team responsible for short-listing the CMGC contractors. These were Alison Butz (HPCA) Jay Bollwinkle (MGB+A), Jonathan Weidenhamer, Matt Twombly, Blake Fonnesbeck, and Maria Barndt (PCMC). The selection committee met on February 19, 2013 and interviewed the two firms that submitted qualifications. The two firms were Miller Paving and Allstate Construction.

In review of the proposals and interviews the committee determined that Miller Paving was the most qualified. Their qualifications were based on previous experience, staff proposed, proposed work plan (scheduling), quality control, minimizing impacts to business, and additional considerations. The proposed Pre-construction Services fee, estimated General Conditions, Bond and the Construction Manager's Fee were also considered.

Shortlist Proposal	Pre-construction Services	Manager's Fee (based on \$2 M)	Estimated General Conditions	Bond on \$2M
Miller Paving Inc.	\$15,320	7% or \$140,000	\$184,477	1.5% or \$30,000
Allstate Construction	\$35,000	10% or \$200,000	\$178,060	1% or \$20,000

The Pre-construction services is explained below. The Manager's fee is the cost to manage all the subcontracts on the project including self-performed subcontracts. The estimated general conditions (GC's) are the overhead including project manager, superintendent, clerical, scheduler, estimator purchasing and other personnel time for the construction of the project. The GC's also include vehicles used to, from, and on the job. There are also other permit fees, construction surveying, signs and other temporary measures such as ramps and barricades. The Bond price is the actual percentage contractor's pay for payment and performance bonds on the total Guaranteed Maximum Price.

The CMAR contract at this time is contracting for preconstruction services of \$15,320. The preconstruction services include four sections of work. These are for Plan Review and Comment, Preparation of Construction Schedules, Preparation of Bid estimates, and Miscellaneous Services. The Plan review is for the Project Manager and Superintendent to check the drawings, specifications and documents for accuracy, quantities, availability of materials, cost, and buildability. The preparation of schedules will be for each portion of the project, event coordination, coordination with Questar Gas the HPCA, PCMC, property owners, dining decks, managers, employees, deliveries, and the public. The Bid Estimate will include subcontract bid documents, advertisement of bids, review and tabulation of bids, preparation of contracts with the subs, preparation of the GMP to PCMC. Miscellaneous Services is for travel, printing of plans, advertisement costs and the like.

The \$15,320 is below the amount requiring Council award; however if the project goes forward and a GMP can be negotiated, then the City will amend this CMAR contract for a total contract of approximately \$2 million. At the point where 90% of construction documents are prepared, the Construction Manager will bid the project consistent with State code and City policies. The Construction Manager will then propose a Guaranteed Maximum Price (GMP) that includes a detailed schedule of work and costs

based on the subcontractor bids, actual General Conditions, Construction Manager's Fee, Bonds and a Contingency. Staff will return to Council for award of the Amendment #1 to the CMAR Agreement for the GMP. For example, if the GMP is \$2 million, included in the GMP we will pay the Construction Manager a Managers Fee of \$140,000 (7%) plus an estimated \$184,477 in general conditions, an estimated \$30,000 in bonds and \$15,320 in preconstruction services. The rest of the GMP would be based on subcontractor bid amounts of which the construction management firm may bid on subcontracts for the work.

Construction Impacts to Main Street

In order to minimize impacts, the project team is considering an Early Mobilization package for Amendment # 1 to the CMAR. This will allow the construction to begin on the Main Street sidewalks while other portions of the project require additional design and approvals. This phased strategy was used on last year's projects to enhance the schedule. Staff will subsequently return to Council for an Amendment #1 for the remainder of the project (the plazas).

The Questar main and lateral gas line replacement for Main Street between 5th Street and Heber Avenue on the East side is anticipated to start April 1st. Last year Questar was able to extend their main line on the West side of Main Street to 6th Street, so there is no need to run main line on the West side of Main Street, however there is one lateral that needs to be installed across Main Street from the East side to the West side between 6th Street and Heber Ave.

Because of existing Rocky Mountain Power conduit on the West side of Main Street, Questar cannot run the gas main on this side of the street due to required separation. The gas Main would be in the center of the roadway. Since the section was completed between 4th and 5th Street, Questar will install laterals from the East side to the West side across Main Street. The project team is working with Questar and HPCA to coordinate the schedule ahead of the City's improvement project and communicate with the businesses impacted by the replacement. Questar is also communicating directly with their customers where improvements to the gas lines need to be made inside the buildings.

The gas line work is anticipated to take approximately 10 weeks. To limit impacts only small sections of work will be completed at a time. Questar will be using flaggers to maintain traffic. There may be some displacement of parking on the opposite side of work and minor impacts to deliveries. Sidewalks will remain open during the Main line installation but will require re-routing for the lateral line installation to the buildings during work hours at the locations of work. There will be further public outreach and coordination closer to beginning work and when their schedule is formalized. Questar will be much further ahead of the City's project so asphalt patching will be made on the sidewalks and in the roadway until the sidewalk improvements are made.

Much like the Questar project, the City and contractor intend to limit impacts by completing small sections of sidewalk at any time and move along the Street. The

contractor has guaranteed access to all businesses. The contractor may need to request additional time beyond the normal hours of work to minimize impacts to businesses. Similar to Questar's work, in order to maintain pedestrian and vehicular traffic, a limited amount of parking on the opposite side of the project will need to be displaced during work hours.

The project team has been coordinating with the HPCA board and infrastructure committee. Once the contractor is on board, the construction schedule and impacts can be better coordinated between the City and HPCA.

Department Review: This report has been reviewed by representatives of Sustainability, Legal, and the City Manager's Office and their comments have been integrated into this report.

Alternatives:

- A. Approve the request, and authorize the City Manager to enter into a construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. in the amount of Fifteen Thousand Three Hundred Twenty Dollars (\$15,320.00): (Staff recommendation)**
- B. Modify the request: Council could choose to modify the project and redo the CMGC selection process, which would delay the project.
- C. Deny the request: Council could choose to not continue with the project at this time.
- D. Continue the Item: Council may feel there is not enough information to make a decision, which will delay the project and the proposed schedule.
- E. Do Nothing: Same effect as continuance.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life ~ Varied and extensive event offerings + Accessibility during peak seasonal times + Safe community that is walkable and bike-able + Internationally recognized & respected brand (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	- Managed natural resources balancing ecosystem needs ~ Enhanced water quality and high customer confidence ~ Reduced municipal, business and community carbon footprints ~ Economically and environmentally feasible soil disposal (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	~ Preserved and celebrated history; protected National Historic District + Shared use of Main Street by locals and visitors + Entire population utilizes community amenities + Community gathering spaces and places + Vibrant arts and culture offerings (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	+ Well-maintained assets and infrastructure (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Negative 	Very Positive 	Positive 
Comments: Events and accessibility may have temporary negative impacts during construction, but the improvements are positive in the long term. Storm water improvements will have a neutral effect on water quality. The carbon footprint will be neutral even though more resources are used due to the maintenance and lifecycle costs of the materials we are considering for Main Street. The historic side is neutral in that we will celebrate historic sites and provide information, but many may consider the improvements less than desirable as historic.				

Funding Source:

There is currently approximately \$2,000,000 estimated for the 2014 Main Street Improvement projects out of the \$15 M 10 year project budget. Sustainability, Public Works, Planning, Engineering and other City staff resources will be required to complete the project.

	Linear feet/ (Units)	Estimated	Completed to Date	Actual complete to Date
Main Street Sidewalks 2013	830	\$820,500	100%	\$795,770
Main Street Sidewalks 2014	1110	\$1,087,394	0%	
Main Street Sidewalks Total	5660	\$5,600,000	14%	\$795,770
Plazas/Misc. Streetscape 2013		\$838,672	64%	\$534,797
Plazas/Misc. Streetscape 2014		\$1,033,698	0%	\$
Plazas/Misc. Streetscape Total		\$8,800,000	6%	\$534,797

EXHIBIT A
PARK CITY MAIN STREET
2014
FEES AND GENERAL CONDITIONS
MILLER PAVING INC.

A- PRE-CONSTRUCTION PHASE SERVICES	\$15,320.00
B- CONSTRUCTION PHASES SERVICES	7%
C- ATTACHEMENT B- EXHIBIT 1 PROJECT TOTAL DURATION	\$184,447.00
D- COST OF PERFORMANCE AND PAYMENT BOND .015%	
COST OF BOND IS VARIABLE BASED ON PHASED CONSTRUCTION	\$33,508.00

PARK CITY MAIN STREET

2014

PRECONSTRUCTION SERVICES WORK PLAN

MILLER PAVING INC.

PLAN REVIEW AND COMMENT

Plans will be reviewed by the Project Manager David O. Harrison and the General Supt Jeff Hudson. The plans will be checked for quantity, and availability of materials, accuracy of slope and grade and overall cost vs. functionality.

ESTIMATED PLAN CHECK HOURS 68 EA AT \$65.00

\$4,420.00

PREPARATION OF CONSTRUCTION SCHEDULES

The Project consists of the following 7 areas of construction;

1. Main- Bear Bench to Heber Av West Side
2. Main- 5th Street to Bear Bench East Side
3. Main- Bear Bench to Heber Ave East Side
4. Bear Bench/Transit Center Pass Through
5. City Hall Plaza

6. Swede- Egyptian to Post Office West Side

7. Swede- Egyptian to liquor Store East Side

Construction Schedules will be completed by Mr. David O. Harrison and Jeff Hudson

The Areas 1 thru 3 on Main Street will be completed in two phases each.

Schedules will be completed per each phase of work for a total of ten phases.

ESTIMATED CONSTRUCTION SCHEDULE PREPARATION HOURS 60 EA AT \$65.00

\$3,900.00

PREPARATION OF FINAL BID ESTIMATE

The Project will be bid as per the above 7 separate phases.

Each phased final bid will be prepared with regards to the following.

This item will be completed by David O. Harrison Estimator/ Project Manager, Carol C. Miller Estimator and Frank F. Burns Estimator

1. Preparation of Subcontract Bid Documents
 2. Completion Legal Notices for Sub Contractor Notification
 3. Review and Tabulation of Subcontract Pricing with Owner
 4. Preparation of Subcontract Documents
 5. Preparation of Final Schedule of Values and Lump Sum Pricing per Phase
- ESTIMATED PREPARATION OF FINAL BID ESTIMATE HOURS 80 EACH AT \$65.00

\$5,200.00

MISCELLANEOUS PRECONSTRUCTION SERVICE COST

1. Classified Advertizing of project for Subcontractor Bidding	LS	\$250.00	
2. Plan Preparation for Subcontractor/Printing Fees			
10 phases, 2 sets each, approx. 20 ea plan sets at \$25.00	LS	\$500.00	
3. Travel Expense approx 2/24 through 4/14 7 weeks vehicle	LS	\$1,050.00	
ESTIMATED MISC. PRECONSTRUCTION SERVICE COST	LS		\$1,800.00
TOTAL ESTIMATED LUMP SUM PRECONSTRUCTION SERVICES			\$15,320.00



City Council Staff Report

Subject: Olympic Parade and Celebration
Author: Tommy Youngblood
Department: Sustainability
Date: March 6, 2014
Type of Item: Administrative – Master Festival License

Summary Recommendations:

Review the Master Festival License application, conduct a public hearing, and approve the license for the Olympic Parade and Celebration, as conditioned, on April 6th 2014.

Background:

The original event application (**Exhibit A**) requested activities to begin at 11am on April 5th, 2014. The schedules of the athletes and the increased interest of this celebration have caused the plans to continually evolve, even as this report was being created. For this reason, the requested date changed from the original application. There is a possibility that the requested date would change again from currently proposed April 6th, 2014 date.

Christy Dias with the Youth Winter Alliance contacted staff in December of 2013 to discuss plans for a post-Olympic parade to celebrate the participating athletes returning from the games. The date would depend on the athletes' schedules prior to the end of the ski season. The scale of the event was planned to be marginal prior to the tsunami of medals won by Park City Olympians.

The specific start time of the parade and event is still being discussed with all stake holders.

Findings of Good Cause to Reduce 90 day Review Requirement

The Youth Winter Alliance applied on February 12, 2014 for a Master Festival to be held on April 6th, 2014. Ninety days is the required time frame to review an MFL request. This requirement can be waived with findings of good cause. The Special Event Team finds that because of the isolated nature of the venue, sufficient road capacity, and demonstration on the part of Youth Winter Alliance and Staff to mitigate and address impacts this timeframe does allow for sufficient time for a proper review.

Analysis:

Main Street Events

Parade

The applicant has requested to have the parade on April 6th 2014 between 3pm – 7pm. Specific time to be determined by March 21, 2014. The parade staging will use the Brew Pub lot and the upper part of Swede Alley. The parade will begin at the top of

Main and end at 9th street. Staff will reserve 10 parking spaces on the east side of Park Ave. just south of 9th street to allow for parade run out.

Signs indicating which parts of Main Street will be closed will be strategically placed along Main Street beginning at 10:00 am to notify Main Street visitors and businesses. There will also be signs placed to divert traffic from Heber and Swede Avenues for the duration of the parade. The applicant will work with City Staff to develop a suitable traffic mitigation plan.

Lower Main Street Activities

The applicant has requested to have close Main Street from 7th to 9th street and Deer Valley Drive on April 6th 2014 from approximately 4pm to 8pm for the following activities:

1. A band located on a stage on Lower Main Street or the Pedestrian Bridge
2. Various 10x10 tents located on Lower Main Street or the Town Lift Plaza area for interaction with the athletes.
3. Possible sponsor or other activities located on lower Main Street.

Fireworks

Lantis Fireworks will be doing a display from the runaway truck ramp off of Marsac Ave. All proper permits will be obtained through the Park City Building Department.

Parking

Parade attendees will be directed to the free public parking on Swede Alley, and China Bridge. Staff will also manage parking along Park Avenue, between 9th Street and Heber Avenue to facilitate efficient transit operations. Parking and vehicular traffic along Heber Avenue between Main Street and Park Avenue will also be managed to ensure public safety.

Department Review:

The application for the Olympic Parade and Celebration is being reviewed by all applicable departments and their comments have been incorporated into this report.

Alternatives:

A. Approve the request:

Approve the Master Festival License allowing the Olympic Parade and Celebration as described. This is staff's recommendation.

B. Deny the request:

Deny the Master Festival License, preventing the addition of the Olympic Parade and Celebration to Park City's schedule of events.

C. Continue the Item:

Council may continue the discussion in order to receive additional information.

Significant Impacts:

Park City has hosted many parades and events utilizing the same route and footprint as the Olympic Parade and Celebration. The most significant impact of this event will be closing Main Street to vehicular traffic. Staff feels that staging the parade entries at the

Brew Bub parking will reduce the impact to Main Street businesses considerably. Lower Main Street will be reopened to traffic at the end of the event (approximately 8:00 p.m.).

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life + Varied and extensive event offerings + Multi-seasonal destination for recreational opportunities + Varied and extensive event offerings		+ Residents live and work locally	
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Neutral 	Positive 	Neutral 
Comments:				

Consequences of not taking the recommended action:

The Olympic Parade and Celebration would not take place.

Recommendation:

Staff recommends City Council conduct a public hearing and approve a Master Festival License for the Olympic Parade and Celebration on April 6th 2014, according to the Findings of Fact, Conclusions of Law, and Conditions of Approval contained herein.

Findings of Fact:

1. The Olympic Parade and Celebration will be held Sunday, April 6th 2014, from 4:00-8:00 pm.
2. Staff will manage parking at the existing public and private parking lots around Main Street so the parade will not substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area.
3. The event is oriented towards honoring returning Olympians and will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
4. The parade will begin at the top of Main and end at 9th street. Staff will reserve 10 parking spaces on the east side of Park Ave. just south of 9th street to allow for parade run out. The concentration of persons, vehicles, or animals will not unduly

interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services.

5. The application may close Main Street from 7th to 9th street and Deer Valley Drive on April 6th 2014 from approximately 4pm to 8pm for the following activities:
 - a. A band located on a stage on Lower Main Street or the Pedestrian Bridge
 - b. Various 10x10 tents located on Lower Main Street or the Town Lift Plaza area for interaction with the athletes.
 - c. Possible sponsor or other activities located on lower Main Street.
 - d. Lantis Fireworks will be doing a display from the runaway truck ramp off of Marsac Ave. All proper permits will be obtained through the Park City Building Department.
6. The size of the crowd and nature of the event will not create an imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
7. The applicant has been working with Staff and applicable departments to address all event concerns. The applicant demonstrates an ability and willingness to conduct the event pursuant to the terms and conditions of Chapter 4-8-4 of the Park City Municipal Code, Master Festival License Application Procedure.
8. No other Master Festival and Special Event Licenses has been issued for April 6th 2014,

Conclusions of Law:

1. The application meets the requirements set forth in the Park City Municipal Code, Title 4, Chapter 8.

Conditions of Approval:

1. The applicant at its cost, shall incorporate such measures as directed by Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided and paid for by the applicant.
2. All operational plans will have final approval from Staff which includes notice to Main Street merchants and businesses and affected residential areas.
3. Applicant shall provide proof of liability insurance in the amount of four million dollars (\$4,000,000) or more as may be required by the Special Events Manager or the City Attorney's Office, and shall further name Park City Municipal Corporation as additional insured. All applicants shall further indemnify the City from liability occurring at the event, except for any claims arising out of the sole negligence or intentional torts of the City or its employees.
4. Any plans for tents, stages and other temporary structures shall be submitted to the Building Department for review and permitting by April 1, 2014.
5. The Applicant is responsible for a Street Closure and Pedestrian Management Plan in a form approved by the Park City Municipal Event Manager and Chief of Police.

Attachments

Exhibit A – Application Page 1

Exhibit A – Application Page 1

Park City Municipal Corporation

Master Festival & Special Event Application

Special Events
435.615.5150
specialevents@parkcity.org

Master Festival (MFL) & Special Event Applications **MUST** be complete and submitted to the Special Events Department no Less than **90 Days Prior** to a MFL and no less than **60 Days Prior** to a Special Event for staff review. Applications not submitted within that timeframe may not be granted approval. Refer to Park City Special Event Planning Guide for answers to the most frequently asked event related questions
This application **DOES NOT** constitute a valid permit until approved by the Special Events Department and/or Park City Council

APPLICATION FEES

All new applications require a \$160.00 non-refundable application processing fee
All applications for returning events require a \$80.00 non-refundable application processing fee
Additional fees for other services, including Health Department, Fire Department, and City Services will be estimated and provided to the applicant.

EVENT INFORMATION

MASTER FESTIVAL CRITERIA (PUBLIC EVENT) (If one box is checked the event is automatically an MFL)	☒ Attraction of crowds over 500 participants and or spectators	☒ Requires Partial or Full Street Closure or use of Public Right of Way	☒ Use of City park, buildings or other properties or transportation system	☒ Use of off-site parking facility	☒ Use of Amplified Music in or adjacent to a residential neighborhood
SPECIAL EVENT CRITERIA (PUBLIC OR PRIVATE EVENT)	☒ Causes significant public impacts via disturbance, crowd, traffic, and or parking	☒ Disruption of the normal routine of the community or affected neighborhood	☒ Necessitates temporary business or liquor licensing in conjunction with public impacts	☒ Necessitates the use of city personnel	

EVENT TYPE

☐ Street Fair/Festival	☐ Run - Walk	☒ Parade	☐ Trail Event Additional regulations required; see Special Event Planning Guide for details or visit www.parkcity.org	☐ Concert	☐ Road Bike Event	
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Other Type of Event (Please Specify):

APPLICANT AND SPONSORING ORGANIZATION INFORMATION

NAME: Christy Dias		POSITION: Event Coordinator	
STREET ADDRESS: 1351 Kearns Blvd Suite 110-F		CITY, STATE, ZIP CODE: Park City, Utah	
MAILING ADDRESS: PO Box 681698 (If different from above)		CITY, STATE, ZIP CODE: Park City, Utah 84068	
TELEPHONE (WORK): 4352140792	MOBILE PHONE: 8022360601	OTHER:	
EMAIL ADDRESS: christydostal@hotmail.com		FAX NUMBER:	
SPONSORING ORGANIZATION: Youth Sports Alliance		Is organization a registered non-profit? ☒ Yes ☐ No (If yes, please provide copy of registration paperwork)	
ONSITE CONTACT: Christy Dias (day/s of event)		MOBILE PHONE: 8022360601	
NAME OF EVENT: Olympic Parade			
☒ FIRST TIME EVENT	☐ ANNUAL EVENT (How many years?) _____	Will a fee be charged for attendance or participation? ☐ Yes ☒ No	

Overall Event Description (Briefly explain event and activities): Parade down main street followed by awards celebration and party at town

EVENT DATES AND TIMES

EVENT DATE(S): April 5th 2014	EVENT HOURS - START TIME: 11:00pm	END TIME: 3:00pm
SET-UP DATE/S: April 4th 2014	TIME/S: 5:00 pm	BREAKDOWN DATE/S: April 5th 2014
ESTIMATED ATTENDANCE - PARTICIPANTS:	SPECTATORS: 1000	TOTAL: 1000
EVENT LOCATION: Main Street Park City and Town Lift Plaza		

✓EVENTS WITH ATTENDANCE HIGHER THAT 500 REQUIRES A SUMMIT COUNTY MASS GATHERING PERMIT



City Council Staff Report

Subject: UPDES Stipulated Compliance Order and UPDES Permits
Author: Clint McAfee, Water Manager
Department: Water
Date: March 6, 2014
Type of Item: Administrative

Summary Recommendations:

Staff recommends Council authorize the City Manager, or her designee, to enter into a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approved by the City Attorney.

Topic/Description:

Water Rights, Leases, Agreements, Source, Water Quality, Financial Stability, Infrastructure, and Water Conservation

Abbreviations Used in this Report:

EPA: United States Environmental Protection Agency
SCO: Stipulated Compliance Order
DWQ: Utah Division of Water Quality
SWTP: Spiro Water Treatment Plant
QJWTP: Quinn's Junction Water Treatment Plant
UPDES: Utah Pollution Discharge Elimination System
KKR: Kaplan Kirsch and Rockwell
GPM: Gallons per Minute
UPCM: United Park City Mines Company

Important Note: This report is an updated version of the staff report from the January 9, 2014 Council meeting. For clarity and to provide background, staff has highlighted updates to the January 9th report in the color red.

Background:

On January 9, 2014 Park City Council authorized the City Manager, or her designee, to enter into a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approved by the City Attorney. During the presentation of the SCO, staff noted that there was a possibility of a slight modification of the SCO as a result of a pending final DWQ review that would require staff to return to Council for approval. DWQ has requested additional language in the SCO in order to clarify the intention of the agreement. This updated staff report describes the modifications, and includes the draft of the SCO that contains the modifications which are shown using the Track Changes function of MS Word.

In 2009, EPA Region 8 and DWQ directed Park City to obtain UPDES permits for Judge Tunnel and Spiro Tunnel as required by the Clean Water Act. In July 2011, Park City submitted initial applications and in February 2012 Park City submitted revised applications for UPDES permits (permits) at each source. Over the past several years, water staff has been working with DWQ to establish a reasonable time period for Park City to come into compliance with the permits. The basis of staff's argument that Park City needs time to comply with the permits is that planning, designing, and constructing infrastructure to comply with the permits will be extremely complicated and expensive and will place a severe financial burden on the rate payers of Park City. During this time, staff has gained support from EPA Region 8 and DWQ for extended compliance periods.

Over the course of many long meetings with DWQ, staff has successfully demonstrated the complexity, cost, and financial burden associated with compliance and DWQ has agreed to an extended compliance period. It should be noted that the length of the proposed time periods are extremely unusual and beneficial to Park City. By extending the compliance date, staff will be able to better plan and construct a comprehensive tunnel treatment system. Extended compliance also means delayed cost of infrastructure and eliminates many years of debt service payments and operational costs, which would amount to millions of dollars per year.

The SCO is an agreement between DWQ and Park City that was created to outline the schedule and other terms of Park City coming into compliance with the Judge and Spiro Permits. While UPDES permits require renewal every 5 years, the SCO is designed to span the entire compliance period which could be as long as 19 years. After the compliance period, Park City will be required to comply with UPDES permits in perpetuity. During the compliance period the UPDES permits will be "report only". This allows Park City time to come into compliance with the Clean Water Act, thereby reducing our legal exposure. Further, because these are report only permits, there are no water quality limits or standards that Park City can violate during the compliance period. Park City agreed that, in general, Judge Tunnel would be addressed first and then Spiro Tunnel. This approach generally compliments Park City's goal of improving water quality in our drinking water system and securing the City's water sources as treatment of Judge will have a significant improvement on Park City's water quality in the distribution system.

Judge Tunnel

The portal of the Judge Tunnel is located in Empire Canyon. Until recently, the water discharged from the portal has been used as a drinking water source for many decades. This water has entered the potable water system after disinfection using chlorine gas. When the water is turbid or the water is not needed in the distribution system, it has been discharged into an ephemeral drainage channel in Empire Canyon prior to being exposed to chlorine. Due to a variety of water quality concerns and the availability of water produced from QJWTP, staff discontinued the use of the Judge Tunnel as a drinking water source in June of 2013. Under the terms of a separate agreement with

the Division of Drinking Water, Judge water will be prohibited from further use in the distribution system without additional treatment for antimony starting June 14, 2014. The water that is currently being discharged into the drainage channel also exceeds several additional parameters included in the proposed UPDES permit for Judge Tunnel.

Several citizens have reported that they have perceived an improvement in water quality since we stopped using Judge as a potable water source in June of 2013. Most of these reports describe household water filters being much cleaner and lasting longer than they have in the past. This is likely due to the iron and manganese reduction as a result of diverting Judge out of our distribution system. In the future, treatment of the Judge water will result in further improvements to water quality. Recently, staff has confirmed this water quality improvement during routine water sampling in eight areas of the distribution system. These samples have shown significant reduction of antimony, arsenic, cadmium, iron, lead and manganese levels in the distribution system. Staff attributes these improvements directly to the diversion of the Judge Tunnel water. For detailed water quality results and locations, see:

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10190>.

It is important to highlight that the diversion of Judge Tunnel water has resulted in an increased flow of water in the drainage channel which will continue until infrastructure to convey and treat Judge Tunnel is complete. At the completion of this construction, and the corresponding deadline per the SCO, water will no longer be discharged into Empire Canyon from Judge Tunnel and the drainage channel will return to its historic condition as an ephemeral drainage channel. In 2013, as part of a plan to convey Judge Tunnel water to a future treatment facility near the existing SWTP or QJWTP, Council approved the construction of a pipeline running from Judge Tunnel to the existing SWTP site. This pipeline, which was recommended by staff based on an alternatives analysis, essentially precludes treatment and subsequent discharge of Judge Tunnel water in Empire Canyon in the future.

The flow rate from the tunnel ranges from about 700 gallons per minute (gpm) to over 2,000 gpm with an average flow rate of about 1,200 gpm. Park City effectively has the right to use all of the water coming from the Judge Tunnel.

UPCM owns the tunnel, the infrastructure near the portal, and the land near the portal. The land under which the tunnel was driven is now owned by several entities including Talisker and Deer Valley Resort Company. Park City has an easement in the Tunnel running ten feet either side of the tunnel's centerline; the scope of the easement is to maintain and operate the Tunnel and the waterworks facilities near the portal.

Spiro Tunnel

The portal of the Spiro Tunnel is located west of the existing SWTP and within the Silver Star Development. A portion of the water draining from the Tunnel has been used by

Park City for decades. At first it was chlorinated and mixed with Judge Tunnel water and a controlled blend of Thiriot Springs water to reduce arsenic. In about 1990, the first phase of the SWTP was constructed in order to remove arsenic, manganese, iron, thallium, and turbidity from the water prior to entering the potable water system. Controlled blending of Thiriot Springs and treated SWTP waters was also implemented for antimony compliance. Over the years, SWTP has received several process and capacity upgrades, however it is not able to treat to stream standards as will be required by a future UPDES permit and can only treat a portion of the total flow from the tunnel. Water not treated at the SWTP is discharged into the North and East Ditches, which run through the Park City Municipal Golf Course. Other entities with water rights in the Spiro Tunnel are Salt Lake City Corporation and Park City Mountain Resort. Also, a portion of the Tunnel flow is considered to be tributary to the East Canyon drainage and is to remain un-diverted and allowed to run down McLeod Creek. Uses for the Spiro Tunnel water include municipal, golf course irrigation, snowmaking, and agricultural use.

The flow rate from the tunnel averages about 4,500 gpm with peak flow rates above 8,000 gpm.

Much like Judge, Park City has an easement in the Tunnel to maintain and operate the Tunnel and the waterworks facilities near the portal.

Analysis:

The SCO outlines 3 main potential solutions to achieve compliance with future UPDES permit limits. As mentioned earlier in this report, Judge Tunnel is to be addressed first followed by Spiro Tunnel and each of the 3 solutions has 2 phases as described below. Staff ensured great flexibility in the drafting of the SCO in terms of choosing solutions that will maximize the benefit to the City. The best solution for the City may not be the least expensive; rather it will be the optimal combination of cost, water quality, schedule, and other key factors.

Rather than providing a comparative analysis of each solution, the outline below focuses on what is contained in the SCO. A complex and in depth decision making process will occur during the compliance period evaluating many factors including cost, impacts to the City, water quality, operational redundancy, and security.

Interim Solution for Judge Tunnel (time period: present to 2024)

Staff has identified 3 potential solutions for compliance with drinking water standards and the UPDES permits for Judge. The completion dates for each solution per the SCO are included below. After a comprehensive analysis of all options, only one solution will be selected. This analysis and selection process will occur in the next several years.

1. Treat Judge at the existing Quinns Junction Water Treatment Plant (QJWTP).
Completion date: January 1, 2018.
 - a. Potential Infrastructure includes:
 - i. Pipeline from Judge to QJWTP.

- ii. Expansion of QJWTP.
 - iii. Potential pretreatment of Judge Tunnel Water.
 - iv. Dewatering at QJWTP.
- 2. Treat Judge at the existing SWTP. Completion date: January 1, 2021.
 - a. Potential Infrastructure includes:
 - i. Pipeline from Judge to SWTP.
 - ii. Modification and upgrades of the existing SWTP.
 - iii. Dewatering upgrades at SWTP.
 - b. After Council authorized execution of the SCO as presented on January 9, 2014, DWQ requested a modification that affects the second phase of this option. The effect is described below in the color red.
- 3. Treat Judge at a new treatment facility at or near the existing SWTP site. Completion date: January 1, 2024.
 - a. Potential Infrastructure includes:
 - i. Pipeline from Judge to SWTP.
 - ii. Demolition of the existing SWTP.
 - iii. Potential relocation of Golf and/or Parks facilities.
 - iv. Potential modification to portions of the Golf Course.
 - v. Construction of a new SWTP to treat Judge and to be expandable in the future to treat Spiro water.
 - vi. NOTE: an alternative to demolition of the existing SWTP and relocating other City facilities would be to find an alternative location for the new tunnel treatment facility similar to location and size of the existing site.

It is important to note that with option 3 there could be impacts to the Park City Municipal Golf Course that include localized modifications. Staff understands the year round importance and value this amenity has to the community for both golfers and non-golfers alike and the goal with any construction at this location will be to mitigate any impacts to the amenity.

There are significant advantages to the existing SWTP site on the golf course including:

- It is the headwaters of McLeod Creek. Locating the treatment facility elsewhere would require pumping water back to this location for discharge which would consume massive amounts of energy and require significant infrastructure.
- It allows for separation of the City's mine tunnel treatment system from the surface water treatment system at QJWTP. This greatly simplifies operations and infrastructure required.
- System redundancy. This facility would be independent of other facilities providing treatment and source redundancy for the City's water system.

- It complements concepts put forth in the Western Summit County Project (aka Regional Water Project) by keeping the future capacity in QJWTP available for treatment of additional imported surface water in the future.

Final Solution for Judge and Spiro Tunnels (time period: 2025 – 2033)

Depending on the interim solution that is selected for Judge (see above), the final solution for both Judge and Spiro will be either a combined tunnel treatment facility for both sources, or the addition of a facility to treat Spiro only.

Below are the second phases of the 3 solutions presented above. After a comprehensive analysis of all options, only one solution will be selected. This analysis and selection will occur over the next several years.

1. New treatment facility for Spiro discharge:
 - a. Construct treatment facilities to treat Spiro Tunnel water.
 - b. This could include reconstruction of the existing SWTP in its current location or a nearby location.
 - c. Judge would continue to be treated at QJWTP.
 - d. If cost is less than \$12.5 M, completion date is: January 1, 2025.
 - e. If cost is more than \$12.5 M, completion date is: January 1, 2033.
2. Demolish and construction of a new facility capable of treating Judge and Spiro Tunnel discharges.
 - a. If cost is less than \$12.5 M, completion date is: January 1, 2025.
 - b. If cost is more than \$12.5 M, completion date is: January 1, 2033.
 - c. After Council authorized execution of the SCO as presented on January 9, 2014, DWQ requested a modification that affects this option. The January 9th version of the SCO included a provision to allow for the bypass of Judge Tunnel water during the demolition and reconstruction of this new facility. In other words, Judge Tunnel would be discharged into either Silver Creek or the Spiro ditch system untreated for a period long enough to complete the work. However, DWQ is concerned that there is not a defined time or duration of this bypass which would enable the City to discharge Judge at any time and attribute the discharge to the work required in this option. The modification of the SCO is basically a reiteration of the requirement that discharges related to the Judge Tunnel will comply with applicable UPDES permits after the interim solution date specified in the SCO. More importantly, DWQ has requested that the language in the UPDES permits include a 30-day limitation on certain defined bypasses unless otherwise approved in writing by DWQ. The proposed permit language, including the latest requested modifications shown in the color red, is shown in Exhibit A of this staff report.

As a result of this modification, Judge Tunnel would not be allowed to be bypassed during the work described in this option unless DWQ allowed this in the future. A provision for either temporary treatment of Judge Tunnel prior to discharge would be required or a phased approach to construction would be required. A phased approach would retain functionality of the existing SWTP until the new facility was constructed and could treat Judge Tunnel water.

3. Expand new treatment facility that was constructed per interim option 3 above.
 - a. If cost is less than \$12.5 M, completion date is: January 1, 2025.
 - b. If cost is more than \$12.5 M, completion date is: January 1, 2033.

In addition to the modifications described in the color red above, there is a corrected code reference in Section 15 of the SCO and language modifications to decouple the final solution for Judge and Spiro from the existing SWTP site. Decoupling the solution from the SWTP site will give Park City the flexibility to select an alternate site, rather than or in addition to, the existing SWTP site.

Again, many factors are involved in determining which solution to implement. These discussions will occur later as we approach the deadline per the SCO and as we gain a better understanding of each solution. Flexibility was one of the main outcomes of the negotiated compliance period and I think we have achieved this to the maximum extent tolerated by the DWQ.

Next Steps

Once Staff received Council authorization to execute the SCO, Park City will sign the SCO and the SCO and permit documents will be made available for a minimum of 30 days for public comment. If no substantive comments are received, DWQ will execute the SCO and permits. If revisions are required due to public comment, the process will start again with Staff returning to Council for approval of the changes, public comment, and execution.

Department Review:

This report has been reviewed by representatives of Public Works, Legal, and the City Manager's Office and their comments have been integrated into this report.

Alternatives:

A. Approve:

Council could authorize the City Manager to enter into a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approved by the City Attorney.

B. Deny:

Council could deny the request for authorization. This would delay execution of the SCO, require Staff to re-enter negotiations with DWQ, and delay compliance with the Clean Water Act.

C. Modify:

Council could request modifications to the SCO. This would delay execution of the SCO, require Staff to re-enter negotiations with DWQ, and delay compliance with the Clean Water Act.

D. Continue the Item:

This would have a similar effect as requesting a modification.

E. Do Nothing:

This would have a similar effect as requesting a modification.

Significant Impacts:

	Preserving & Enhancing the Natural Environment (Environmental Impact)	Responsive, Cutting- Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Managed natural resources balancing ecosystem needs + Enhanced water quality and high customer confidence + Effective water conservation program + Adequate and reliable water supply	+ Fiscally and legally sound
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Very Positive 

Funding Source:

There are no direct costs associated with execution of the SCO. Budget requests for infrastructure described in the SCO will be brought to Council during future budget cycles and will be funded by water service fees. Entering this SCO does guarantee future capital expenditures and these will have rate impacts.

Consequences of not taking the recommended action:

Not taking the recommended action could delay the execution of the SCO and issuance of the UPDES permits for the Judge and Spiro Tunnel discharges. Under the Clean Water Act, Park City is required to obtain UPDES permits for these discharges and the SCO allows for a reasonable amount of time to comply with the permits. Denying the request to execute the SCO could eliminate the compliance period and the City would be in violation of the pending UPDES permits.

Recommendation:

Staff recommends Council authorize the City Manager, or her designee, to enter into a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approved by the City Attorney.

Exhibits:

EXHIBIT A: Allowed Bypass Condition Language

EXHIBIT B: SCO

EXHIBIT A
Section III.G of the UPDES permits for Judge and Spiro Tunnels

G. Bypass of Treatment Facilities.

1. Bypass Not Exceeding Limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to *paragraph 2 and 3* of this section.
2. Prohibition of Bypass.
 - a) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:
 - 1) Bypass was unavoidable to prevent loss of human life, personal injury, or severe property damage;
 - 2) There were no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance, and
 - 3) The permittee submitted notices as required under *section III.G.3.*
 - b) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in *sections III.G.2.a (1), (2) and (3).*
 - c) The Director has approved the following categories of allowed infrequent bypasses, which meet the criteria identified in section III.G.2.a. **if such bypasses will occur for no more than a cumulative 30 days in a calendar year. Any bypasses that exceed the 30 day cumulative maximum in a calendar year must be approved in writing by the Director in response to a written request by the permittee which fully documents the circumstances, cause and need for the bypass. Such bypasses must meet the criteria identified in Section III.G.2.a).** The permittee shall still comply with the notice requirements of section III.G.2.a for any such bypasses:
 - (1) Bypass necessitated by mine tunnel collapse or other major incident affecting the mine tunnel or flow of water from it;

- (2) Bypass necessitated by flooding caused by excessively high flows from mine tunnel;
- (3) Bypass necessitated by demolition and construction necessary to install treatment facilities needed to meet final effluent or drinking water standards; and
- (4) Bypass necessitated by mine tunnel maintenance and repair.

3. Notice.

- a) Anticipated bypass. Except as provided above in *section III.G.2* and below in *section III.G.3.b*, if the permittee knows in advance of the need for a bypass, it shall submit prior notice, at least ninety days before the date of bypass. The prior notice shall include the following unless otherwise waived by the Director:
 - 1) Evaluation of alternative to bypass, including cost-benefit analysis containing an assessment of anticipated resource damages;
 - 2) A specific bypass plan describing the work to be performed including scheduled dates and times. The permittee must notify the Director in advance of any changes to the bypass schedule;
 - 3) Description of specific measures to be taken to minimize environmental and public health impacts;
 - 4) A notification plan sufficient to alert all downstream users, the public and others reasonably expected to be impacted by the bypass;
 - 5) A water quality assessment plan to include sufficient monitoring of the receiving water before, during and following the bypass to enable evaluation of public health risks and environmental impacts; and,
 - 6) Any additional information requested by the Director.
- b) Emergency Bypass. Where ninety days advance notice is not possible, the permittee must notify the Director, and the Director of the Department of Natural Resources, as soon as it becomes aware of the need to bypass and provide to the Director the information in *section III.G.3.a.(1) through (6)* to the extent practicable.
- c) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass to the Director as required under *Part II.H*, Twenty Four Hour Reporting. The permittee shall also immediately notify the Director of the Department of Natural Resources, the public and downstream users and shall implement measures to minimize impacts to public health and environment to the extent practicable.

UTAH DIVISION OF WATER QUALITY

IN THE MATTER OF Judge Tunnel and Spiro Tunnel UPDES Park City Municipal Corporation 445 Marsac Ave. P.O. Box 1480 Park City, Utah	DOCKET NUMBER M14-01 STIPULATED COMPLIANCE ORDER
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PURPOSE

1. The purpose of this **STIPULATED COMPLIANCE ORDER** (“**AGREEMENT**”) is to specify a compliance schedule for the **PARK CITY MUNICIPAL CORPORATION** (“**OPERATOR**”) to come into full compliance with the final effluent limits that will be in the Utah Pollutant Discharge Elimination System (“**UPDES**”) discharge permits for the Judge Tunnel and Spiro Tunnel, UPDES permits #UT0025925 and #UT0025941. The permits and this **AGREEMENT** are expected to be finalized concurrently, subject to public comment and other requirements of the Utah Water Quality Act, Title 19 Chapter 5 of the Utah Code (“**ACT**”), and Rule 317 of the Utah Admin. Code and other applicable law. The compliance schedule extends beyond the expiration dates of the permits. This **AGREEMENT** is expected to be incorporated by reference into the permits and into future renewal permits.

AUTHORITY

2. The **DIRECTOR** of the **UTAH DIVISION OF WATER QUALITY** (“**DIVISION**”) is authorized to issue, continue in effect, renew, revoke, modify or deny discharge permits and to issue orders in accordance with Section 19-5-106, and to specify a schedule of compliance in a permit leading to compliance with the **ACT** pursuant to Rule 317-8-5.2.

3. The **DIVISION** was created to administer the **ACT** under the immediate direction and control of the **DIRECTOR** pursuant to Section 19-1-105 of the Utah Code.

4. The State of Utah has been delegated authority by the U.S. Environmental Protection Agency (EPA) to administer the National Pollutant Discharge Elimination System (NPDES) permit program under the Federal Clean Water Act (CWA), known in Utah as UPDES.

FINDINGS

5. **OPERATOR** operates a municipal water system in Park City, Utah. Under certain agreements with the owner of historic mine tunnels, known as the Judge Tunnel and Spiro

Tunnel, **OPERATOR** manages the water draining from the Judge Tunnel and Spiro Tunnel, to provide domestic water to its water system customers. Excess tunnel waters are discharged into adjacent water courses, including Empire Canyon Creek and the Spiro North and East ditches. These waters eventually discharge into McLeod, East Canyon and Silver Creeks. See Park City February 7, 2012, updated application for a UPDES permit in the administrative record.

6. As of 2009, EPA Region 8 and the **DIVISION** have directed **OPERATOR** to obtain UPDES permits for Judge Tunnel and Spiro Tunnel. In July 2011, **OPERATOR** submitted initial applications to the **DIVISION** for UPDES permits at each source. The **OPERATOR** has requested compliance schedules to come into compliance with the final effluent limits that will be established in the UPDES permits. Pursuant to Rule 317-8-5.2, a “permit may, when appropriate, specify a schedule of compliance leading to compliance. . .” with the **ACT**. The purpose of this **AGREEMENT** is to specify compliance schedules that will be incorporated into the UPDES permits.

7. On June 5, 2012, EPA issued the *Integrated Municipal Stormwater and Wastewater Planning Approach Framework* (“*Integrated Framework*”) dated May 2012. The *Integrated Framework* allows a municipality to identify its relative priorities for infrastructure projects required by the Clean Water Act, balancing human health and water quality impacts with financial capability. A copy of the *Integrated Framework* is in the administrative record.

8. **OPERATOR** represents that compliance schedules are appropriate to meet permit effluent limits at Judge Tunnel and Spiro Tunnel, because the complex nature of the water sources, the existing water system, local conditions and climate, and financial constraints require time to develop a plan to treat each source, as needed, including time to analyze the feasibility and desirability of integrating treatment for the sources. **OPERATOR** has also represented that compliance will require **OPERATOR** to construct several miles of pipeline through challenging mountain town topography and treatment systems for some or all of the sources and that **OPERATOR** requires time to raise funds through water rate increases to acquire land, design, construct and operate treatment facilities.

9. **OPERATOR** represents that it will develop and implement a plan under the *Integrated Framework*, generally, by addressing discharges at the Judge Tunnel first, completing a Sampling and Analysis Plan and water quality modeling and other studies to characterize the Spiro Tunnel watershed, and conducting engineering feasibility analysis on integrating Judge Tunnel and Spiro Tunnel water sources for treatment, distribution and discharge in the vicinity of Spiro Tunnel, including potentially expanding the capacity and upgrading the process of the existing Quinns Junction Water Treatment Plant (“QJWTP”) or Spiro Water Treatment Plant (“SWTP”) as may be required by an integrated approach. See **OPERATOR’s Expanded Draft Outline for Park City Municipal Corporation Integrated NPDES Plan** in the administrative

record. **OPERATOR's** *Expanded Draft Outline for Park City Municipal Corporation Integrated NPDES Plan* is modeled after EPA's *Integrated Framework*. The *Expanded Draft Outline for Park City Municipal Corporation Integrated NPDES Plan* describes the water quality improvements expected from addressing the Judge Tunnel and the financial capability of the **OPERATOR** to address the discharges in total, especially Spiro Tunnel, which is anticipated to be the most costly source due to its size and importance to **OPERATOR'S** water system. The **OPERATOR** has also represented that the activities and facilities contemplated by **OPERATOR** to achieve compliance with UPDES permit requirements are expected to be costly (tens of millions of dollars), are expected to have a significant permanent impact on **OPERATOR'S** construction, operation, maintenance, and replacement expenses far into the future, and will be funded entirely by existing and future water rate payers. **OPERATOR** has represented that it anticipates significant annual water rate increases for several years to pay for the required new facilities. The **OPERATOR** has also represented that the compliance schedules will allow the **OPERATOR** to both mitigate the financial impacts of many years of significant water rate increases and reduce pollutant loading in the Silver Creek, McLeod Creek and East Canyon watersheds from the Spiro and Judge Tunnel discharges. The financial representations of the **OPERATOR** are also in the **OPERATOR's** May 23, 2013 *Analysis of the Financial Impact of Alternative UPDES Compliance Schedules with 12-30-13 updated Table 10* in the administrative record.

10. **The DIRECTOR** finds there is adequate support in the administrative record as described above to reasonably find that the compliance schedule will lead to compliance with the effluent limitations that will be in the permits to meet water quality standards by the end of the compliance schedule, that the compliance schedule is appropriate given the circumstances, that compliance will be achieved as soon as possible, and that the **OPERATOR** cannot immediately comply with the final effluent limits that will be in the permits.

AGREEMENT

11. **THE DIRECTOR HEREBY ORDERS** and the **OPERATOR** agrees to the following compliance schedules:

Final Park City Municipal Corporation Integrated NPDES Plan

A. No later than October 1, 2014, **OPERATOR** agrees to complete and submit to the **DIVISION** for approval, the *Park City Municipal Corporation Integrated NPDES Plan* ("*Integrated Plan*"). The scope of the *Integrated Plan* shall include descriptions of all projects and work necessary, in as much detail as is known at the time, to bring all surface water discharges from the Judge and Spiro Tunnels into compliance with their associated UPDES permits, with schedules and deadlines consistent with those in this **AGREEMENT**. The *Integrated Plan* shall be modeled after the *Integrated Municipal*

Stormwater and Wastewater Planning approach Framework attached to the June 5, 2012 memorandum from EPA Administrators Nancy Stoner and Cynthia Giles.

Through the end of the term of this **AGREEMENT**, **OPERATOR** agrees to submit to the **DIVISION** combined routine *Integrated Plan and construction project* updates and addenda every April 1 and October 1 when project construction is in progress, and annually on October 1, when project construction is not in progress. The reports, at a minimum, will document any changes or updates to the *Integrated Plan*, a summary of progress and milestones achieved in all construction, study and design projects during the previous reporting period, projected progress and milestones scheduled to be completed during the following reporting period, and if the project(s) are on schedule. The reports will also include any revisions to the **OPERATOR**'s Level II Antidegradation Review for the Judge and Spiro Tunnel discharges, if needed.

Judge Tunnel Pipeline and Empire Tank and Site Improvements

B. No later than 30 days after the execution of this **AGREEMENT**, **OPERATOR** agrees to submit to the **DIVISION** a complete, detailed scope of work and engineering and construction plans for the Empire Tank discharge site improvements, and a pipeline from the vicinity of the Judge Tunnel portal to the vicinity of the SWTP. **OPERATOR** agrees to complete this construction by November 1, 2015.

C. No later than ~~October 1~~December 31, 2015, **OPERATOR** agrees to submit to the **DIVISION** a detailed engineering and financial analysis of the options for compliance with the effluent limits for water from the Judge Tunnel identified in the Judge permit. This analysis shall include the identification of **OPERATOR**'S intended option for treatment of water from the Judge Tunnel, as well as an assessment of feasible options to minimize bypass for reasonably foreseeable bypass scenarios.

1. If **OPERATOR** determines in the ~~October 1~~December 31, 2015 analysis above that the best means of treating Judge Tunnel water to meet effluent limits would be to send the water to and treat it at the QJWTP (hereinafter, "QJWTP Solution"), it shall provide, no later than ~~October 1~~December 31, 2016, a complete, detailed scope of work and engineering and construction plans for the construction of the continuation of the Judge Tunnel pipeline from the vicinity of the SWTP to the QJWTP, expansion of the capacity of the QJWTP and upgrades to the treatment capability of QJWTP to include options such as dewatering to remove solids filtered from Judge Tunnel water, **OPERATOR** agrees to comply with Paragraph 11.D of this **AGREEMENT** (collectively, "the QJWTP solution").

2. If **OPERATOR** determines in the ~~October 1~~December 31, 2015 analysis that treatment of Judge Tunnel water at SWTP would be technically, operationally, or financially superior to the QJWTP Solution, **OPERATOR** agrees to comply with Paragraph 11.E of this **AGREEMENT** (collectively, “the Interim SWTP solution”).

The QJWTP Solution for Judge Tunnel Water

D. If **OPERATOR** elects to pursue the QJWTP solution, no later than January 1, 2018, **OPERATOR** agrees to complete construction of the continuation of the pipeline from the Judge Tunnel portal to the QJWTP, expansion of the capacity of the QJWTP, and upgrade the treatment capability of QJWTP to include options such as dewatering to remove solids filtered from Judge Tunnel water. At the completion of such construction, all surface water discharges from the Judge Tunnel, associated water treatment facilities and Empire Tank water storage facility shall comply with the final limits in the UPDES permit issued for the Judge Tunnel, except in cases of upset or emergency condition, as described in Rule 317-8-4.1(14), or other circumstances necessary for proper operation, maintenance and replacement of the water system only as allowed in the UPDES permit issued for the Judge Tunnel and the **OPERATOR’S** UPDES General Permit for Drinking Water Treatment Plants.

The Interim SWTP Solution for Judge Tunnel Water

E. If **OPERATOR** elects the Interim SWTP solution (defined below), no later than October 1, 2017, **OPERATOR** agrees to submit to the **DIVISION** a complete, detailed scope of work and engineering and construction plans for the expansion of the capacity of the SWTP and upgrades to the treatment capability of SWTP to treat Judge Tunnel water, including options such as dewatering to remove solids filtered from Judge Tunnel water. An Interim SWTP solution is a project which involves a modification or reconstruction of the present SWTP treatment process and facilities to achieve final effluent limits in the UPDES permits for Judge Tunnel water.

1. If **OPERATOR** elects the Interim SWTP solution as the final solution needed to achieve final effluent limits for the Judge Tunnel UPDES permit and such project costs less than \$6 million (including legal, engineering, construction, and other direct costs of the Interim SWTP revision), no later than January 1, 2021, **OPERATOR** agrees to complete construction of the expansion of the capacity of the SWTP, and upgrade the treatment capability of SWTP to include options such as dewatering to remove solids filtered from Judge Tunnel water, if necessary.

2. If **OPERATOR** elects the Interim SWTP solution as the final solution needed to achieve final effluent limits for the Judge Tunnel UPDES permit and such project costs more than \$6 million (including legal, engineering, construction, and other direct costs of the Interim SWTP revision), no later than January 1, 2024, **OPERATOR** agrees to complete construction of the expansion of the capacity of the SWTP, and upgrade the treatment capability of SWTP to include options such as dewatering to remove solids filtered from Judge Tunnel water, if necessary.

3. The project costs described in this Paragraph 11.E shall be based on the cost estimates provided in the analysis to be provided pursuant to Paragraph 11.C of this **AGREEMENT**.

4. At the completion of such construction called for in this Paragraph 11.E, all surface water discharges from the Judge Tunnel, associated water treatment facilities and Empire Tank water storage facility shall comply with final limits in the UPDES permit issued for the Judge Tunnel, except in cases of upset or emergency condition, as described in Rule 317-8-4.1(14), or other circumstances necessary for proper operation, maintenance and replacement of the water system only as allowed in the UPDES permit issued for the Judge Tunnel and the **OPERATOR'S** UPDES General Permit for Drinking Water Treatment Plants.

Final **SWTP-Judge and Spiro** Solution

F. No later than January 1, 2020, **OPERATOR** agrees to submit to the **DIVISION** a complete, detailed engineering and financial analysis of the options for compliance with any permitted effluent limits for water from the Spiro Tunnel and/or the combined Spiro and Judge Tunnel discharge. This analysis shall include the identification of **OPERATOR'S** intended option for treatment of water from the Spiro Tunnel and/or the combined Spiro and Judge Tunnel discharge, as well as an assessment of feasible options to minimize bypass for reasonably foreseeable bypass scenarios. If no additional revision to the existing SWTP treatment process, beyond the Interim SWTP solution scope of work identified in Paragraph 11.E above, and no further revision of that facility is required to meet water quality standards for any Spiro and/or the combined Spiro and Judge Tunnel discharges, **OPERATOR** agrees that all discharges related to the Judge and Spiro Tunnels will comply with the final effluent limits in the applicable UPDES permits, including applicable General Permits, one year after completion of construction called for in Paragraph 11.E, except in cases of upset or emergency condition, as described in Rule 317-8-4.1(14), or other circumstances necessary for proper operation, maintenance and replacement of the water system only as allowed in the UPDES permits

issued for the Judge & Spiro Tunnels and the **OPERATOR'S** UPDES General Permit for Drinking Water Treatment Plants. Minor construction and revisions to the facility, or the need to construct other major drinking water-related facilities, which are not material in achieving water quality standards, will not delay this deadline to meet water quality discharge standards.

G. If a 'Major Revision' ~~of the SWTP process~~ (defined below), beyond the scope of work described in Paragraph 11.E. above, is needed to meet the final limits in all applicable UPDES permits for all discharges related to the Judge and Spiro Tunnels and all other Park City drinking water system infrastructure, then **OPERATOR** agrees to achieve the deadlines set forth in this Paragraph 11.G. A Major Revision ~~of SWTP~~ is defined as a project, including land acquisition, with a total cost, including legal, engineering, construction of only the infrastructure which is a direct component of the revision or expansion of the SWTP facilities needed to meet the final limits of the UPDES Permits, and other direct costs of \$12.5 million or less to complete including the work outlined in Paragraphs 11.D, E, G, and H of this **AGREEMENT**.

1. No later than January 1, 2022, **OPERATOR** shall submit construction plans and specifications to the **DIVISION** for such Major Revision ~~of the SWTP~~.
2. No later than January 1, 2025, **OPERATOR** shall complete construction of such Major Revision ~~of the SWTP~~ as the chosen alternative to meet final UPDES permit effluent limits.
3. No later than July 1, 2025, **OPERATOR** shall comply with all final UPDES permit limits for all water treatment plant infrastructure if a Major Revision ~~of the SWTP~~ is required to meet all such limits .
4. The project costs described in this Paragraph 11.G shall be based on the cost estimates provided in the analysis to be provided pursuant to Paragraph 11.F. of this **AGREEMENT**.
5. Notwithstanding any other provision in Paragraph G, **OPERATOR** agrees that the discharges related to Judge Tunnel will comply with applicable UPDES discharge permit limits within the time period (no later than January 1, 2024) stated in Paragraph 11.E.4 of this **AGREEMENT**.

H. If an 'Extensive Revision' ~~of the SWTP process~~ (defined below), beyond the scope of work described in Paragraph 11.E. above, is required to meet the final limits in the applicable UPDES permits for all discharges related to the Judge and Spiro Tunnels and all other Park City drinking water system infrastructure, then **OPERATOR** agrees to achieve the deadlines set forth in this Paragraph 11.H. An Extensive Revision ~~of SWTP~~ is

defined as a project, including land acquisition, with a total cost, including legal, engineering, construction of only the infrastructure which is a direct component of the revision or expansion of facilities needed to meet the final limits of the UPDES Permits the SWTP, and other direct costs, of greater than \$12.5 million, including the work outlined in Paragraphs 11.D, E. G. and H. of this **AGREEMENT**.

1. No later than January 1, 2028, **OPERATOR** agrees to submit to the **DIVISION** construction plans and specifications for ~~demolition, if necessary, of the existing SWTP and reconstruction of the new SWTP in the vicinity of the existing SWTP site as required to meet all such final limits~~such Extensive Revision.
2. No later than January 1, 2033, **OPERATOR** agrees to complete construction of all remaining facilities needed to achieve final effluent limits for Spiro Tunnel and Judge Tunnel and all other Park City drinking water system related discharges and begin startup and optimization of such treatment facilities.
3. No later than July 1, 2033, **OPERATOR** agrees all discharges related to Judge Tunnel and Spiro Tunnel discharges, and all other Park City drinking water infrastructure related discharges will comply with all applicable UPDES discharge permit limits, except in cases of upset or emergency condition, as described in Rule 317-8-4.1(14), or other circumstances necessary for proper operation, maintenance and replacement of the water system only as allowed in the UPDES permits and the **OPERATOR'S** UPDES General Permit for Drinking Water Treatment Plants.
4. The project costs described in this Paragraph 11 H. shall be based on the cost estimates provided in the analysis to be provided pursuant to Paragraph 11.F. of this **AGREEMENT**.
5. Notwithstanding any other provision in Paragraph H herein, **OPERATOR** agrees that the discharges related to Judge Tunnel will comply with applicable UPDES discharge permit limits within the time period (no later than January 1, 2024) stated in Paragraph 11.E.4 of this **AGREEMENT**.

12. Nothing in this **AGREEMENT** shall constitute a waiver by **OPERATOR** of any claims it may have against third parties for costs, damages or other relief associated with pollutants in Judge and Spiro Tunnel discharges. —Further, nothing in this **AGREEMENT** shall prohibit or limit in any way **OPERATOR's** ability to seek contribution or cost recovery from third parties under Comprehensive Environmental Response, Compensation and Liability Act, Resource Conservation and Recovery Act, Clean Water Act, or other laws or regulations. **OPERATOR** reserves all rights to any remedy not expressly prohibited by this **AGREEMENT**.

13. **OPERATOR** acknowledges that this **AGREEMENT** waives governmental immunity as to the **DIVISION** and State of Utah relating to this **AGREEMENT**. Nevertheless, the **OPERATOR** is not waiving any defenses or immunity as to any other party that may be available under the Utah Governmental Immunity Act (Chapter 63G-7, Utah Code) nor does the **OPERATOR** waive any limits of liability currently provided by the Utah Governmental Immunity Act. Subject to all provisions of this **AGREEMENT**, and as may be applicable to third parties, nothing herein shall be deemed a waiver by the **OPERATOR** of any immunity provided by law to the **OPERATOR** or an extension of any limits of liability applicable to the **OPERATOR**. This **AGREEMENT** shall not be construed as an **AGREEMENT** to indemnify, hold harmless, or in any way to assume liability for personal injury, death or property damage caused by the negligence of another party.

14. **OPERATOR** shall supply to the **DIVISION** all requested information in order to assure compliance with this **AGREEMENT**, the **ACT**, associated rules and permit requirements.

15. **OPERATOR** shall perform the requirements of this **AGREEMENT** within the time frames set forth herein except as may be modified in accordance with Rule 317-8-5.6(1)(d) and other applicable law.

16. Disputes arising hereunder are subject to Sections 19-5-112, 19-1-301 and 19-1-301.5 of the Utah Code, Rule 305-7 of the Utah Admin. Code, and other applicable law.

17. The undersigned representatives certify that they are fully authorized to enter into the terms and conditions of this **AGREEMENT** and to bind the party they represent to this **AGREEMENT**.

18. This **AGREEMENT** shall be effective the day upon which it has been fully executed by the parties.

IT IS SO AGREED.

Park City Municipal Corporation

Date: _____

By: _____

Clint McAfee, P.E., Water Manager
Park City Municipal Corporation

IT IS SO ORDERED.

Walter L. Baker, P.E., Director
Utah Division of Water Quality

Date: _____

DRAFT



City Council Staff Report

Subject: Well Source Alternatives Assessment
Author: Michelle De Haan, Water Quality and Treatment Manager
Department: Public Works, Water
Date: March 6, 2014
Type of Item: Administrative

Summary Recommendations:

Staff recommends Council authorize the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with CH2M HILL, Inc. for a Well Source Alternatives Assessment in an amount of \$56,566.

Abbreviations Used in this Report:

DWQ: Utah Division of Water Quality
SWTP: Spiro Water Treatment Plant
QJWTP: Quinns Junction Water Treatment Plant
PMW: Park Meadows Well
UV: Ultraviolet Light
DDW: Division of Drinking Water
EPA: Environmental Protection Agency
GWUDI: Ground Water Under the Direct Influence of Surface Water
MPA: Microscopic Particulate Analysis

Topic/Description:

Engineering Services for the Well Source Alternatives Assessment are in accordance with the Water Strategic Plan's Source Strategies & Policies as follows:

- Source, Water Quality and Infrastructure
- Maximize efficient use of existing City sources;
- Protect existing water sources;
- Ensure public health and safety is protected through quality water; and
- Maximize operational efficiency.

Background:

The Park Meadows Well (PMW) and Divide Well are an integral part of the City's existing water source portfolio. The PMW showed evidence of groundwater under the influence of surface water (GWUDI) conditions in 2002 after positive bacteria test results and subsequent positive Microscopic Particulate Analyses (MPA) which were sampled by the City's consultant. As a result, Park City installed Ultraviolet Light (UV) treatment and chlorination as a disinfectant. This water treatment system was approved through a Division of Drinking Water (DDW) Operating Permit in 2006.

In 2012 DDW performed its triennial Sanitary Survey of the Park City water system, and came to an understanding that the UV system at the PMW is in place due to past

evidence of GWUDI conditions. In August 2012 DDW informed Park City that filtration needs to be added to the PMW, and recognized the previous DDW administration misapplied its own rules when it issued the 2006 Operating Permit for UV and chlorine disinfection only. DDW identified PMW as a GWUDI source in its compliance database around the end of 2012. However, DDW also indicated that Park City can continue to use the PMW as a drinking water source until GWUDI is confirmed.

Park City and DDW had several meetings to assess options for the PMW to come into compliance. In December 2013 DDW determined it needs to collect its own MPA samples using appropriate chain of custody to verify if the well is influenced by surface water. This testing will be conducted in Spring 2014. Both parties agree that if the PMW MPA results again indicate that the well is influenced by surface water, filtration must be added to meet GWUDI DDW rule requirements within 18-months to be utilized as a potable source.

The PMW is located south of Holiday Ranch Road adjacent to the Park City Municipal dirt jump park.

Additional Brief History of the PMW:

- June 1979 – Original PMW constructed.
- Spring 2002 – Rehabilitation or replacement of original well necessitated by rapidly declining flow rates and reduced water levels.
- June 2002 – PMW Replacement Well constructed and tested. Original PMW abandoned.
- July 12, 2002 – Operating Permit issued by DDW for new PMW.
- August 2002 – Positive bacteriological results on raw water lead to new PMW being taken out of service.
- July 2005 – Letter from consulting engineer on behalf of PCMC informing DDW that MPA results indicate six months of consistent test results show contamination consistent with GWUDI conditions.
- March 2006 – Letter from Park City to DDW acknowledging GWUDI and proposing alternative treatment methods of natural filtration, UV, and chlorination. Letter from DDW to PCMC accepting the treatment strategy under R309-530.
- June 2006 – Operating Permit issued for PMW UV facility.
- August 2012 – As a result of a sanitary survey by DDW, DDW informs PCMC that PMW UV does not meet DDW's regulations.
- December 2013 - DDW indicated that they would be collecting MPA samples from the PMW and Middle School Well in Spring 2014, so that the chain of custody would be clear that DDW collected the samples, and they would make appropriate determinations thereafter.

What is GWUDI and why do we care?

DDW includes two main general classifications for raw water: ground water and surface water. Ground water is water that flows or is pumped from subsurface water-bearing formations. Sources classified by DDW as ground water are generally not vulnerable to natural or man-caused contamination, and require source protection zones to maintain their integrity. These sources do not generally require treatment for biological reasons however; ground water sources with other contaminants, such as metals, require treatment to meet DDW requirements. Park City's existing ground water sources include: Judge and Spiro Tunnels, Thiriot Spring, Divide Well, and Middle School Well.

Surface water is water that is open to the atmosphere and subject to runoff and many sources of contamination. Surface water sources require a much more rigorous treatment process than groundwater to remove the biological threat to human health. Rockport, which is treated at QJWTP, is our only surface water. The QJWTP is designed to meet surface water treatment requirements, and is much different than the SWTP, which is designed to remove metals from ground water and is not able to treat surface water.

GWUDI means any water beneath the surface of the ground with significant occurrence of insects or other macro organisms, algae, or large-diameter pathogens such as Giardia lamblia, Viruses, or Cryptosporidium, or significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity, or pH which closely correlate to climatological or surface water influences and impact the quality of groundwater. These sources require the same treatment as surface water. Due to the relatively shallow aquifer depth that PMW pumps from, as well as other factors, the PMW falls into this category. Park City also receives wholesale water from JSSD which is treated GWUDI originating from the Ontario Drain Tunnel.

In order for PMW to comply with DDW regulations for GWUDI, an accepted filtration process, possibly in addition to the UV system, is required.

Timeline for compliance for the PMW

DDW has told Park City we are able to continue to run the well with the existing treatment system due to their previous approval letter and more importantly that neither Park City nor DDW have indicated there is a risk to public health. DDW will be conducting a MPA on the raw PMW water during the Spring runoff of 2014, possibly as early as March. By rule, MPA testing is the DDW method for determining GWUDI. It is likely that the results of the test will confirm GWUDI, and DDW will be forced to classify PMW as GWUDI after which, Park City will have 18-months to bring PMW into compliance by rule.

DDW has also targeted the Middle School Well for MPA testing during the Spring of 2014. This is due to a suspicion of DDW's that the aquifers that PMW and Middle School Well- pump from are hydraulically connected. If tests show that Middle School

Well is also GWUDI, treatment will be required within 18-months. If the test is negative, DDW will keep the regular ground water classification and no action will be required.

Analysis:

To best address the Project's complex needs, maximize the benefit from external experience and perspectives, ensure a proper analysis of evaluations, and receive expert viewpoints of how process and findings meet goals and objectives, the need for a consultant for the project has been identified to provide engineering services for a well source alternatives assessment. This assessment will include alternatives for the PMW and also the Middle School Well if MPA tests show that the Middle School Well is GWUDI. There is also an option to elect to amend the contract with the selected consultant at a later date for design services and construction services if needed.

A RFQ was issued to the public on January 9, 2014 on the City website, online at utahlegals.com, and in the Park Record during the period of January 8, 2014 through January 29, 2014.

The consultants listed below submitted Statements of Qualifications in response to the RFQ:

Aqua Engineering
Bowen Collins & Associates, Inc., Consulting Engineers
CH2M Hill Engineers, Inc.
Hansen Allen and Luce Inc., Engineers
Stantec Consulting Services Inc.

The selection committee comprised of Kyle MacArthur (Water), Roger McClain (Water), and Michelle De Haan (Water) used the following criteria to evaluate the submitted SOQs:

1. Level of Consultant Staff Experience/Qualifications, With Respect to Well Assessment Elements – Maximum Points 40%
2. Information Obtained from References and Other Factors Deemed Relevant by the Selection Committee – Maximum Points 20%
3. Rate Structure and Fee – Maximum Points 40%

The City's purchasing policies exempt professional service contracts from any requirement for competitive bidding in terms of dollar amount. According to this policy, consultants are chosen by selecting the firm whose experience, capabilities, and past performance best meet the needs of the project. The consultants were provided the following criteria as guidance in developing their Statements of Qualifications (SOQs):

- Firm history, qualifications and key personnel
- Specific experience applicable to GWUDI well water filtration process requirements that meet the DDW rules (past 5 years) and references
- Summary of unique qualifications relative to this project
- Proof of Insurance and Rate Structure

- Other factors deemed relevant by the selection committee

Since this was a qualifications based selection, there was no local preference included in the weighting. Fees were included in a weighted portion of the selection, but were not the overall driver for consultant selection for this project.

The selection committee determined, based on the SOQ reviews, the project would best be served by the selection of CH2M Hill Engineers, Inc., to provide engineering services and if determined by Park City at a later date optional evaluation of the Middle School well and/or design and construction services for either well.

Staff has developed the scope of services, consistent with work advertised in the RFQ, and negotiated the scope and fees with CH2M Hill Engineers, Inc., included in Exhibit A to this Staff Report. The Professional Services Agreement includes the Scope of Services as Addendum A and the Fee Schedule as Addendum B in an amount not-to-exceed of \$56,566. Staff feels that these fees are usual and customary with projects of this type, scope, and complexity.

The City's Water Quality and Treatment Manager, Michelle De Haan, will be the project manager and working under the guidance of the Water Manager.

Department Review:

This report has been reviewed by representatives of Public Works, Legal and the City Manager's Office and their comments have been integrated into this report.

Alternatives:**A. Approve:**

Council could authorize the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with CH2M Hill Engineers, Inc. for the Well Source Alternatives Assessment Project in an amount of \$56,566.

B. Deny:

Council could deny the request for the agreement. Doing nothing would delay the evaluation of the time-critical project and create the potential inability to meet existing drinking water standards within 18-months if required by DDW. If filtration is required and not added within the 18-month period, the PMW will no longer provide needed source redundancy if potable filtration treatment is determined the best alternative.

C. Modify:

Council could modify the request for the agreement. Modifying the request could result in a delay to the project as the impacts of the requested modifications on the planning, engineering and/or management elements are evaluated.

D. Continue the Item:

Council could continue the request the agreement. Continuing the request could result in a delay to the time-critical project. Continuing the item could create the potential inability to meet existing drinking water standards within 18-months if required by DDW. If filtration is required and not added within the 18-month period, the PMW will no longer provide needed source redundancy if potable filtration treatment is determined the best alternative.

E. Do Nothing:

Staff does not recommend this alternative. Doing nothing would delay the evaluation of the time-critical project and create a potential inability to meet DDW drinking water standards and result in the inability to utilize this source drinking water purposes, taking away source redundancy.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	(+/-) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	+ Adequate and reliable water supply + Enhanced water quality and high customer confidence +		+ Well-maintained assets and infrastructure + Fiscally and legally sound + Streamlined and flexible operating processes
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Neutral 	Positive 	Neutral 	Positive 
Comments:				

Funding Source:

The funding for the project is from water service fees and is part of the proposed 5-year water CIP. Future requests for CIP's related to this project will be included in the FY 2015/2016 budget process.

Consequences of not taking the recommended action:

Doing nothing would delay the evaluation of the time-critical project and create the potential inability to meet existing drinking water standards within 18-months if required by DDW. If filtration is required and not added within the 18-month period, the PMW will no longer provide needed source redundancy if potable filtration treatment is determined the best alternative.

Recommendation:

Staff recommends Council authorize the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with CH2M Hill Engineers, Inc., for Well Source Alternatives Assessment in an amount of \$56,566.

Exhibits:

EXHIBIT A: Well Source Alternatives Assessment – Engineering Services

CH2M Hill Engineers, Inc., Scope of Services and Fee Summary

EXHIBIT A:
Well Source Alternatives Assessment – Engineering Services
CH2M Hill Engineers, Inc., Scope of Services and Fee Summary

Exhibit A – Scope of Services and Fee Summary

Park City Municipal Corporation

Engineering Services for a Well Source Alternatives Assessment

This Scope of Work is to the SERVICE PROVIDER/PROFESSIONAL SERVICES AGREEMENT (AGREEMENT) between Park City Municipal Corporation (PCMC or OWNER) and CH2M HILL ENGINEERS, Inc. (ENGINEER). The work covered under this scope includes an alternatives assessment for the existing Park Meadows Well and associated cost analyses for treatment to meet its designation as a Ground Water Under the Direct Influence of Surface Water (GWUDI) and/or operational strategies to meet other non-potable water delivery obligations.

Scope of Services

PCMC has developed multiple alternatives for use of the Park Meadows well source water to meet the City water source demands and strategic goals. PCMC requires an assessment of these alternatives for the existing Park Meadows Well. The Scope of Services to be provided for this Project consist of conducting a kickoff workshop, assessing alternatives, performing cost analyses, and developing a summary technical memorandum (TM) of the alternatives assessment findings. The services to be provided are categorized into the following tasks and subtasks.

Task 1—Project Setup and Project Management

The purpose of this task is to provide for the initiation and overall management of Project activities. An overall schedule and work plan will be implemented so that work activities are completed in a properly integrated and timely manner. In addition, this task includes those elements necessary to properly manage, lead, and control the Project.

- **Schedule**—Prepare and provide periodic updates to the Project Schedule (in a bulleted Milestone list format) showing preliminary dates for deliverables and anticipated dates for workshops, QC reviews, meetings, and submittals.
- **Status Reporting**—Monitor budget, progress, and schedule. Monitor work efforts and evaluate actual versus planned progress. Supervise the Project team and identify actions needed to maintain the Project schedule. Changes in scope will be communicated to OWNER. Provide verbal progress reports to OWNER's project manager, as necessary.
- **Administration**—Maintain Project records, manage and process Project communications, coordinate Project administrative matters, and prepare monthly invoice.
- **Coordination**—Coordinate tasks/subtasks with OWNER and project staff, to complete authorized work on schedule and within budget.
- **Staff Management**—Supervise and control activities of staff assigned to the Project. Coordinate and schedule appropriate staffing to meet Project requirements.
- **Workshop and Meeting Preparation**—Make arrangements for and coordinate the scheduled Project workshops and Project team meetings.
- **Quality Control Review, Coordination, and Response**—Implement and carry out a quality assurance/quality control (QA/QC) program. ENGINEER will coordinate the participation of senior reviewers and perform internal QC review of work products at appropriate points in the Project.

Formal internal QC review of work products will be performed prior to sending deliverables to OWNER for review.

Deliverables

- Milestone Schedule Updates
- Invoices

Task 2 – Alternatives Assessment

Develop an Engineering Assessment Report as outlined in the following subtasks:

1. Conduct a workshop with PCMC staff to discuss, in general, defined alternatives, other potential alternatives, and required final product.
2. For each alternative develop a conceptual site plan, project capital costs (including professional services), O&M cost, and lifecycle costs. Include concept basis for sizing process units, facilities, equipment, and piping, etc. The criteria will be based on current well production and anticipated water use or delivery requirements as provided by PCMC. Provide rough order magnitude costs based on concept plan for each alternative. Costs shall be reflected in first quarter 2014 US dollars.
3. Summarize the findings of the alternatives assessment in a draft TM.
4. Conduct a review workshop with PCMC staff to present and discuss the TM.
5. Incorporate Staff comments on the draft TM into the final TM.

PCMC Defined Alternatives for the Park Meadows Well Assessment:

Alternative 1: On-Site Filtration to meet DDW GWUDI Requirements

1. Address Division of Drinking Water (DDW) related issues to meet the existing Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) through filtration alternatives and applicable combinations with the existing ultraviolet (UV) disinfection system. Evaluate applicable regulatory requirements and develop a concept plan alternative. Discuss key advantages and disadvantages related to the filtration alternatives. Use of 'cartridge' or 'bag style' filtration meeting the DDW approved list of manufacturers shall be considered. Other DDW approved filtration shall also be considered and a range of costs will be provided for this alternative. Filtration approaches to be evaluated include:
 - Packaged Conventional Flocculation/Sedimentation/Filtration
 - Membrane Filtration
 - Direct Filtration
 - Bag/Cartridge Filtration
2. Filtration process and/or equipment evaluation is not required, but sufficient effort to provide a reliable, DDW approvable, concept level plan is required.
3. Evaluate the existing Park Meadows well house and immediate site to provide a concept level assessment of modifications to the existing well house (including site layout, structural, piping, chemical, mechanical, electrical, and instrument systems) required to provide on-site filtration treatment consistent with current well operation and DDW performance requirements.
4. Examine the well's unit processes and facilities with respect to suitability for its integration into the modifications.
5. Provide a list of process elements and assumptions used in the concept basis.

6. Provide a rough order magnitude project timeline for complete evaluation, design, construction, and startup of well treatment modifications.

Alternative 2: Off-Site Filtration at Quinns Junction Water Treatment Plant to meet DDW GWUDI Requirements

1. Identify well house modifications and off-site piping from the well house to Monitor Drive/Kearns Boulevard intersection or nearby location.
2. Define additional treatment capacity required at Quinns Junction Water Treatment Plant (QJWTP) assuming that the water from the Park Meadows Well will be in addition to the existing raw water supplied to the treatment plant.
3. Costs for pipe installation from the Monitor Drive/Kearns Boulevard intersection to the QJWTP will be provided by PCMC for incorporation into the alternative assessment.
4. Costs and timeline for upgrades at the QJWTP will be provided by PCMC for incorporation into the alternative assessment.

Alternative 3: Short-Term Conversion to Irrigation – To Ditch System

Identify well house modifications and off-site piping to the Ditch System from the well house.

Alternative 4: Short-Term Conversion to Irrigation – To Park City Municipal Golf Course

Similar to Alternative 3, identify well house modifications and off-site piping from the well house to the Park City Golf Course North irrigation pond.

Alternative 5: Short-Term Irrigation with Storage – To Park City Cemetery and City Park

1. Utilize the well house modifications and off-site piping assessment conducted in Alternative 2 above for this alternative.
2. Include assessment of raw water storage need, sizing, general location, and costs.
3. Include assessment of the ability to flow by gravity from the proposed raw water storage facility to the City Park. Assess pumping requirements and costs for either pressurization of the existing raw water supply line from the Monitor Drive/Kearns Boulevard intersection, or nearby location, to the City Park via an Old Neck Booster Station re-equip, or by adding a new irrigation booster pump station at the City Park. Evaluate the addition of a new irrigation booster pump station at the Park City Cemetery.
4. PCMC will provide cemetery and park irrigation demands.

Alternative 6: Short-Term Irrigation to Spiro Water Treatment Plant

1. Identify well house modifications and off-site piping from the Park Meadows Well to the ponds southeast of the Spiro Water Treatment Plant (SWTP). This water would be used for partial irrigation of the Park City Municipal Golf Course and for snowmaking. Evaluation of the ability for Spiro WTP to treat this water is not included in this evaluation.
2. Previous alignment studies and cost estimates conducted for this pipeline will be provided by PCMC.

Alternative 7: Regulatory Review of Feasibility of Bank Filtration

1. Conduct a regulatory review of the feasibility of bank filtration at the Park Meadows Well site. Conduct a meeting with DDW following the kickoff meeting to discuss the feasibility of bank filtration

2. Deliverables for this alternative will include the meeting notes from the DDW meeting as well as a brief written summary in the TM addressing the feasibility and future requirements for bank filtration.

Deliverables

- Draft Alternatives Assessment TM. Five (5) hardcopies, one (1) electronic copy in Adobe PDF, and one (1) electronic copy in Microsoft Word, of the Draft TM will be provided.
- Final Alternatives Assessment TM. Five (5) hardcopies, one (1) electronic copy in Adobe PDF, and one (1) electronic copy in Microsoft Word, of the Draft TM will be provided.

Additional Services Allowance

This task provides an allowance for unidentified additional services and/or alternative options identified during the project. Additional services can be performed if requested and approved by OWNER and ENGINEER.

Amendments

As identified in the RFQ, the OWNER may elect to amend to the contract at a later date for the following tasks.

- Evaluation Services for the Middle School well may be required if DDW classifies it as a GWUDI source.
- Design services and construction services for either or both wells.

Assumptions

The following assumptions were used in developing this Scope of Services and fee for ENGINEER's services. These assumptions are in addition to the scope and additional services set forth in the preceding scope of services:

- Review of the well use strategy and identification of potential conflicts with the water system objectives is not included in this scope of services. PCMC intends to integrate the results of the Park Meadows Well Assessment into an overall water strategy evaluation that addresses seasonal source supply and production demand fluctuations, flow projections, and treatment objectives.
- Aerial mapping and existing site and utility plans will be provided by PCMC. PCMC staff to provide other additional information as needed.
- Workshops will be conducted with PCMC key personnel and be less than 4 hours in duration.
- OWNER will make its facilities accessible to ENGINEER, as required for ENGINEER's performance of its services.
- OWNER and/or ENGINEER will give prompt notice whenever it is observed or becomes apparent that a development may affect the scope or timing of the Project.
- The cost estimates will be consistent with Class 5 estimates as defined by the Estimate Classification system of the American Association of the Advancement of Cost Engineering International (AACE International), formerly known as the American Association of Cost Engineers (AACE). The estimates will be developed without detailed engineering data and are considered approximate. Class 5 estimates are normally expected to be accurate within minus 50 percent to plus 100 percent. This range implies that there is a high probability that the final project cost will fall within the range.

Schedule

The activities associated with this Scope of Services will be completed in accordance with the following approximate schedule assuming the Notice to Proceed authorizing the above described work is signed and delivered to ENGINEER no later than March 19, 2014:

- Kickoff Workshop with OWNER – March 21, 2014
- Assessment – March 21, 2014 through April 21, 2014
- Submit draft Report for review – April 21, 2014
- Submit final Report – May 12, 2014

EXHIBIT B FEE SUMMARY

EXHIBIT B-1: PROJECT FEE

Description	Fee
Time and Materials: Alternatives Assessment	\$ 38,000
<i>Total Consultant (including sub consultants) Labor, including mark-ups</i>	<i>\$ 36,000</i>
<i>Total Direct Costs, including mark-ups</i>	<i>\$ 2,000</i>
Time and Materials: Short-Term Irrigation to Spiro Water Treatment Plant (Task 2, Alternative 6)	\$ 1,860
Time and Materials: Regulatory Review of Feasibility of Bank Filtration (Task 2, Alternative 7)	\$ 5,390
Time and Materials: Additional Services (Task 3)	\$ 11,316
TOTAL FEE, Well Alternatives Assessment	\$ 56,566

Note: Time and Materials based on EXHIBIT B-2

EXHIBIT B-2: PER DIEM RATE SCHEDULE AND DIRECT EXPENSES

Classification	Hourly Rate
Senior Program Manager	\$290
Program Manager	\$280
Principal Project Manager/Principal Technologist	\$210
Sr. Project Manager/Sr. Technologist	\$185
Project Manager/Engineer Specialist	\$175
Associate Project Manager/Project Engineer	\$140
Associate Engineer	\$128
Staff Engineer 2	\$118
Staff Engineer 1	\$101
Engineering/Environmental Tech 5	\$138
Engineering/Environmental Tech 4	\$126
Engineering/Environmental Tech 3	\$110
Engineering/Environmental Tech 2	\$92
Senior Office Administration	\$102
Office/Clerical/Accounting	\$80

(1) Per diem rates include allowances for salary, payroll, taxes, fringe benefits, overhead, and profit, but do not include allowances for direct expenses.

(2) These rates are effective until December 31, 2014.

(3) Rate Schedule subject to annual revision to reflect current rates.

(4) Auto Mileage billed at Current IRS Rate. Auto Rentals, Other Travel, Equipment Rental, and Postage/ Freight billed at Actual Rate. Subcontractors and Outside Services Billed at Actual +10%

Compensation

Compensation by OWNER to ENGINEER will be as follows:

Cost Reimbursable Per Diem (Time and Materials)

All items specifically included in this Scope of Services shall be on a Time and Materials basis in the amount of \$56,566.00. All Time and Material work shall be at the Per Diem Rates referenced in Exhibit B-2, plus Direct Expenses, plus 10 percent of subcontracts and outside services, plus applicable sales, use, value added, business transfer, gross receipts, or other similar taxes.

Budget

ENGINEER will make reasonable efforts to complete the work within the budget and will keep OWNER informed of progress toward that end so that the budget or work effort can be adjusted if found necessary. ENGINEER will give prompt notice to OWNER whenever ENGINEER observes or becomes aware of any significant development that affects the scope or timing of ENGINEER's services. ENGINEER is not obligated to incur costs beyond the indicated budgets, as may be adjusted, and OWNER is not obligated to pay ENGINEER beyond these limits.

When any budget has been increased, ENGINEER's excess costs expended prior to such increase will be allowable to the same extent as if such costs had been incurred after the approved increase.

Per Diem Rates

Per Diem Rates are those hourly rates that will be charged as described above on the Project by ENGINEER's employees of the indicated classifications. The Per Diem Rates for this Project are listed in Exhibit B-2. These rates are subject to revision for other projects and annual calendar year adjustments; include all allowances for salary, overheads and fees; but do not include allowances for Direct Expenses, subcontracts and outside services.

Direct Expenses

Direct Expenses are those necessary costs and charges incurred for the Project including, but not limited to: (1) the direct costs of transportation, meals and lodging, mail, and equipment and supplies; (2) ENGINEER's current standard rate charges for direct use of ENGINEER's vehicles, printing and reproduction services, and certain field equipment; and (3) ENGINEER's standard project charges for computing systems, special health and safety requirements of OSHA, and telecommunications services.

Renegotiation of Compensation

If the Project progresses under different conditions than the Scope of Services and assumptions listed in this Exhibit A, or if Project timing deviates from the assumed schedule for causes beyond ENGINEER's control, ENGINEER reserves the right to request renegotiation of those portions of the fee affected.

Invoicing

Amount invoiced each month will be based on actual costs based on labor hours times Per Diem rate and direct expenses on Cost Reimbursable tasks through date of invoice.

City Council Staff Report



Subject: Fluter Subdivision, 225 Woodside Avenue
Author: Christy J. Alexander, Planner II
Project Number: PL-13-02183
Date: March 6, 2014
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider approving the Fluter Subdivision Plat Amendment located at 225 Woodside Avenue, based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Description

Applicant: Russ Fluter, represented by Jonathan DeGray
Location: 225 Woodside Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Single-family residential
Reason for Review: Plat amendments require Planning Commission review and City Council action

Proposal

The applicant is requesting a Plat Amendment for the purpose of combining the existing 3½ lots (Lots 4, 5, 6, and the south half of 7) into 2 lots of Block 31 of the Snyder's Addition to the Park City Survey.

The applicant requests to combine the lots to create two (2) new larger lots on which to build single-family homes. The intent is to remove the existing non-historic structure and garage prior to plat recordation; doing so will also remove the large existing encroachment into Woodside Avenue.

Purpose

The purpose of the HR1 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.

Background

On December 18, 2013 the applicant submitted a complete application for the Fluter Subdivision plat amendment, a two (2) lot subdivision. The property is located at 225 Woodside Avenue in the Historic Residential (HR-1) District. During the internal development review it was identified that their proposal may have difficulties with utilities being there is one home on the existing property. After demolishing the existing home and replatting it there will be two lots for two future homes. The applicant is working with the utility companies to remedy this situation and plat approval will be conditioned upon obtaining the utility companies' approval.

Currently the site contains a large single-family home whose front yard setbacks do not meet the current code requirements. The large garage, deck, stairway and retaining walls in front of the home all encroach upon Woodside Avenue. Three (3) of the existing lots (Lots 4 - 6) currently meet the minimum lot area in the HR-1 District with the southerly half of Lot 7 being substandard. The existing structure with all encroachments sitting on the existing 3½ lots will need to be demolished in order for the plat amendment to be recorded. The applicant states his intentions are to build single-family homes on the two (2) new lots.

The Planning Commission voted unanimously on February 12, 2014 to forward a positive recommendation to City Council for the Fluter Subdivision Plat Amendment. The Planning Commission wanted to also guarantee the homes would only be single-family homes and not any duplexes so they voted to place a Condition of Approval on the plat indicating that a duplex shall not be constructed on the larger of the two (2) lots. (*see Condition of approval #8 in the Ordinance.*).

Analysis

The proposed plat amendment creates two (2) lots of record consisting of 6,562.5 square feet total. The minimum lot area for a single family dwelling is 1,875 square feet. The minimum lot area for a duplex is 3,750 square feet. Proposed Lot 1 will contain 3,750 square feet and proposed Lot 2 will contain 2,812.5 square feet. The entire existing 3½ lot site currently contains one single-family home. Currently a duplex is a conditional use in this zone which could be built on the Lot 1, but only a single-family home could be built on the Lot 2. The Planning Commission wanted to guarantee the homes would only be single-family homes and not any duplexes so they voted to place Condition of Approval #8 (see attached ordinance) which states: *8. The larger of the two (2) lots not be allowed to construct duplex.* The applicant stipulated to this condition. The proposed two (2) lots will be more compatible with the existing neighborhood as the

lot size and allowed footprint size of the new homes will be much smaller than the house that currently exists on the property.

The minimum lot width allowed in the district is twenty-five feet (25'). The proposed widths will be fifty (50') feet for Lot 1 and thirty-seven and a half (37.5') feet for Lot 2. The proposed lot combinations meet the lot and site requirements of the HR-1 District described below.

Requirement	Permitted
Building Footprint	1,519 square feet for Lot 1 (based on the lot area of 3,750 square feet) and 1,201 square feet for Lot 2 (based on the lot area of 2,813 square feet)
Front/rear yard setbacks	10 feet minimum, 20 feet total (based on the lot depths of 75 feet)
Side yard setbacks	5 feet minimum for Lot 1 and 3 feet minimum for Lot 2, 10 and 6 feet total respectively (based on the lot widths of 50 feet and 37.5 feet)
Height	27 feet above existing grade, maximum.
Parking	Two (2) parking spaces per dwelling

Staff has identified that the existing single-family home does not meet current LMC standards outlined above such as the front setbacks. The current building on the site is considered legal non-complying. The LMC indicates that a non-conforming use and non-complying structure may continue to be used and maintained subject to the standards and limitation of LMC Chapter §15-9. In order for this new plat to be recorded, however, the existing structure will need to be demolished prior to recordation because it exists over the proposed property lines. Any existing retaining walls along the Woodside Avenue ROW that extend past the Fluter Subdivision into the front of the adjacent property owner's lot will cease at the property line of the Fluter Subdivision Plat should they need to be demolished on the Fluter's side. This was an item of concern that the adjacent property owner brought to Staff and was discussed with the applicant and with the Planning Commission. The applicant is not even sure at this point that the retaining wall will need to be demolished but if so he is amenable to only demolishing the wall in the ROW in front of his property and maintain that it be stable where it would then be cut off between his property and the adjacent neighbor's property to the north.

Staff finds good cause for this plat amendment to create two (2) legal lots of record from the existing three and a half (3½) lots. The proposed plat amendment does not create any new non-conforming situations. This plat amendment is consistent with the Park City LMC and applicable State law regarding subdivision plats.

Good Cause

Planning Staff finds there is good cause for this plat amendment. Combining the lots will allow the existing non-historic house and garage to be demolished, thus removing the large encroachment into Woodside Avenue that exists today. The existing substandard Lot 7 will be included with another lot to bring that into compliance with the minimum lot standards of this district. The plat amendment will also utilize best planning and design practices, while preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Staff finds that the plat will not cause undo harm to adjacent property owners and all future development will be reviewed for compliance with requisite Building and Land Management Code, and Historic requirements.

Department Review

This project has gone through an interdepartmental review. There were no issues raised by any of the departments or service providers regarding this proposal that have not been addressed by the conditions of approval.

Notice

The property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. Legal notice was also published in the Park Record and on the public notice website in accordance with the requirements of the LMC.

Public Input

Staff has not received public input on this application at the time of this report. Public input may be taken at the Council meeting scheduled for March 6, 2014.

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. A Building Permit is publicly noticed by posting of the permit.

Alternatives

- The City Council may approve the Fluter Subdivision plat amendment as conditioned or amended; or
- The City Council may deny the Fluter Subdivision plat amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the Fluter Subdivision plat amendment to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item. .

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and 3½ existing lots would not be adjoined and remain as is. The existing house at 225 Woodside would remain as well as the existing encroachment into the ROW.

Recommendation

Staff recommends the City Council hold a public hearing and consider approving the Fluter Subdivision Plat Amendment based on the findings of fact, conclusions of law, and conditions of approval as stated in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat

Exhibit B – Existing Conditions Survey

Exhibit C – Vicinity Map/Aerial Photograph

Exhibit D – Streetscape Images

Exhibit E – Letter from Applicant

Exhibit F – Minutes from Planning Commission meeting 2.12.14

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 14-

AN ORDINANCE APPROVING THE FLUTER SUBDIVISION PLAT AMENDMENT LOCATED AT 225 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Fluter Subdivision located at 225 Woodside Avenue, have petitioned the City Council for approval of the Fluter Subdivision; 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 February 12, 2014 to receive input on the proposed subdivision;

WHEREAS, on February 12, 2014 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 6, 2014 the City Council held a public hearing on the proposed Fluter Subdivision; and

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

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 Fluter Subdivision, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 225 Woodside Avenue within the Historic Residential (HR-1) District.
2. On December 18, 2013, the applicants submitted an application for a plat amendment to combine three and a half (3½) lots containing a total of 6,562.5 acres into two (2) lots of record.
3. The application was deemed complete on January 2, 2014.
4. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single family dwelling and 3,750 square feet for a duplex.

5. The maximum footprint allowed in the HR-1 zone is 1,519 square feet for the proposed Lot 1 and 1,201 square feet for the proposed Lot 2 based on the lot areas of the two (2) lots.
6. The property has frontage on and access from Woodside Avenue.
7. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations.
8. The plat amendment secures public snow storage easements across the frontage of the lots.
9. The Planning Commission forwarded a positive recommendation to the City Council on February 12, 2014.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed 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 existing non-historic structure at 225 Woodside Ave. must be demolished before the plat amendment is recorded.
3. 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.
4. No building permit for any work shall be issued unless the applicant has first made application for a Historic District Design Review and a Steep Slope CUP application if applicable.
5. Modified 13-D sprinklers will 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.
6. Approvals to service the proposed two (2) lots from the utility companies are required before plat recordation.
7. A 10 foot (10') wide public snow storage easement is required along the frontage of the lots with Woodside Avenue and shall be shown on the plat.
8. A duplex shall not be permitted to be constructed on Lot 1.

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

PASSED AND ADOPTED this ____ day of March, 2014

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

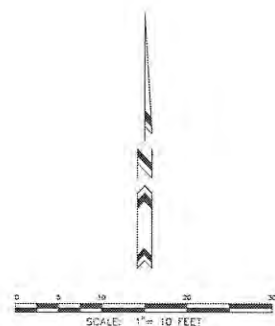
Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

EXHIBIT A

Fluter Subdivision a replat of Block 31, Lots 4, 5, 6 and the South Half of Lot 7



Legend

- ⊕ Park City Street Monument
- ⊕ Found rebar & cap-LS 359005
- ⊕ Found nail & washer-LS 359005
- ⊕ Found rebar & cap-LS 173736
- ⊕ Found rebar & cap-LS 173736
- ⊕ Found nail & washer-LS 6164
- ⊕ Set 5/8" rebar & plastic cap

(235) Address on Woodside Avenue

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that Russell E. Fluter, Trustee of The Russell E. Fluter Separate Property Trust, established June 23, 2006, owner of the hereon described Fluter Subdivision, Block 31, Park City Survey, having caused this Plat Amendment to be made, does hereby consent to the recordation of this Record of Survey Plat in the office of the County Recorder of Summit County, Utah in accordance with Utah Law. Also, the owner hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, utilities and easements shown on this plat in accordance with an irrevocable offer of dedication. In witness whereof, the undersigned has set his hand this ____ day of _____, 2014.

By: _____
Russell E. Fluter
Trustee, Russell E. Fluter Property Trust
established June 23, 2006

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit

On this ____ day of _____, 2014, Russell E. Fluter, Trustee of the Russell E. Fluter Property Trust established June 23, 2006, personally appeared before me, the undersigned Notary Public in and for said State and County, who after being duly sworn, acknowledged to me that he is a Trustee of the Russell E. Fluter Property Trust, the owner of the Fluter Subdivision, and has signed the above Owner's Dedication and Consent to Record freely and voluntarily for the purpose set forth herein.

My commission expires: _____

NOTARY PUBLIC
RESIDING IN _____ COUNTY, _____



NARRATIVE

- Survey requested by: Russell E. Fluter.
- Basis of survey: found property monuments as shown.
- Date of survey: _____, 2014.
- Property monuments set or found as shown.
- Located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
- The owners of the property should be aware of any items affecting the property that may appear in a title insurance report.
- See the previous boundary survey recorded as Survey File No. S-7214 in the office of the Summit County Recorder.

DEED DESCRIPTION

Lots 4, 5, 6 and the South half of Lot 7, Block 31, Plat of Park City, Survey, according to the Official Plat thereof on file and of record in the Summit County Recorder's Office.

LEGAL DESCRIPTIONS

FLUTER SUBDIVISION LOT 1

Beginning at the Northeastern Corner of Lot 5, Block 31, Park City Survey, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, Summit County, Utah; and running thence along the Easterly line of Lots 5 and 4 of said Block 31, South 23°38' East, 50.00 feet to the Southeastern Corner of said Lot 4; thence South 66°12' West, along the Southerly line of said Lot 4, 75.00 feet to the Southwestern Corner of said Lot 4; thence North 23°38' West, along the Westerly lines of said Lots 4 and 5, 50.00 feet to the Northwestern Corner of said Lot 5; thence North 66°12' East, along the Northerly line of said Lot 5, 75.00 feet to the point of beginning; containing 3750 square feet, more or less.

FLUTER SUBDIVISION LOT 2

Beginning at the Southeastern Corner of Lot 6, Block 31, Park City Survey, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, Summit County, Utah; and running thence along the Southerly line of said Lot 6, South 66°12' West, 75.00 feet to the Southwestern Corner of said Lot 6; thence North 23°38' West, along the Westerly line of said Lot 6 and Lot 7 of said Block 31, 37.50 feet to the Northwestern Corner of the South Half of said Lot 7; thence North 23°38' East, along the Northerly line of the South Half of said Lot 7, 75.00 feet to the Northeastern Corner of the North Half of said Lot 7; thence South 23°38' East, along the Easterly line of said Lots 7 and 6, 37.50 feet to the point of beginning; containing 2812.5 square feet, more or less.

SURVEYOR'S CERTIFICATE

I, J.D. Gailey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said survey.

Date _____ J.D. Gailey RLS#359005

DEC 18 2013

PARK CITY
PLANNING DEPT.



SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT STANDARDS
ON THIS ____ DAY OF _____, 2014.

BY: SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

PLANNING COMMISSION

APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS
____ DAY OF _____, 2014.

BY: CHAIRMAN

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS
____ DAY OF _____, 2014.

BY: PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS
____ DAY OF _____, 2014.

BY: PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY
MAP WAS APPROVED BY PARK CITY
COUNCIL THIS ____ DAY
OF _____, 2014

BY: PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS ____ DAY OF _____, 2014

BY: MAYOR

RECORDED

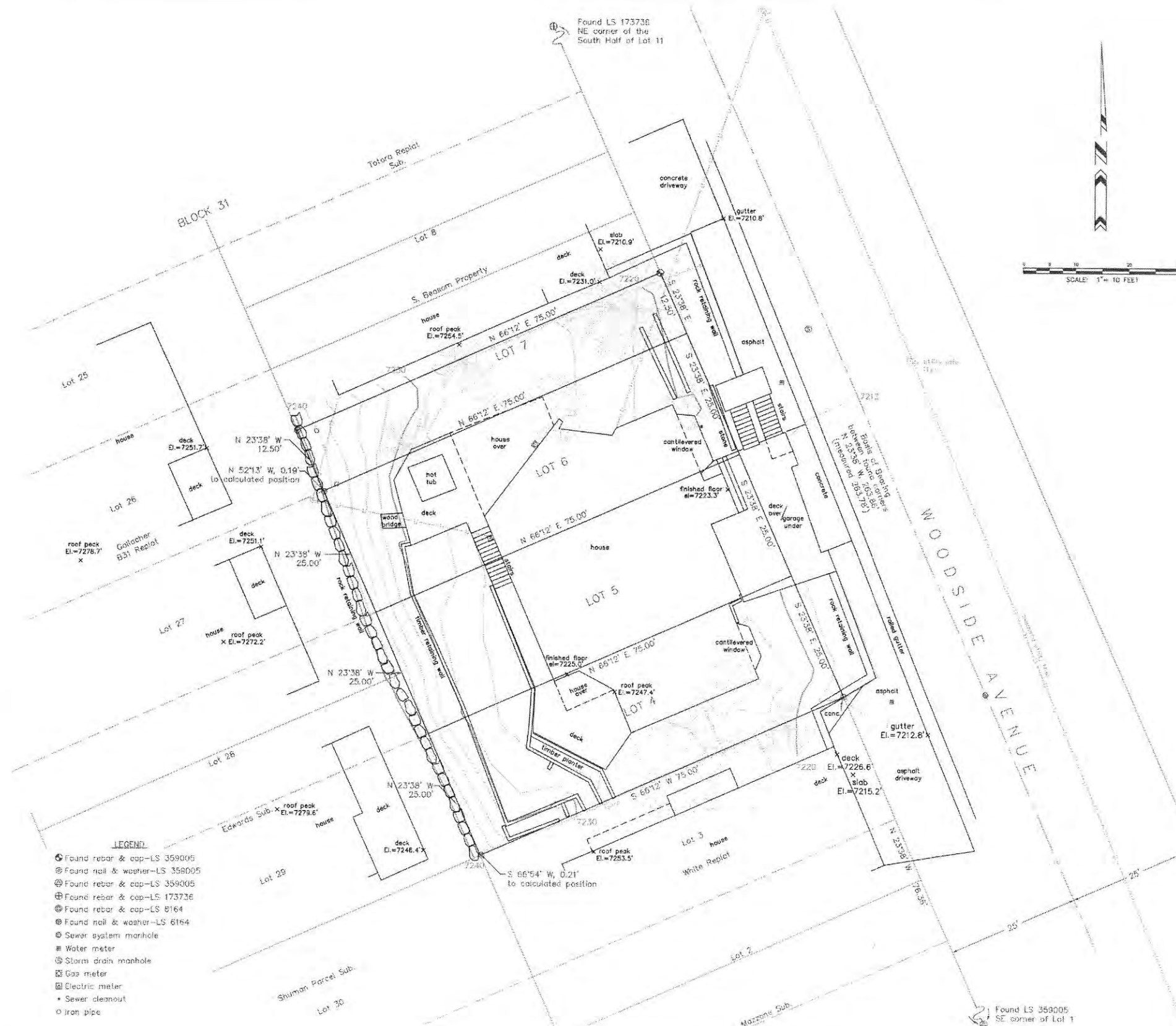
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ RECORDER _____

Park City Survey, Block 31
Lots 4, 5, 6 & the South Half of 7



NARRATIVE.

1. Survey requested by: Russ Fluter
2. Purpose of survey: locate the improvements and the topographic relief.
3. Basis of survey: found property monuments as shown.
4. Date of survey: October 15, 2009 & June 20, 2013.
5. Property monuments found or set as shown.
6. Located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
7. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report.
8. Elevations are based on an elevation of 7170.70', from the Park City Monument Control Map, at the Street Monument found at the intersection of 2nd Street and Park Avenue.

LEGAL DESCRIPTION

All of Lots 4, 5, 6 and the South half of 7, Block 31, Park City Survey, according to the official plats thereof, on file and of record in the office of the Summit County recorder; Lots 4, 5 and 6 each containing 1875 square feet, more or less, and the South half of Lot 7 containing 937.5 square feet, more or less.

SURVEYOR'S CERTIFICATE

I, J.D. Gailey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plot is a true representation of said survey.

July 12, '13
Date



J.D. GENEAL LTD. #359005



Alpine Survey, Inc.
19 Prospector Drive
Park City, Utah 84060
(435) 655-8016

DEC 18 2013

F. & CITY
WORKING DEPT.



Google earth

feet
meters



DEC 18 2013

700
PARK CITY
PLANNING DEPT.



EXHIBIT D



12/17/2013
Front view of 225 Woodside

12/17/2013



12/17/2013
View of 225 Woodside and adjacent homes to the north

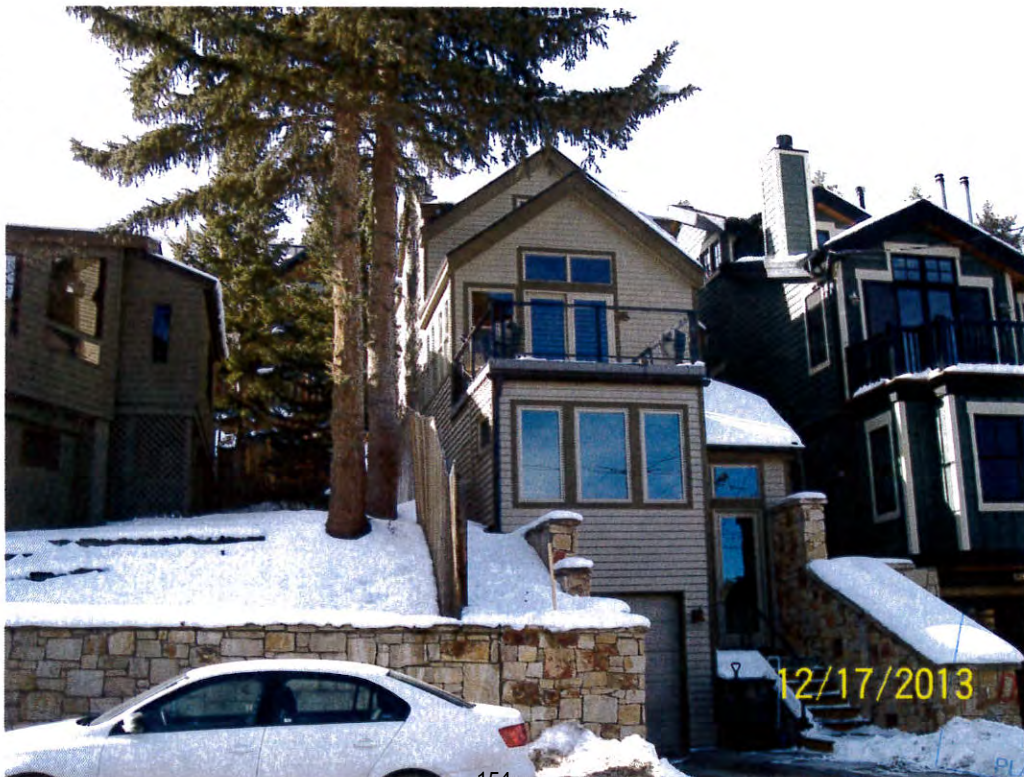
12/17/2013

RECEIVED
DEC 18 2013
PARK CITY
PLANNING DEPT.

12/17/2013
Front View, 225 Woodside



12/17/2013
Adjacent home to north



RECEIVED
DEC 18 2013
PARK CITY
PLANNING DEPT.



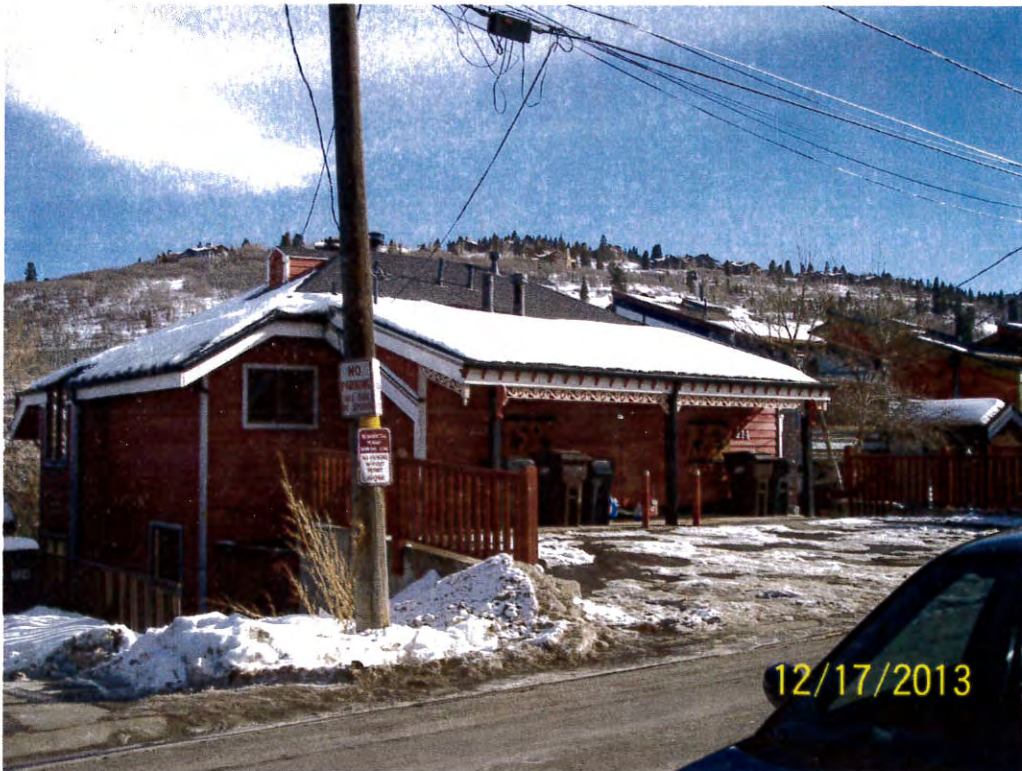
12/17/2013
Adjacent homes to the north



12/17/2013
Adjacent homes to the south

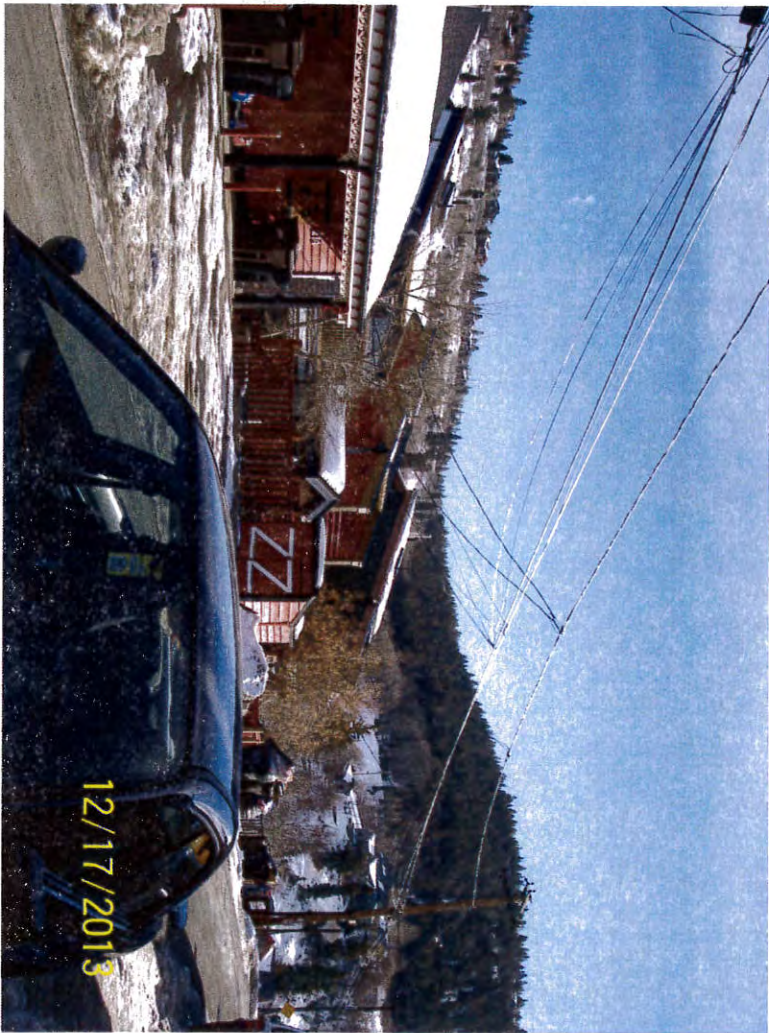


12/17/2013
Home across Woodside



12/17/2013

RECEIVED
DEC 18 2013
PARK CITY
PLANNING DEPT.



12/17/2013
View across Woodside looking east



12/17/2013
View across Woodside looking north

RECEIVED
DEC 18 2013
PARK CITY
PLANNING DEPT.



12/17/2013
View across Woodside looking north



12/17/2013
Adjacent home to the south

RECEIVED
DEC 18 2013
PROPERTY
DEPT.



12/17/2013
Garage encroachment in to Woodside

RECEIVED
DEC 18 2013
PARK CITY
PLANNING DEPT.

EXHIBIT E

December 18, 2013

Park City Municipal Corporation
443 Marsac Avenue
Park City, Utah 84060

Attn: Planning Department

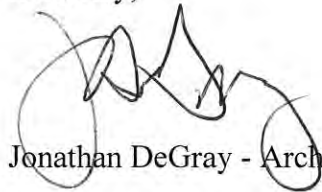
Re: Fluter Property Plat Amendment
225 Woodside Avenue

Dear Staff,

The owner of 225 Woodside would like to combine the existing 3.5 lots into 2 lots. The intention is to replat the parcel into 2 lots, remove the existing non-historic structure and build two new homes. By removing the existing home and garage a large encroachment into Woodside Avenue will be removed.

Please let me know if you have any questions.

Sincerely,



Jonathan DeGray - Architect



EXHIBIT F

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
FEBRUARY 12, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Preston Campbell, Stewart Gross, Steve Joyce, John Phillips

EX OFFICIO:

Planning Manager, Kayla Sintz; Kirsten Whetstone, Planner; Christy Alexander, Planner;
Ryan Wassum, Planner; Polly Samuels-McLean, Assistant City Attorney

=====

REGULAR MEETING

ROLL CALL

Chair Worel called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioners Strachan who was excused.

ADOPTION OF MINUTES

January 22, 2014

MOTION: Commissioner Gross moved to APPROVE the minutes of January 22, 2014 as written. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Commissioner Phillips disclosed that that he lives in the vicinity of 115 Sampson Avenue. He had not discussed the agenda item regarding 115 Sampson Avenue with any of his neighbors, and he did not believe it would affect his judgment or decision.

CONTINUATION(S) – Public Hearing and continuation to date specified.

Conditions of Approval – 1185 Empire Avenue

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The demolition of the structure at 1185 Empire is a condition precedent to plat recordation.
4. Approval of an HDDR application is a condition precedent to issuance of a building permit for construction on the lots. Also recordation of the plat is a condition of building permit issuance.
5. Approval of a Steep Slope Conditional Use Permit application is a condition precedent to issuance of a building permit if the proposed development is located on areas of 30% or greater slope and over 1000 square feet per the LMC.
6. Modified 13-D sprinklers will be required for new construction as required 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.
7. A 10 foot wide public snow storage easement is required along the frontage of the lots with Park Avenue and shall be shown on the plat.
8. All prior snow storage easements from this property shall be reflected on this plat

4. The Fluter Subdivision, located at 225 Woodside Avenue – Plat Amendment (Application PL-13-02183)

Planner Christy Alexander reviewed the request for a plat amendment to combine 3-1/2 lots, Lots 4, 5, 6 and the south half of Lot 7, into two lots of record at 225 Woodside

Avenue. An existing single family home is located over the 3-1/2 properties and the home and garage currently encroach into Woodside Avenue. Planner Alexander stated that the intent for the plat amendment is to demolish the existing non-historic structure and garage, which would remove the encroachment. The plat amendment would divide the property into two lots where the applicant intends to build two single family homes. Planner Alexander noted that the applicant could build a duplex on one lot and a single family home on the second lot; however, he has stated that he was only interested in building two single family homes.

Planner Alexander stated that the only issue was raised by the neighbors to the north who was concerned about his retaining wall when the existing structure is demolished. The property owner at 255 will be responsible for making sure that the retaining wall is not damaged or compromised.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council for the Fluter Subdivision Plat Amendment located at 225 Woodside Avenue.

Chair Worel asked if the retaining wall should be addressed in the conditions of approval. Planner Alexander replied that the retaining wall was addressed in the Staff report and she offered to add it to the conditions of approval.

Jonathan DeGray, representing the applicant, referred to the site plan and noted that the retaining wall in question runs down the north property line. It is within the City's right-of-way and does not go into the Fluter property. Mr. DeGray stated that to the extent that a driveway could be placed in the north lot and there is a lot of flexibility across the proposed 37-1/2 feet of frontage on the north lot. Therefore, the wall in the City right-of-way could remain. Mr. DeGray noted that the City right-of-way is currently encumbered by the garage and the staircase and other elements of the Fluter parcel that will be removed. There is a retaining wall adjacent to the north property and another retaining wall to the south.

Assistant City Attorney McLean stated that in looking at the site, the retaining wall to the west was not in the City right-of-way. Mr. DeGray clarified that the only retaining walls he was talking about was the one on the east side and the ones parallel to the curb and gutter. Ms. McLean clarified that the concerned property owner was to the northwest. She understood that his concern was if the house was removed that the wall on his property would also be removed. Planner Alexander replied that this was correct. Mr. DeGray emphasized that the wall would never be removed any further than the property line.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Gross understood that the applicant intended to construct two single-family homes, but he would be allowed by Code to build a house and a duplex. Commissioner Gross preferred to add a condition to ensure that it would be single-family residences and not a duplex. The Commissioners concurred.

MOTION: Commissioner Campbell moved to forward a POSITIVE recommendation to the City Council for the Fluter Subdivision Plat Amendment at 225 Woodside Avenue in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval found in the draft ordinance, and as amended to add the condition that the larger of the two lots not be allowed to be built as a duplex. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 225 Woodside Avenue

1. The property is located at 225 Woodside Avenue within the Historic Residential (HR-1) District.
2. On December 18, 2013, the applicants submitted an application for a plat amendment to combine three and a half (3½) lots containing a total of 6,562.5 acres into two (2) lots of record.
3. The application was deemed complete on January 2, 2014.
4. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single family dwelling and 3,750 square feet for a duplex.
5. The maximum footprint allowed in the HR-1 zone is 1,519 square feet for the proposed Lot 1 and 1,201 square feet for the proposed Lot 2 based on the lot areas of the two (2) lots.
6. The property has frontage on and access from Woodside Avenue.
7. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming.

8. The plat amendment secures public snow storage easements across the frontage of the lots.

Conclusions of Law – 225 Woodside Avenue

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed 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 – 225 Woodside Avenue

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 existing non-historic structure at 225 Woodside Ave. must be demolished before the plat amendment is recorded.
3. 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.
4. No building permit for any work shall be issued unless the applicant has first made application for a Historic District Design Review and a Steep Slope CUP application if applicable.
5. Modified 13-D sprinklers will 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.
6. Approvals to service the proposed two (2) lots from the utility companies are

required before plat recordation.

7. A 10 foot (10') wide public snow storage easement is required along the frontage of the lots with Woodside Avenue and shall be shown on the plat.

8. The larger of the two (2) lots not be allowed to construct duplex.

**5. 115 Sampson Avenue Plat – Plat Amendment
(Application PL-13-02183)**

Planner Anya Grahn reported that the Planning Commission previously reviewed the plat amendment for 115 Sampson on October 9, 2013. At that time it was discovered that the Staff erroneously put it in the wrong zoning district. She was back this evening to discuss the plat amendment in the HRL, Historic Residential Low Density District.

Planner Grahn stated that the plat amendment contains several lots. It is all of lot 6 and portions of Lots 5, 7, 8 51, 52, 53, 54 and 55. An existing significant structure straddles Lots 6, 7, 53 and 54.

When the Planning Commission reviewed this plat amendment in October they also found that the owner had owned a contiguous lot, which raised some concerns. After further research the Staff found that the contiguous lot was located at 125 Norfolk Avenue. Planner Grahn stated that typically when there are contiguous lots, the LMC requires that both lots be included under the same subdivision. However, the Planning Director waived the requirement for this particular plat amendment. The Staff found that the lot has already been developed and the owner has no interest in further subdividing. The owner also understands that before they could obtain a building permit they would have to come to the Planning Department to talk about a plat amendment because interior lot lines run through the existing buildings on the site. If the owner was to redevelop the property, the Staff would have more control in reducing the lot size. The contiguous lot also contains multiple lots and it is a fairly large property. They would want it subdivided to keep more consistent with the size and scale of development in Old Town.

Planner Grahn asked if the Planning Commission would support waiving the requirement for the contiguous lot and only subdividing the 115 Sampson Avenue lot at this time. The Commissioners were comfortable waiving the requirement.

Planner Grahn noted that the house on 115 Sampson is a significant historic structure. There is currently a Notice and Order from the Building Department. The structure was mothballed several years ago and due to exposure to the elements it is in severe decline.

City Council Staff Report



Subject: The Retreat at the Park First Amended
Author: Francisco Astorga, Planner
Project Number: PL-13-01830
Date: March 6, 2014
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider approving The Retreat at the Park First Amended Plat Amendment located at 1450 / 1460 Park Avenue based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Description

Applicant: Green Park Cohousing represented by Elliott Workgroup Architecture
Location: 1450 / 1460 Park Avenue
Zoning: Historic Residential Medium Density (HRM) District
Adjacent Land Uses: Residential condominiums and park/open space
Reason for Review: Plat amendments require Planning Commission review and recommendation to City Council

Proposal

The applicant requests to combine Lot 1 and Lot 2 of the “Retreat at the Park” Subdivision into one (1) lot of record in order to accommodate a proposed multi-unit co-housing project. The multi-unit dwelling is proposed to be constructed across the common lot line. A plat amendment is required to remove this property line to accommodate such structure.

The proposed project consists of ten (10) residential units consisting of eight (8) units within a multi-unit dwelling and two (2) existing historic structures facing Park Avenue. The applicant will have a minimum of six (6) units being sold at or below affordable levels, 80% of Average Median Income (AMI). At least one (1) unit will be sold at an attainable level, 120% of AMI. Remaining three (3) units will be sold at market rates. Prospective buyers of affordable or attainable units must show through an income/asset test that they are eligible at stated income levels. Units will also be deed restricted at 3% annual appreciation. Before any of the units can be sold individually the applicant will have to submit a Condominium Record of Survey request to be reviewed and approved by the City.

Purpose

The purpose of the Historic Residential Medium Density (HRM) District is to:

- A. allow continuation of permanent residential and transient housing in original residential Areas of Park City,
- B. encourage new Development along an important corridor that is Compatible with Historic Structures in the surrounding Area,
- C. encourage the rehabilitation of existing Historic Structures,
- D. encourage Development that provides a transition in Use and scale between the Historic District and the resort Developments,
- E. encourage Affordable Housing,
- F. encourage Development which minimizes the number of new driveways Accessing existing thoroughfares and minimizes the visibility of Parking Areas, and
- G. establish specific criteria for the review of Neighborhood Commercial Uses in Historic Structures along Park Avenue.

Background

In 2009, the City purchased the properties at 1450 / 1460 Park Avenue with Lower Park Redevelopment Agency funds with the intent of an eventual affordable housing project. A request for proposal was sent out in 2011 to solicit bids for the property and the bidding process was completed in early 2012. In March 2012, the City Council directed Staff to proceed with negotiations with Green Park Cohousing, LLC on the purchase of the property following their selection in the RFP process.

In February 2013, the City received this Plat Amendment request, as well as a Conditional Use Permit (CUP) for a multi-unit dwelling and a Historic District Design Review (HDDR) application for the rehabilitation of the two historic structures and the construction of the multi-unit dwelling on the site. The CUP and HDDR applications are concurrently being reviewed by Staff.

Planning Commission work session discussions were held on May 8, 2013 and June 26, 2013 to discuss the Cohousing project specifically related to the Multi-unit dwelling and applicable Land Management Code criteria related to the proposed use. The Commission provided input and direction regarding the conditional use.

During the February 12, 2014 the Planning Commission approved the proposed CUP and forwarded a positive recommendation to the City Council regarding this proposed plat amendment. The vote for each was a unanimous 4-0 vote.

Analysis

The proposed plat amendment creates one (1) lot of record from the two (2) platted existing lots of record consisting of the two (2) lots of The Retreat at the Park Subdivision re-platted in 2007. Staff has reviewed the proposed plat amendment request and found compliance with the following Land Management Code (LMC) requirements for lot size and width:

- Lot size. Minimum lot areas for residential uses as follows:

Single Family Dwelling	1,875 square feet
Duplex Dwelling	3,750 square feet
Triplex Dwelling	4,687 square feet
Four-plex Dwelling	5,625 square feet

Per Land Management Code (LMC) § 15-2.4-4 Lot and Site Requirements, developments consisting of more than four (4) Dwelling Units require a Lot Area at least equal to 5,625 square feet plus an additional 1,000 square feet per each additional Dwelling Unit over four (4) units. The proposed Plat Amendment combines the two (2) platted lots of record into one (1) lot totaling 18,294.43 square feet (0.42 acres). The proposal consists of ten (10) units which would require the minimum lot area to be 11,625 square feet.

- Lot width. The LMC requires minimum width of a Lot in the HRM to be 37.5 feet, measured fifteen feet (15') from the Front Lot Line. The proposed lot width along Park Avenue is approximately 109 feet and the proposed lot width along Sullivan Road is approximately 101 feet. The depth of the property varies from 172.1 feet along the north property line and 176.6 feet along the south property line.

The proposed plat amendment creates one (1) lot of record from two (2) platted lots of record consisting of The Retreat at the Park Subdivision, a two lot subdivision re-platted in 2007. Lot 1, 1460 Park Avenue, currently consists of 9,073 square feet. Lot 2, 1450 Park Avenue, currently consists of 9,212 square feet. As noted above, the lot combination complies with the LMC lot size area required for ten (10) units.

Staff finds good cause for this plat amendment as it facilitates an affordable housing project while at the same time ensuring the preservation of two historic structures. No remnant parcels of land are created with this plat amendment as all of Lots 1 and 2 are proposed to be combined into one lot.

Both sites are listed on Park City's Historic Site Inventory as Significant sites. They each contain a historic structure. Both structures currently meet development standards in terms of single family dwellings as they are both placed on a platted lot of record each with the exception that both historic structures do not meet the front yard setbacks of twenty feet (20'). The 1450 house is approximately 19.5 feet from the front property line. The 1460 house is approximately 16 feet from the front property line. Because of their historic status, both of these structures are considered legal compliant. There are no known violations or non-compliances found on these sites. The property owner will have to follow the adopted Design Guidelines for Historic District and Historic Sites and applicable LMC criteria pertaining to development in the HRM District. Development of multi-unit dwelling is subject to the Conditional Use Permit review process.

Process

Concurrently with this plat amendment request the applicant submitted a CUP for a Multi-unit Dwelling and a HDDR for the rehabilitation of the two (2) historic structures and construction of the Multi-unit Dwelling. The CUP was approved by the Planning

Commission on February 12, 2014. Staff is currently finalizing the HDDR approval. The applicant will also have to submit a Building Permit application. Approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 1-18.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record according to requirements of the Land Management Code.

Public Input

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

Alternatives

- The City Council may approve The Retreat at the Park First Amended Plat Amendment as conditioned or amended; or
- The City Council may deny The Retreat at the Park First Amended Plat Amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on The Retreat at the Park First Amended 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 platted lots would remain as is and no construction could take place across the existing lot line.

Recommendation

Staff recommends the City Council hold a public hearing and consider approving The Retreat at the Park First Amended Plat Amendment located at 1450 / 1460 Park Avenue based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

- Exhibit A – Draft ordinance with Proposed Plat
- Exhibit B – Project Description
- Exhibit C – Record of Survey Map
- Exhibit D – The Retreat at Park Subdivision
- Exhibit E – Planning Commission Minutes 02.12.2014

Exhibit A – Draft ordinance with Proposed Plat

Draft Ordinance No. 14-XX

AN ORDINANCE APPROVING THE RETREAT AT THE PARK FIRST AMENDED PLAT LOCATED AT 1450 & 1460 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1450 & 1460 Park Avenue have petitioned the City Council for approval of The Retreat at the Park First Amended Plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on February 12, 2014, to receive input on The Retreat at the Park First Amended Plat;

WHEREAS, the Planning Commission, on February 12, 2014, forwarded a positive recommendation to the City Council;

WHEREAS, the City Council, on March 6, 2014 conducted a public hearing on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve The Retreat at the Park First Amended 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 Retreat at the Park First Amended Plat 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 property is located at 1450 / 1460 Park Avenue.
2. The property is located in the HRM District.
3. The proposed plat amendment creates one (1) lot of record from the two (2) platted existing lots of record of The Retreat at the Park Subdivision re-platted and recorded in 2007.
4. Developments consisting of more than four (4) Dwelling Units require a Lot Area at least equal to 5,625 square feet plus an additional 1,000 square feet per each additional Dwelling Unit over four (4) units.

5. The proposal consists of ten (10) units which would require the minimum lot area to be 11,625 square feet.
6. The proposed Plat Amendment combines the two (2) platted lots of record into one (1) lot totaling 18,294.43 square feet.
7. The LMC requires minimum width of a Lot in the HRM to be 37.5 feet, measured fifteen feet (15') from the Front Lot Line.
8. The proposed lot width along Park Avenue is approximately 109 feet.
9. The proposed lot width along Sullivan Road is approximately 101 feet.
10. The depth of the property varies from 172.1 feet along the north property line and 176.6 feet along the south property line.
11. No remnant parcels of land are created with this plat amendment.
12. There is good cause for this plat amendment as it facilitates an affordable housing project while at the same time ensures the preservation of two historic structures
13. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed 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. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. 10 foot wide public snow storage easement shall be provided along Park Avenue and Sullivan Road.

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

PASSED AND ADOPTED this _____, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat Amendment

Attachment 1 - Proposed Plat Amendment



Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
1670 Belmont Drive • Suite 104
P.O. Box 3801 • Park City, Utah 84060
Phone: 435.649.4667 • Fax: 435.649.9219
E-mail: office@evergreen-eng.com

CITY ENGINEER
THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS DAY OF _____ A.D. 2013.
CITY ENGINEER _____

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ A.D. 2013.
BY: SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 2013.
CHAIRMAN _____

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 2013.
CITY ATTORNEY _____

COUNCIL APPROVAL & ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 2013.
MAYOR _____

CERTIFICATE OF ATTEST
I CERTIFY THIS WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 2013.
CITY RECORDER _____

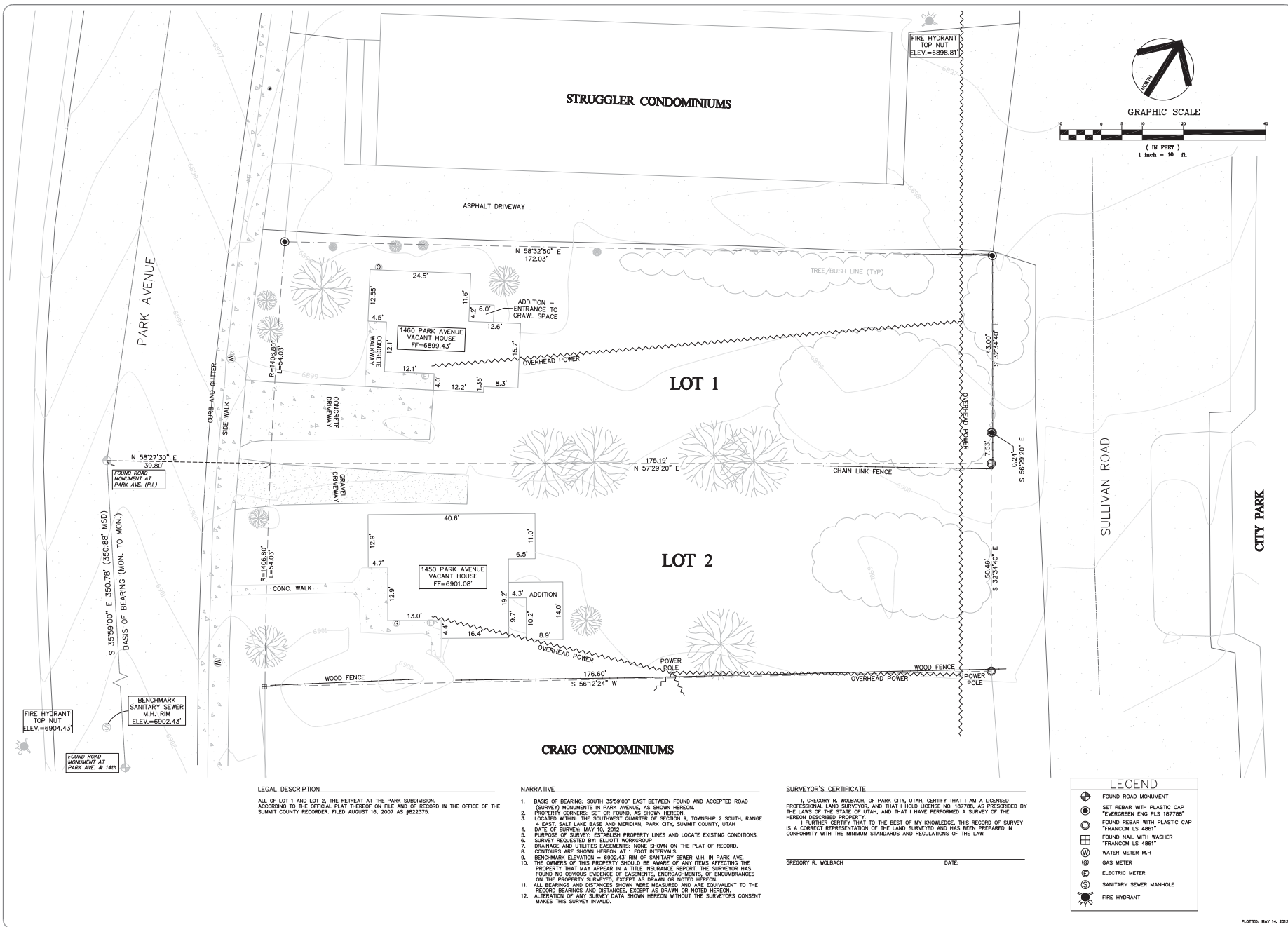
RECORDED
N° _____
DATE OF _____
COUNTY OF _____
RECORDED AND FILED AT THE REQUEST OF: _____
COUNTY RECORDER _____

PROJECT DESCRIPTION

The intent of this project is to renovate a dilapidated but historically significant houses and to add a structure to house a co-housing group to the rear of the property. Currently, these houses sits on two single (Lot1 and Lot 2), long but narrow lots. The lots will be combined to create one lot for the entire project to reside in, effectively creating a multi-family housing project.

Original state restoration is the goal of the project. Several later, non-historic additions to the houses will be removed, as well as non-historic siding and decorative elements. Care will be taken to restore the existing houses to their original states, using as much material that can be reasonably salvaged from the restoration process. Many aspects of the original design of the houses will be determined upon restoration. Layers of additions and improvements have made it difficult to determine many aspects. Original location of the house will be preserved, however the elevation will be raised approximately two feet in conformance with a plan to mitigate flooding potential on the site.

Exhibit C – Record of Survey Map



Evergreen Engineering, Inc.

CDL Engineering & Land Surveying & Land Planning
P.O. Box 2981 • Park City • Utah • 84060

REVISIONS

DATE	BY	COMMENTS
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SURVEYED BY: GRW/ADM
DRAWN BY: GRW
CHECKED BY: GRW

RECORD OF SURVEY - LOT 1 & 2
THE RETREAT AT THE PARK

SHEET 1 OF 1

[illegible]

Planning Commission Meeting
February 12, 2014
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11. Driveway layouts and parking configurations must be approved by the City Engineer prior to Building Permit submittals.

**9. 1450/1460 Park Avenue – Plat Amendment
(Application PL-13-02034)**

Planner Grahn reported that the applicant was proposing to combine lots 1 and 2 of the Retreat at the Park subdivision to accommodate the co-housing project that was discussed in the previous item. The requirement for a lot size for ten units is 11,625 square feet. The lot combination would result in 18,285 square feet. The applicant needed the conditional use permit, which was just approved, and the Planning Commission was being asked to forward a positive recommendation for approval of the plat amendment. If the plat amendment is approved, the project would go through the HDDR process for plan approval before pulling a building permit.

Chair Worel opened the public hearing.

There were no comments.

Chair Wore closed the public hearing.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for the plat amendment at 1450/1460 Park Avenue based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1450/1460 Park Avenue Plat Amendment

1. The property is located at 1450 / 1460 Park Avenue.
2. The property is located in the HRM District.
3. The proposed plat amendment creates one (1) lot of record from the two (2) platted existing lots of record consisting of the two (2) lots of The Retreat at the Park Subdivision re-platted and recorded in 2007.
4. Developments consisting of more than four (4) Dwelling Units require a Lot Area at

least equal to 5,625 square feet plus an additional 1,000 square feet per each additional Dwelling Unit over four (4) units.

5. The proposal consists of ten (10) units which would require the minimum lot area to be 11,625 square feet.
6. The proposed Plat Amendment combines the two (2) platted lots of record into one (1) lot totaling 18,294.43 square feet.
7. The LMC requires minimum width of a Lot in the HRM to be 37.5 feet, measured fifteen feet (15') from the Front Lot Line.
8. The proposed lot width along Park Avenue is approximately 109 feet.
9. The proposed lot width along Sullivan Road is approximately 101 feet.
10. The depth of the property varies from 172.1 feet along the north property line and 176.6 feet along the south property line.
11. No remnant parcels of land are created with this plat amendment.
12. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – 1450/1460 Park Avenue Plat Amendment

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed 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 – 1450/1460 Park Avenue Plat Amendment

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. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. 10 foot side public snow storage along Park Avenue and Sullivan Road

The Park City Planning Commission meeting adjourned at 7:10 p.m.

Approved by Planning Commission: _____

City Council Staff Report



PLANNING DEPARTMENT

Application #: PL-13-02035
Subject: 115 Sampson Avenue Plat
Amendment
Author: Anya Grahn, Historic Preservation Planner
Date: March 6, 2014
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the City Council hold a public hearing for the 115 Sampson Avenue plat amendment located at the same address, and consider approving the proposed plat amendment based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Description

Applicant: Silver Potato LLC (Nancy Bronstein), represented by Steve Schueler, Alliance Engineering, Inc.
Location: 115 Sampson Avenue
Zoning: Historic Residential—Low Density (HRL) District
Adjacent Land Uses: Single-family residential, vacation rentals
Reason for Review: Plat approval requires City Council review and approval

Proposal

The applicant is requesting a Plat Amendment for the purpose of combining all of Lot 6, and portions of Lots 5, 7, 8, 51, 52, 53, 54, 55 of Block 78 of the Park City Survey. The existing historic structure straddles Lots 6, 7, 53, and 54 of the Park City Survey and is a valid complying structure. There are also two (2) accessory sheds, that were not identified on the Historic Sites Inventory (HSI) as historic, on Lot 6; a third non-historic shed is located on Lot 53. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of repairing and restoring the historic house on the significant site, as well as potentially adding a new addition.

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,
- (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.

Background

Future Site Improvements

The 115 Sampson Avenue property is listed on the Historic Sites Inventory (HSI) as a Significant site which includes a small Mining era home constructed in 1904. The historic home straddles the lot line between Lots 6, 7, 53, and 54. There are also two (2) accessory sheds, that were not identified on the HSI as historic, on Lot 6; a third non-historic shed is located on Lot 53.

Due to water damage, the Building Department issued a Notice and Order to Repair and Vacate the building in 2010 and at that time, the mothballing of the house was permitted. Despite securing entrances to the building through the mothballing process, the severe decline and deterioration of the vacant structure resulted in a second Notice and Order on April 10, 2013.

A Pre-Historic District Design Review (Pre-HDDR) was submitted to the Planning Department on April 9, 2013, following the Notice and Order. The Design Review Team (DRT) met with the applicants' representative on May 1, 2013, to discuss the potential redevelopment of the property. At that time, the applicants expressed an interest in reconstructing the building and adding a small addition. No Historic District Design Review (HDDR) application has been submitted at this time.

The historic structure is in significant disrepair and would likely qualify for panelization or reconstruction. (This determination must be made by the Planning Director and Chief Building official during the HDDR process.) The site may be cleared following the approval of an HDDR, recording of a preservation plan, and securing a financial guarantee for the repair or reconstruction of the historic structure, which satisfies the Notice and Order.

Once a financial guarantee has been secured, an HDDR approved, and the Preservation Plan has been recorded with Summit County, the applicant may clear the site. At this time, the Notice and Order is still active.

Plat Amendment

The plat application was submitted to the Planning Department on August 15, 2013. The application was deemed complete on August 28, 2013. The Planning Director made a determination as to the allowed setbacks due to the unusual lot configuration on September 16, 2013. This has reduced the overall building pad of the site to approximately 3,330 square feet.

On October 9, 2013, the Planning Commission reviewed the plat amendment for this site. During that meeting, it was found that staff had erred in the report, stating that the

site was in the Historic Residential (HR-1) District, rather than the Historic Residential-Low Density (HRL) District. The Planning Commission raised concerns about additional parking being located on Sampson Avenue, which would further burden the street. The City Engineer will consider the Planning Commission's input in considering parking for the site. The Commission had also raised concerns about the necessary height for a new rear addition in order for the structure to reach street-level. Any addition to the historic structure will require a Steep Slope Conditional Use Permit (CUP) and a Historic District Design Review (HDDR).

The Planning Commission held a Public Hearing and voted unanimously (5-0) to forward a positive recommendation of the 115 Sampson Avenue Plat Amendment on February 12, 2014. Public comment was provided at this meeting in regards to the parking conditions on Sampson Avenue.

Analysis

The house currently straddles the lot line between Lots 6, 7, 53, and 54 of the Park City Survey. Two (2) non-historic sheds are located within Lot 6, and a third (3rd) non-historic shed is located on Lot 53. The plat amendment is necessary in order for the applicants to make the necessary improvements to the site, which are subject to Planning Department review.

Per LMC 15-7.1-5(B)(2) the applicant is required to include all holdings, unless specifically waived by the Planning Department and Planning Commission, including land in the "same ownership," with an indication of the portion which is proposed to be subdivided. LMC 15-7.1-5(B)(2) states the subdivision application shall "Include all contiguous holdings of the Owner, unless specifically waived by the Planning Department and Planning Commission, including land in the "same ownership," as defined herein, with an indication of the portion which is proposed to be subdivided, accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present Owner as recorded in the County Recorder's office. . . ." Silver Potato, LLC owns contiguous parcels at 125 Norfolk Avenue and 115 Sampson Avenue. 125 Norfolk Avenue was purchased on August 8, 2005. The property at 115 Sampson Avenue was purchased on January 29, 2010.

The applicant is only interested in creating a one (1)-lot subdivision at 115 Sampson Avenue. The parcel at 125 Norfolk Avenue is currently a metes and bounds parcel, and has already been developed. They do not wish to subdivide the parcel at 125 Norfolk Avenue at this time and are not proposing any changes to that site. They understand that any changes in the future that require a building permit will require a plat amendment.

The Planning Department supports the applicant pursuing the one (1) lot subdivision at 115 Sampson Avenue and not addressing the parcel at 125 Norfolk Avenue at this time. The Planning Director issued a waiver to this requirement on January 15, 2014 (Exhibit H). The site at 125 Norfolk Avenue was previously developed, and the applicant does

not intend to make any changes to that property. Moreover, the Planning Department finds that if the site were to be redeveloped in the future, smaller, more compatible infill would be more in keeping with the historic district than combining all of the parcels into one large lot. Future development will require a plat amendment application for this adjacent property. As previously noted, any changes to the existing development would require the applicant to submit a plat amendment application for 125 Norfolk Avenue. Furthermore, the one (1) lot subdivision at 115 Sampson Avenue is necessary in order to prevent greater safety hazards due to the declining condition of the historic structure. The Planning Department and Planning Commission agreed to waive the applicants' requirement to subdivide the contiguous holdings at 115 Sampson and 125 Norfolk Avenue.



Prior to recording the plat amendment, the applicant will also be required to resolve any encroachments that currently exist on the site. At this time, a railroad tie retaining wall along Sampson Avenue encroaches approximately twelve feet (12') southwest of the west property line. A second railroad tie retaining wall runs northeast along the east property line and approximately seventeen feet (17') into the neighboring property to the

north. There is also a wood slat fence that sits on and over the south property line. In the northeast corner of the site, railroad tie steps lead into the neighboring property to the north as well.

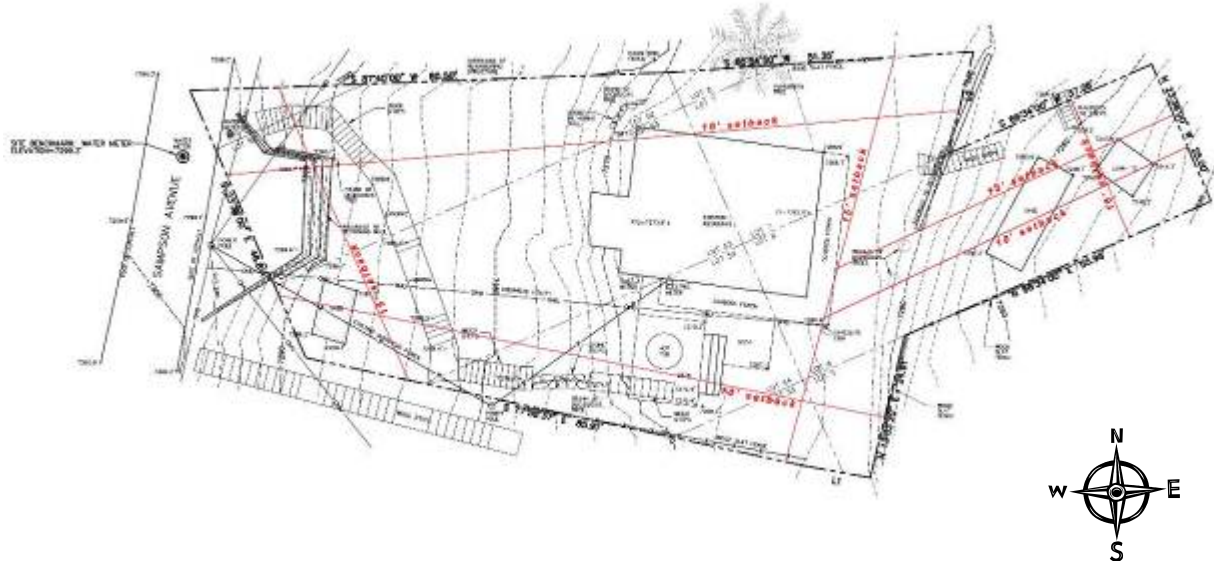
Per LMC 15-2.1-3(A) In the case of unusual lot configurations, such as this, Lot width measurements shall be determined by the Planning Director. As previously noted, the setbacks determined by the Planning Director have reduced the overall building pad of the site to approximately 3,330 square feet The following table shows the setbacks set by the Planning Director in his Determination Letter dated September 16, 2013 (Exhibit E).

	HRL Zone Designations	Planning Director Determination	Existing Conditions
Lot Size	Minimum Lot Area of 3,750 SF	N/A	7,657 SF, <i>complies</i> (includes reduction due to street dedication)
Maximum Building Footprint	2,496.28 SF	N/A	1,055.7 SF total = House (831.7) and 3 Sheds (53.36+48.1+122.61)
Maximum Height	27 feet from Existing Grade	N/A	approx. 24 feet from Existing Grade, <i>complies</i>
North Side yard Setback	10 ft	10 ft	8'9" (House), <i>valid non-complying</i> (historic)
South Side yard Setback (Sheds)	10 ft 3 ft for accessory structures not more than 18 ft. in height, located minimum of 5 ft. behind front façade of main building	10 ft	27'6" (House); <i>complies</i> ; 3'9" (Shed), <i>complies</i> ; 2'6" (Shed) <i>does not comply</i> (setback requirement); 6' (Shed) <i>does not comply</i> (not located behind front façade);
Front Yard Setback	15 ft	15 ft	57' (House), <i>complies</i> ; 2'6" (Shed) <i>does not comply</i>
Rear Yard Setback (Sheds)	15 ft 1 ft for accessory structures not more than 18 ft in	15 ft	17'6" (House), <i>complies</i> ; 6'3" (Shed) <i>does not comply</i> (not located behind front façade)

	height, located a minimum of 5 ft. behind front façade of main building		
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Per LMC 15-2.1-4, historic structures that do not comply with Building Setbacks, Off-street parking, and driveway location standards are valid Complying Structures. Any new additions, however, will have to comply with Building Setbacks, building footprint, driveway location standards, and building height.

Because of the unusual lot configuration, the image below shows the setbacks determined by the Planning Director for clarification:



(See Exhibit E – Planning Director Determination Letter)

Given the setbacks determined by the Planning Director, the overall building pad of the site will be approximately 3,330 square feet. Based on the building footprint formula, the allowable footprint is 2,490 square feet for a lot of this area. With the 831.7 square feet footprint of the house, the lot could accommodate an addition of 1,658.3 square feet footprint if the sheds were removed. If the sheds were not removed, an addition of 1,434.23 square feet could be constructed.

An addition would be permissible to be added to the west of the historic structure. Staff finds that traditionally the house faced town and so the east elevation is the façade or front of the building. The orientation of the structure was likely due to the need for day lighting prior to electricity as well as the slope of the property. Any new addition made to

the rear (west elevation) of the structure would have to be added with a transition element, or connector, in order to differentiate the new from the old.

Though the size of the site would permit a sizeable addition, the placement of the historic structure on the site makes such an addition difficult due to the setback requirements. The location of the historic structure could be relocated if the Planning Director and Chief Building Official determine that unique conditions warrant the proposed relocation and/or reorientation on the existing site. At this time, no determination has been made to relocate and/or re-orientate the historic structure, nor would such a determination be made to exclusively accommodate new development. Even if the structure were to be panelized or temporarily relocated intact in order to construct a new foundation, the house would be required to be reconstructed in its original location.

The height of any new construction cannot exceed (35') measured from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters. The lowest point of terrain in which the house is built sits at 7266.7 feet, whereas the highest elevation in which an addition could be located is at 7298.7 feet. The difference in the topography is thirty-two feet (32'). Any new construction would be required to step down the hill. Moreover, the Planning Commission will have to approve a Steep Slope Conditional Use Permit (CUP) prior to the start of any construction on the hillside, should the construction exceed 1,000 square feet.

Any addition to the historic structure will need to be approved through a Historic District Design Review (HDDR) to ensure that it complies with the 2009 Design Guidelines for Historic Sites and Structures. The addition will need to be visually subordinate to the historic building as well as be visually separated from the historic building with a transitional element. Aside from an HDDR and Building Permit, if the applicant wishes to add an addition to the house greater than 1,000 square feet, they will be required to submit a Steep Slope CUP due to the steepness of the existing grade. New construction shall meet the Site and Lot requirements of the Land Management Code in effect at the time the Steep Slope CUP and/or HDDR applications are (were) submitted.

The chart outlines the approximate square footage of nearby properties and their structures, per Summit County records, along Sampson Avenue and within the HRL District:

Address	Designation	Size of Lot	Allowed SF of Structures (footprint or total square feet)	SF of existing structure
16 Sampson	Significant	6,100.7 SF	2,460 max footprint per plat notes	Not yet reconstructed
30 Sampson	Non-historic	7,089 SF	3,000 SF max. total house size per plat notes	Not yet constructed
40 Sampson	Significant	11,444 SF	3,500 SF max. total house size per plat notes	1,746 SF

41 Sampson	Landmark	4,605.1 SF	1,778 SF footprint per formula	Under construction. (Footprint to be 1,777 SF)
60 Sampson	Significant	6,534 SF	2,263 SF footprint per formula	1,163 SF
50 Sampson	Non-historic	6,966 SF	3,000 SF total house size per plat notes	2,790 SF
80 Sampson/ 80 King	Non-historic	3,750 SF	1,519 SF footprint per formula	2,951 SF
99 Sampson	Non-historic	4,356 SF	1,705 SF footprint per formula	2,002 SF
115 Sampson*	Significant	7,657 SF	2,490 SF footprint per formula	1,056 SF
121 Sampson	Non-historic	6,477 SF	2,244 SF footprint per formula	927 SF
131 Sampson	Non-historic	6,060 SF	2,156 SF footprint per formula	1,359 SF
133 Sampson	Non-historic	3,920 SF	1,573 SF footprint per formula	1,729 SF
135 Sampson	Non-historic	5,663 SF	2,060 SF footprint per formula	2,424 SF
139 Sampson	Non-historic	5,663 SF	2,060 SF footprint per formula	Not yet constructed
145 Sampson	Non-historic	3,750 SF	1,519 SF footprint per formula	Not yet constructed

**The lot size has been reduced to subtract the portion of the lot included in the street dedication.*

Lot sizes on Sampson Avenue vary from the largest 11,444 square feet at 40 Sampson to the smallest 3,750 square foot lots at 133 and 145 Sampson Avenue. 115 Sampson Avenue would be the second largest lot along Sampson Avenue. 40 Sampson is limited to a house size of 3,500 square feet based on the plat notes approved as part of the Mill-Site Reservation Supplemental Amended Plat. Per the footprint formula, 115 Sampson Avenue would be permitted to have a footprint of 2,490 square feet, the largest along Sampson Avenue. The second largest footprint would be 2,460 square feet at 16 Sampson. 16 Sampson is currently under construction as the reconstruction of the "Significant" historic structure has been approved. Other larger footprints include 121 Sampson Avenue, which would be permitted to have a footprint of 2,244 square feet. The second largest allowable footprint would be at 131 Sampson, which would be permitted to have a footprint of 2,156 square feet. The average lot size on Sampson Avenue is 6,002.3 square feet, and the average existing house size is 1,732 square feet.

Staff does not recommend adding a condition of approval that reduces the allowed footprint of the lot. Based on the building footprint formula, the allowable footprint is

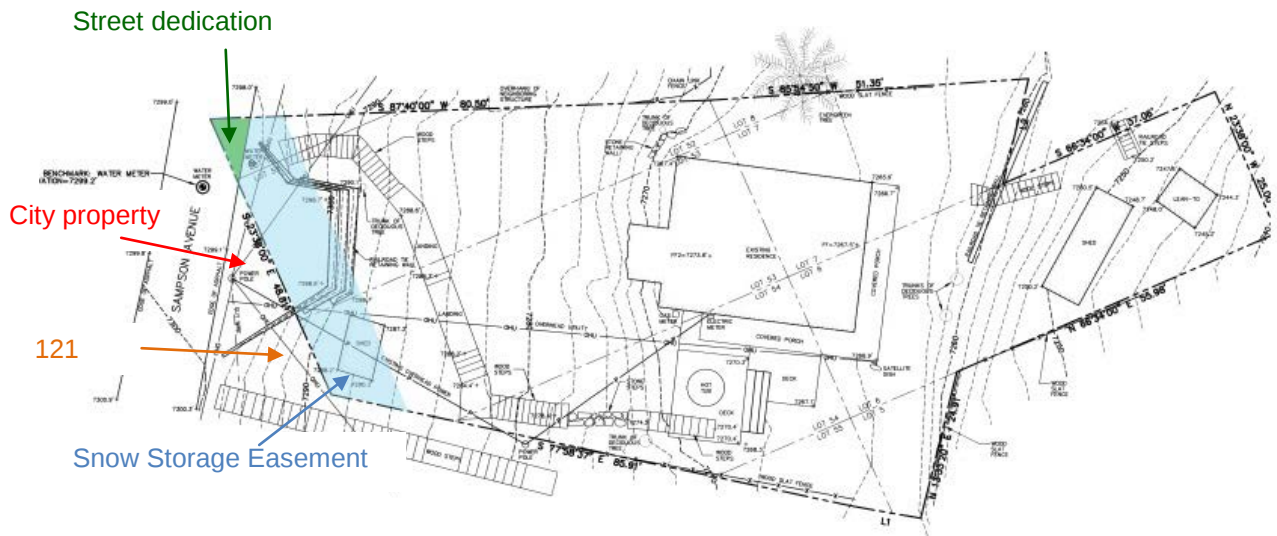
2,490 square feet for a lot of this area. With the 831.7 square feet footprint of the house, the lot could accommodate an addition of 1,658.3 square feet if the sheds were removed. If the sheds were not removed, an addition with a 1,440.58 square feet footprint could be constructed. The LMC's footprint formula reduces the allowed footprint as the lot size increases. The placement of the historic structure on the lot already dictates the placement of an addition to the west of the existing structure. The Planning Director has also increased the setbacks of the site, limiting the buildable area further. Staff finds that it will be very difficult for the applicants to achieve a maximum footprint given the placement of the historic structure on the site and the Planning Director's increased setbacks, which has limited the building footprint to approximately 3,330 square feet. Furthermore, the Planning Commission will be reviewing any new development on the site as it will require a steep slope conditional use permit (CUP) and the addition must comply with the Historic Design Guidelines that limit the location of additions to historic houses, in more precise terms than the previous guidelines did.

The southwest corner of Lot 51 and the northwest corner of Lot 52 contain a portion of Sampson Avenue. The northeast corner of the property will be clipped by approximately eleven feet (11') for the street dedication. The total area for the street dedication located within the property boundaries of 115 Sampson Avenue will be approximately thirty-five (35) square feet. The portion that includes the street will be dedicated to the City during this plat amendment, and the street dedication shall be noted on the recorded plat. The portion of the street dedication was reduced from the overall lot size and was not included when calculating the allowed footprint. As noted in the plat map and in the following image, a portion of Sampson Avenue within Lot 52 is City property.

A ten foot (10') snow storage easement will also be required by the City Engineer. Though the property line gradually increases in its distance from Sampson Avenue from zero (0) to twenty-one feet (21') along the west property line, a ten foot (10') snow easement snow storage easement will be required along the entire west edge of the property.

The portion of the property to the west of 115 Sampson's west property line along Sampson Avenue is owned by the City, and is part of the Sampson Avenue right-of-way. The neighboring property, 121 Sampson Avenue, also owns a portion of the property between Sampson Avenue and the south property line.

The image below shows the street dedication, the location of the snow storage easement, as well as ownership:



Good Cause

Planning Staff believes there is good cause for the application. Combining the Lots will allow the property owner to move forward with site improvements, which include stabilizing and repairing or reconstructing the historic structure. The plat amendment is necessary in order for the applicants to utilize future plans, and if left un-platted, the property remains as is. Moreover, the plat amendment will resolve the issue of the historic structure straddling interior lot lines and abate the safety issue with the historic structure. The plat amendment will utilize best planning and design practices, while preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Staff finds that the plat will not cause undo harm on any adjacent property owner because the proposal meets the requirements of the Land Management Code (LMC) and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements. In approving the plat, the City will gain one (1) ten foot (10') snow storage easement along Sampson Avenue, as well as a street dedication for the portion of Lots 51 and 52 that contain Sampson Avenue.

Furthermore, the plat amendment will resolve the existing building encroachments over interior lot lines. The applicant cannot move forward with an addition or reconstruction until the plat amendment has been recorded. Approval of this plat amendment will further the purposes of the LMC regarding preservation of historic structures, development on combinations of lots to reduce density, provision of snow storage easements, and dedication of right-of way for public streets.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 15-1-18.

Department Review

This project has gone through an interdepartmental review. No additional issues were raised regarding the subdivision.

Notice

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

Public Input

Public input was provided at the February 12, 2014, Planning Commission hearing and is reflected in the Planning Commission minutes (Exhibit I). Public input received after the Planning Commission hearing is attached as Exhibit J.

Alternatives

- The City Council may approve the 115 Sampson Avenue Subdivision as conditioned or amended; or
- The City Council may deny the 115 Sampson Avenue Subdivision and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the 115 Sampson Avenue Subdivision; or
- 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 proposed plat amendment would not be recorded and fragments of eight (8) existing lots would not be adjoined. Any additions to the historic house would not be permissible as they would encroach over interior property lines and the historic house would not be restored and could be demolished under the notice and order.

Recommendation

Staff recommends the City Council hold a public hearing for the 115 Sampson Avenue Subdivision, and consider approve the 115 Sampson Avenue Subdivision based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat
Exhibit B – Existing Conditions Survey
Exhibit C – Vicinity Map/Aerial Photograph
Exhibit D – Existing Conditions Survey with setbacks
Exhibit E – Planning Director Determination Letter

Exhibit F – Park City Plat Map
Exhibit G – Contiguous Lots Map
Exhibit H – Planning Director waiver letter
Exhibit I – Planning Commission Minutes, 2.12.14
Exhibit J – Public Input

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 14-

AN ORDINANCE APPROVING THE 115 SAMPSON AVENUE SUBDIVISION LOCATED AT 115 SAMPSON AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 115 Sampson Avenue, has petitioned the City Council for approval of the plat amendment known as 115 Sampson Avenue Subdivision; and

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

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

WHEREAS, the Planning Commission held a public hearing on October 9, 2013, and February 12, 2014 to receive input on the proposed subdivision;

WHEREAS, on February 12, 2014 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 6, 2014 the City Council held a public hearing on the proposed subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 115 Sampson Avenue Subdivision 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 115 Sampson Avenue Subdivision 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 property is located at 115 Sampson Avenue within the Historic Residential Low-Density (HRL) Zoning District.
2. The applicants are requesting to combine portions of eight (8) Old Town lots into one Parcel. Currently the property includes Old Town Lot 6, and portions of Lots 5, 7, 8, 51, 52, 53, 54, 55 of Block 78 of the Park City Survey.
3. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of repairing and restoring the historic house on the significant site, as well as potentially adding a new addition.
4. The amended plat will create one new 7,692 square foot lot.

5. The existing historic home is listed as “Significant” on the Historic Sites Inventory (HSI) and has a footprint of 831.7 square feet.
6. The existing historic structure straddles Lots 6, 7, 53, and 54 of the Park City Survey and is a valid complying structure.
7. Any proposed additions to the existing historic home will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.
8. Due to water damage, the Building Department issued a Notice and Order to Repair and Vacate the building in 2010 and at that time the mothballing of the house was permitted.
9. The severe decline and deterioration of the vacant structure resulted in a second Notice and Order on April 10, 2013.
10. A Pre-Historic District Design Review (Pre-HDDR) was submitted to the Planning Department on April 9, 2013, following the Notice and Order. The Design Review Team (DRT) met with the applicants’ representative on May 1, 2013, to discuss the potential redevelopment of the property. No Historic District Design Review (HDDR) application has yet been submitted.
11. The rear of the structure is the west elevation, facing Sampson Avenue. The façade faces east.
12. On September 16, 2013, the Planning Director made the determination to increase the required setbacks of the site to include a fifteen foot (15’) front yard setback, ten foot (10’) south side yard setback, fifteen foot (15’) rear yard setback, and ten foot (10’) north side yard setback.
13. On January 16, 2014, the Planning Director waived the requirement for the applicants’ to subdivide the contiguous properties at 125 Norfolk Avenue and 115 Sampson Avenue.
14. The southwest corner of Lot 51 and the northwest corner of Lot 52 contain a portion of Sampson Avenue. The total area for the street dedication will be approximately thirty-five (35) square feet.
15. The maximum building footprint allowed is 2,490 per the HR-L LMC requirements for a lot of this size. The current footprint of the historic structure is 831.7 square feet and the footprint of the three (3) shed accessory structures is approximately 224 square feet. This would allow a maximum footprint addition of approximately 1,434 square feet. The portion of the street dedication was considered in determining the allowed footprint, and approximately thirty-five (35) square feet was reduced from the overall lot size.
16. Staff does not recommend adding a condition of approval that reduces the allowed footprint of the lot. The LMC’s footprint formula reduces the allowed footprint as the lot size increases. The Planning Director has also increased the setbacks of the site, limiting the buildable area further.
17. Per LMC 15-2.1-4, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it does not comply with the required ten foot (10’) north side yard setback along the north property line as it is only eight feet nine inches (8’9”) from the property line.

18. New additions to the rear of the historic home would require adherence to current setbacks as required in the HR-1 District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.
19. The property at 115 Sampson Avenue is contiguous with the property at 125 Norfolk Avenue. 125 Norfolk Avenue is located directly to northeast of the 115 Sampson Avenue site.
20. The applicant submitted an application for a plat amendment on August 15, 2013.
21. The Planning Commission reviewed the application for a one (1) lot subdivision on October 9, 2013.
22. Staff learned that Silver Potato LLC owned the contiguous property at 125 Norfolk Avenue on October 9, 2013.
23. Silver Potato LLC has directly expressed interest in not subdividing both lots at 115 Sampson Avenue at 125 Norfolk Avenue. The property at 125 Norfolk Avenue is already developed and the owner does not intend to redevelop this property at this time.
24. The parcel at 125 Norfolk Avenue is comprised of all of lots 8, 9, and 10; the south half of lot 11, and a portion of Lot 7 of Block 78 of the Millsite Reservation. There are existing structures on the 125 Norfolk Avenue metes and bounds parcel.
25. Silver Potato LLC purchased 125 Norfolk Avenue on August 8, 2005, and 115 Sampson Avenue on January 29, 2010.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed 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.
3. No building permit for any work that expands the footprint of the home, or would first require the approval of an HDDR, shall be granted until the plat amendment and historic preservation guarantee are recorded with the Summit County Recorder's office.
4. All new construction will require modified 13-D sprinklers as required by the Building Department.

5. One (1) 10 foot (10') wide public snow storage easement is required along the street frontage of the lot along Sampson Avenue.
6. The applicant shall dedicate the portion of Lots 51 and 52 that include Sampson Avenue to the City.
7. Encroachments across property lines must be addressed prior to plat recordation and shall either be removed or addressed through an encroachment agreement.
8. The applicant can either remove the existing parking pad from the public right-of-way, or enter into an encroachment agreement with the City. New on-site parking shall be provided out of the Sampson Avenue right-of-way.

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

PASSED AND ADOPTED this ____ day of March, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner, I have prepared this Record of Survey map of the 115 SAMPSON AVENUE SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION

ALL OF LOT 6 AND PART OF LOTS 5, 7, 8, 51, 52, 53, 54 AND 55, ALL IN BLOCK 78 OF THE MILLSITE RESERVATION TO PARK CITY, Summit County, Utah, being more particularly described as follows:

Beginning at a point which is distant North 86°02'50" West 30.02 feet from the easternmost corner of said Lot 7; thence South 85°54'50" West 51.35 feet to a point on the common lot line of said Lots 8 and 52; thence South 87°40'00" West 80.50 feet to a point on the southwesterly line of said Lot 51; thence South 23°38'00" East along the southeasterly line of said Lots 51, 52, and 53 a distance of 48.81 feet; thence South 77°58'37" East 85.91 feet; thence South 60°02'00" East 11.00 feet; thence North 13°33'20" East 24.91 feet to a point on the southeasterly line of said Lot 6; thence North 66°34'00" East 55.98 feet to the easternmost corner of said Lot 6; thence North 23°38'00" West 25.00 feet to the northernmost corner of said Lot 6; thence South 66°34'00" West along the northwesterly line of said Lot 6 a distance of 37.06 feet; thence North 13°33'20" East 17.29 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Silver Potato, LLC, a Utah Limited Liability Company, the undersigned owner of the herein described tract of land, to be known hereafter as 115 SAMPSON AVENUE SUBDIVISION, does hereby certify that she has caused this Plat to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set her hand this _____ day of _____, 2013.

_____, Member

ACKNOWLEDGMENT

State of _____, ss:

County of _____

On this _____ day of _____, 2013, _____ personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, _____ acknowledged to me that he/she is the owner of the herein described tract of land, and that she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

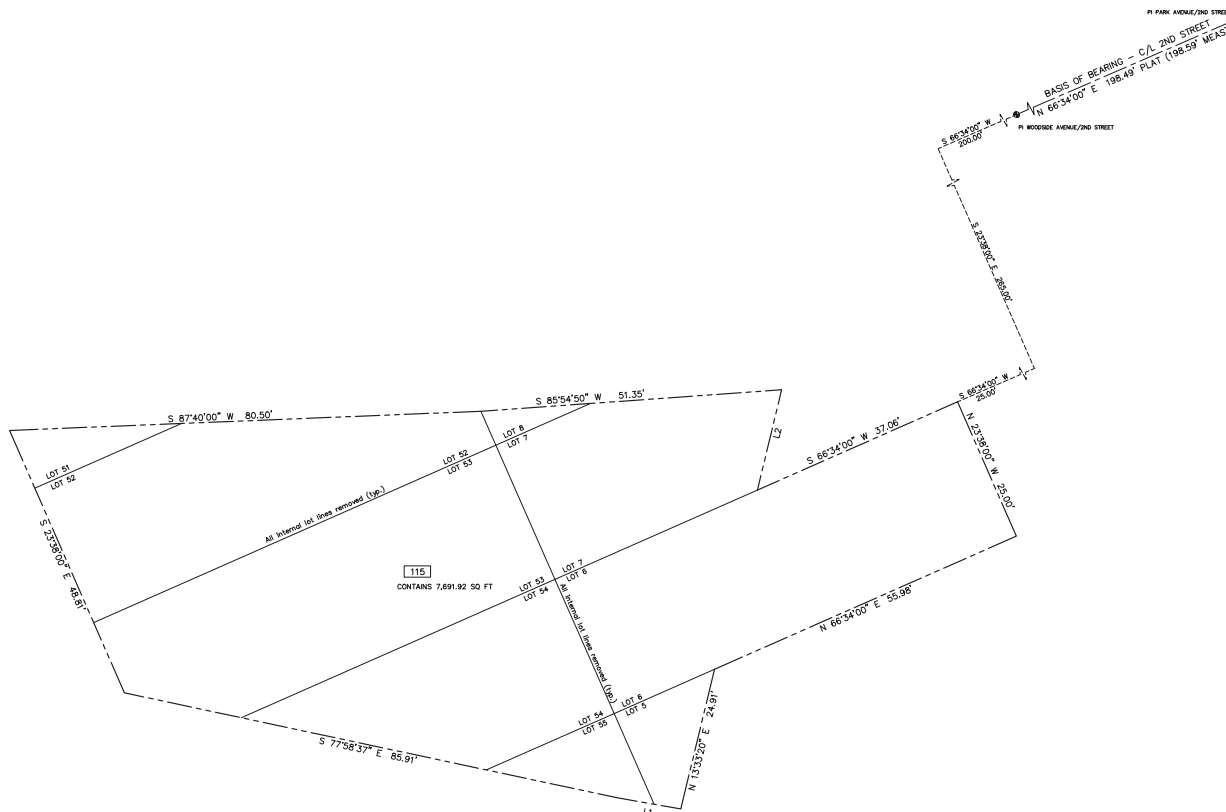
Printed Name _____

Residing in: _____

My commission expires: _____



SHEET 1 OF 1



197

LEGEND

- Found survey monument
- Property corners were set or found. See recorded survey # S-6749.
- Set 5/8" rebar w/cap, ALLIANCE ENGR/LS 154491
- Found rebar & cap

A PARCEL COMBINATION PLAT
A COMBINATION OF ALL OF LOT 6 AND PORTIONS OF LOTS 5,7,8,51-55 OF BLOCK 78

115 SAMPSON AVENUE SUBDIVISION

LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

 (435) 649-9487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 333 Main Street P.O. Box 2864 Park City, Utah 84060-2864	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2013 A.D. BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2013 A.D. BY _____ CHAIR	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	APPROVAL AS TO FORM 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 _____ DATE _____ TIME _____ BOOK _____ PAGE _____ ENTRY NO. _____ FEE _____ RECORDER _____
	6/12/13 JOB NO.: 2-7-13 FILE: X:\ParkCitySurvey\dwg\enr\plat2013\020713.dwg						



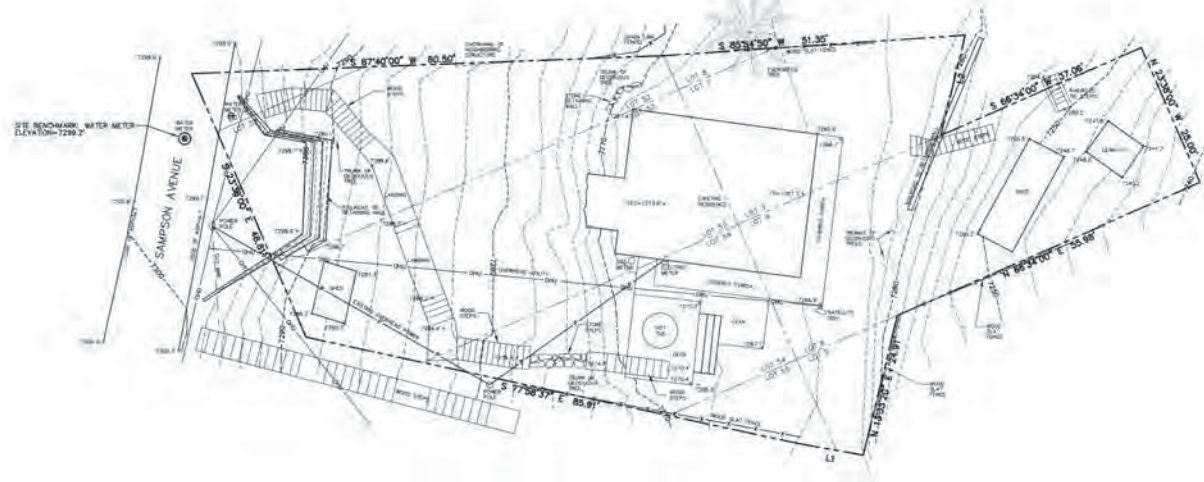
SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a registered land surveyor and that I hold certification no. 154491 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

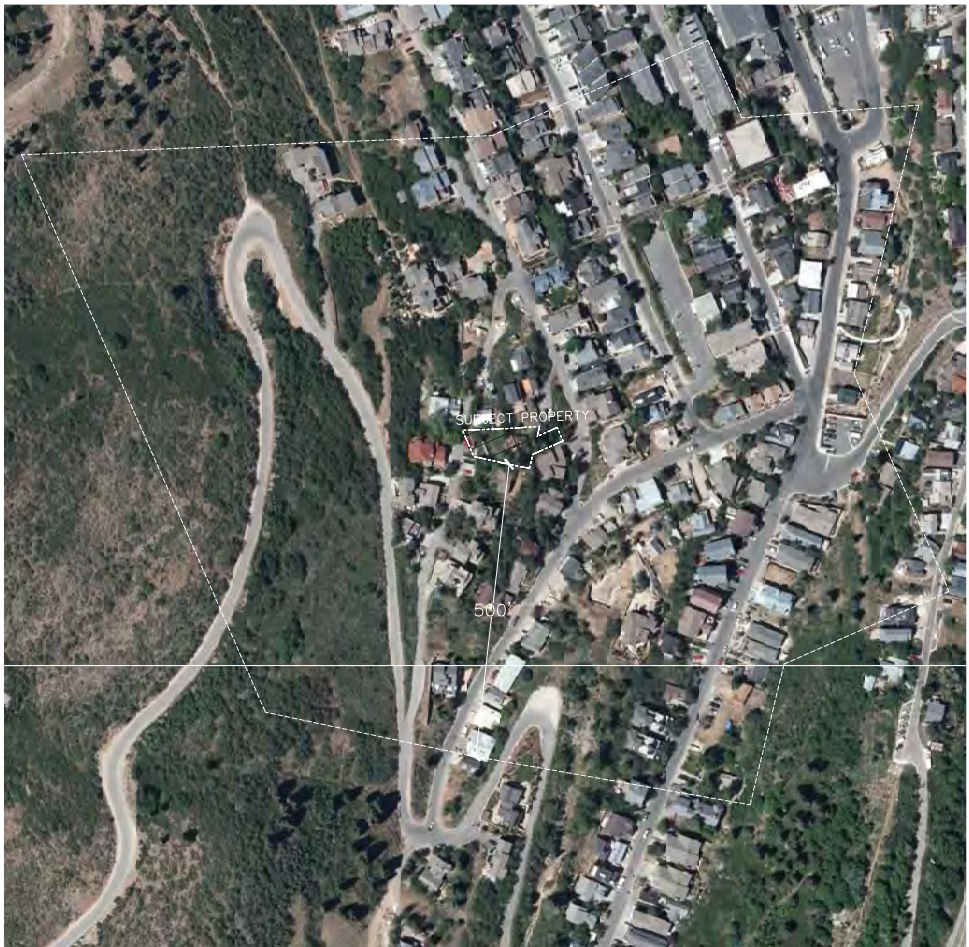
NOTES

1. Site Benchmark, Water meter in Sampson Avenue
Elevation=7299.2'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on July 24, 1998 and updated on July 28, 2006 and November 16, 2007.
4. See recorded survey S-6748.

LINE	BEARING	DISTANCE
L1	S 80°02'00" E	11.62'
L2	N 13°35'20" E	17.29'



 CONSULTING ENGINEERS, LAND PLANNERS, SURVEYORS 222 Main Street, P.O. Box 1862, Park City, Utah 84060-1862	STAFF: MARSHALL KING BLAKE MYERS CHIP TOMSUDEN	EXISTING CONDITIONS 115 SAMPSON AVENUE BLOCK 78, PARK CITY SURVEY	SHEET 1 OF 1
	DATE: 1/17/08	FOR: GERMAINE PARTNERS JOB NO.: 3-1-08 FILE: X:\ParkCitySurvey\dwg\src\topo2008\030108.dwg	



500 FOOT EXHIBIT



10 SCALE SITE PLAN



115 SAMPSON AVENUE

LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 327 Main Street, P.O. Box 2664 Park City, Utah 84060-2664	(435) 640-9487 STAFF: MARSHALL KING STEVE SCHUELER	ORTHO-PHOTOS 115 SAMPSON AVE PARK CITY SURVEY FOR: NANCY BRONSTEIN JOB NO.: 2-7-13 FILE: X:\ParkCitySurvey\dwg\env\plot2013\020713.dwg	SHEET 1 OF 1
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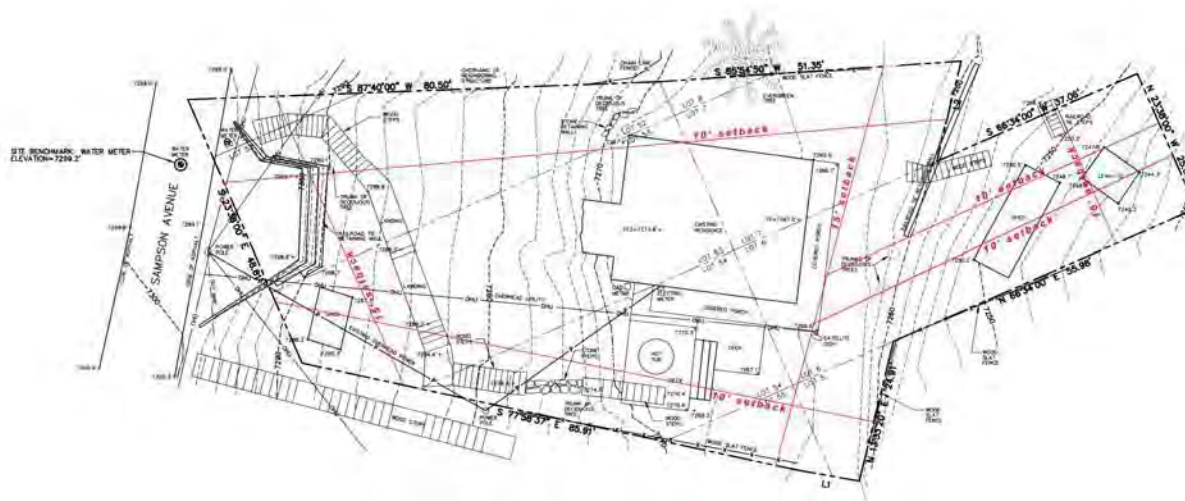
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NOTES

1. Site Benchmark: Water meter in Sampson Avenue
Elevation=7299.2'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on July 24, 1998 and updated on July 26, 2006 and November 16, 2007.
4. See recorded survey S-E748.

LINE	BEARING	DISTANCE
L1	S 80°02'00" E	11.62'
L2	N 13°35'20" E	17.29'



 (435) 649-8487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 222 Main Street, P.O. Box 8884, Park City, Utah 84060-2884	STAFF: MARSHALL KING BLAKE MYERS CHIP TOMSUGEN	EXISTING CONDITIONS 115 SAMPSON AVENUE BLOCK 78, PARK CITY SURVEY	SHEET 1 OF 1
	FOR: GERMAINE PARTNERS	JOB NO.: 3-1-08	
	DATE: 1/17/08	FILE: X:\ParkCitySurvey\dwg\en\topo2008\030108.dwg	



September 16, 2013

Alliance Engineering, Inc.
C/O Steve Schueler
323 Main Street
Park City, UT 84060

Silver Potato LLC
Attn: Nancy Bronstein
25 East End Avenue
New York, NY 10025

Re: Setback Determination
Property Address: 115 Sampson Avenue
PL-13-02035

Steve:

Thank you for submitting your application for a plat amendment for the property at 115 Sampson Avenue, on behalf of property owner Silver Potato LLC. As you are aware, any lot with more than four sides is considered an "Unusual Lot Configuration" by definition of the Park City Land Management Code (LMC). As required by Section 15-4-17 (Setback Requirements for Unusual Lot Configurations) of the LMC, the Planning Director makes the determination as to the allowed setbacks for all unusual lot configurations. More specifically §15-4-17(B) "Lots with more than four (4) sides..." applies to this particular lot due to the fact that it has eight (8) sides. I have reviewed your parcel, and I have made the following determination as to the allowed setbacks for all of Lot 6, and portions of Lots 5, 7, 8, 51, 52, 53, 54, and 55 of Block 78 of the Park City Survey:

1. Front Yard - 15 feet
2. Side Yard south property line (see redlines) – 10 feet
3. Side Yard north property line (see redlines)– 10 feet
4. Rear Yard – 15 feet
5. Side yard south property line, along Lot 6 (see redlines)—10 feet
6. Side yard north property line, along Lot 6 (see redlines) –10 feet
7. Rear yard east property line, along Lot 6 (see redlines)—15 feet

Attached hereto are redlined plans indicating the aforementioned setbacks.

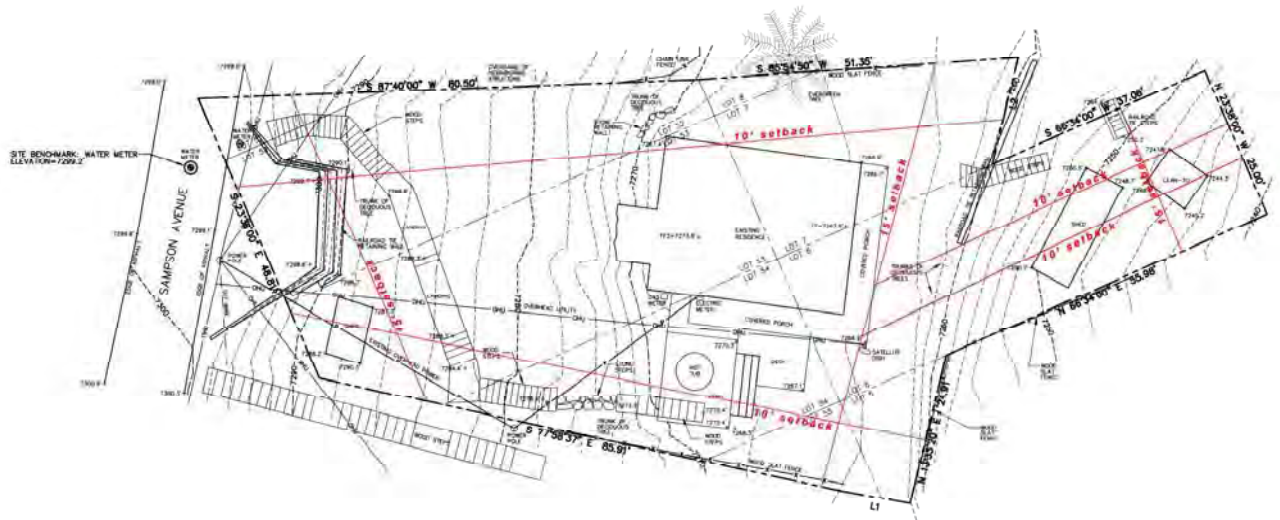


Illustration Only – Not to Scale

Please note that adherence to all other applicable regulations (steep-slope conditional use permit, design guidelines, etc.) also apply. If you have any questions regarding these setback determinations please feel free to contact me at (435) 615-5008.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas E. Eddington Jr.'.

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

CC: Anya Grahn

BLOCKS 77-LOTS(17-34), 78-LOTS(1-14, 46-55), 79, SECTION 16 & 21, T2S R4E, S.L.B. & M.

PARK CITY

SEE PAGE 25

MILL-SITE RESERVATION
SUPPLEMENTAL AMENDED
PLAT (1995 SUB.)SEC. 16
SEC. 21

AVENUE (N 23°38'W)

NORFOLK AVENUE (N 23°38'W)

Note: * Refers to Street Address

BREWSTER'S AMENDMENT
SUB. (1996)(UTAH)
AM. SAMPSON

(S 29°44'W)

SEE PAGE 31

SAMPSON AVENUE (S 29°44'E)
KING RD

RIDGE AVE. (S 21°33'E)

SUMMIT COUNTY, UTAHSCALE
ONE INCH = 40 FEET
BOOK PAGE

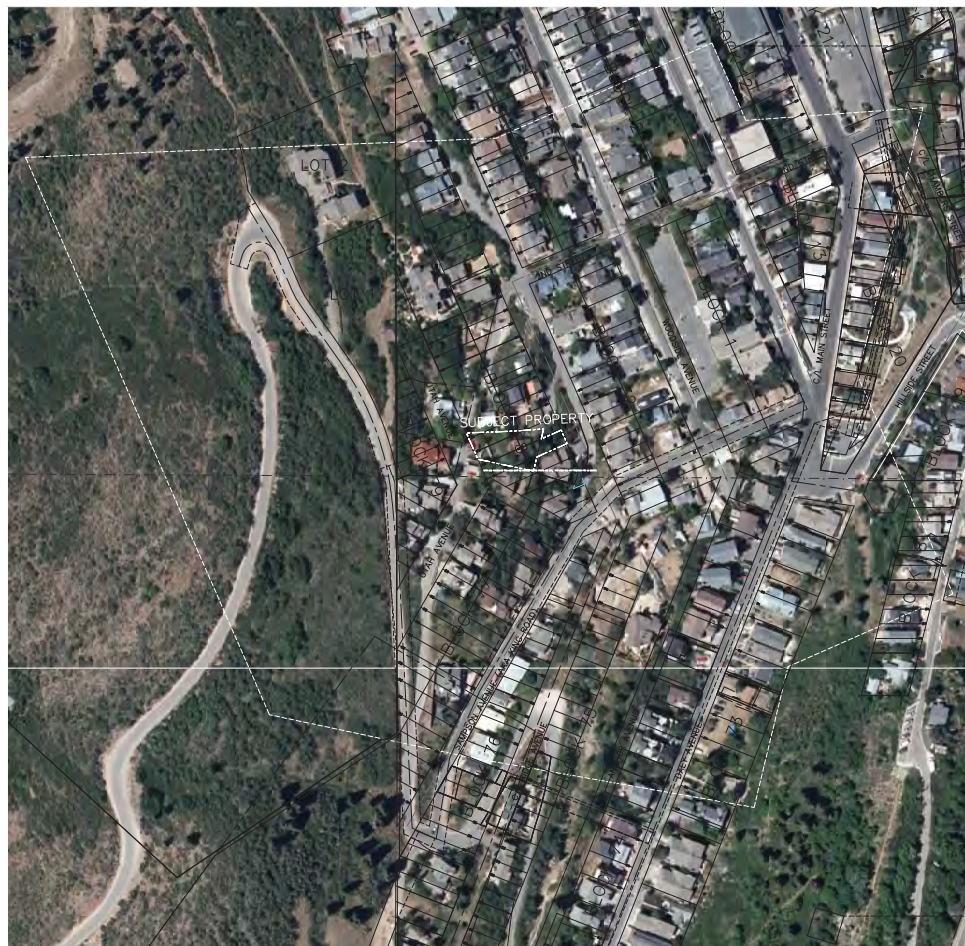
Approved	REVISIONS - DATE AND INITIAL	(In Pencil)
Utah State Tax Comm	Sept 27, 1998	

Date By
Engineering Associates Inc.

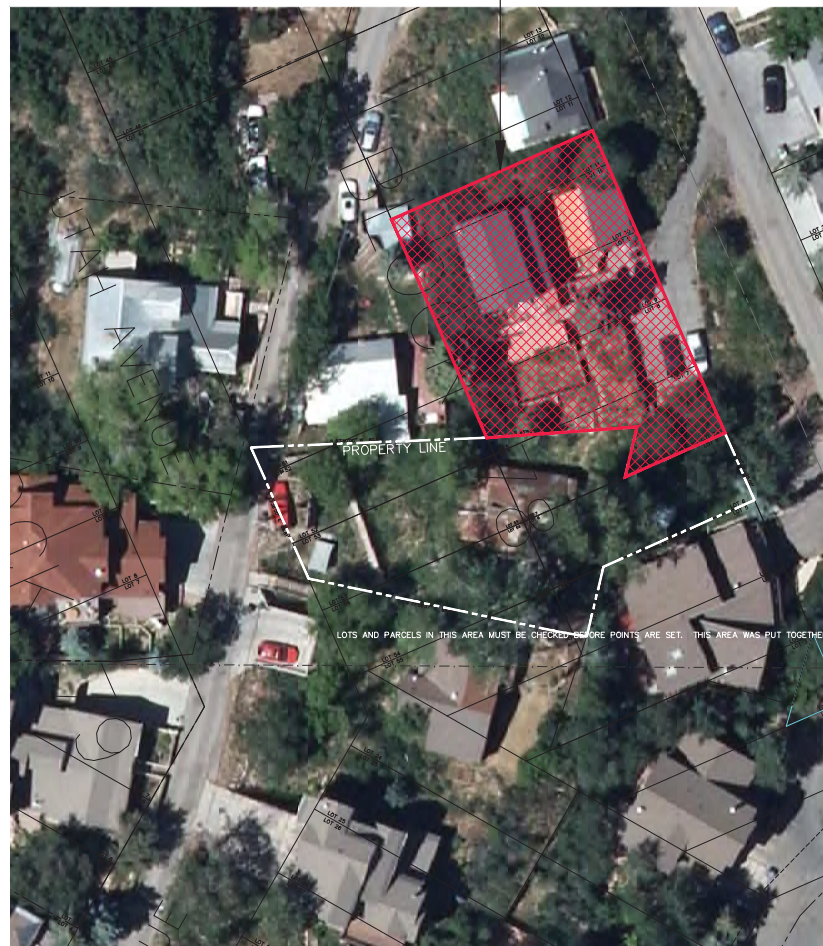
24

Exhibit G

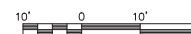
Adjacent Silver Potato LLC parcels
located at 125 Norfolk Ave.



500 FOOT EXHIBIT



10 SCALE SITE PLAN



115 SAMPSON AVENUE

LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



Alliance CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	(435) 649-9487 STAFF: MARSHALL KING STEVE SCHUELER DATE: 7/23/13	ORTHO-PHOTOS 115 SAMPSON AVE PARK CITY SURVEY FOR: NANCY BRONSTEIN JOB NO.: 2-7-13 FILE: X:\ParkCitySurvey\dwg\par\plot2013\020713.dwg	SHEET 1 OF 1
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January 16, 2014

Nancy Bronstein
Silver Potato, LCC
25 East End Avenue
New York, NY 10028

NOTICE OF PLANNING DIRECTOR DETERMINATION

Project Address: 115 Sampson Avenue
Project Description: Subdivision
Project Number: PL-13-02035
Date of Action: January 14, 2014

ACTION TAKEN BY PLANNING DIRECTOR:

Per Land Management Code (LMC) 15-7.1-5(B), prior to subdividing land in a manner, which requires a Preliminary Plat, an Owner of the land or his representative shall file an Application for the approval of a Plat. The application shall include all contiguous holdings of the Owner, unless specifically waived by the Planning Department, including land in the "same ownership," as defined herein, with an indication of the portion which is proposed to be subdivided, accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present Owner as recorded in the County Recorder's office. The affidavit shall advise as to the legal Owner of the Property, the contract Owner of the Property, the date a contract of sale was executed, and, if any corporations are involved, a copy of the resolution legally empowering the Applicant to make the Application.

The Planning Director finds that Silver Potato LLC is not required to subdivide the

contiguous holdings located at 115 Sampson Avenue and 125 Norfolk Avenue. Rather, the applicant may move forward with the request for a one-lot subdivision at 115 Sampson Avenue only.

Findings of Fact:

1. The property is located at 115 Sampson Avenue within the HRL District.
2. The applicants are requesting to combine portions of eight (8) Old Town lots into one lot of record. Currently, the property includes all of Old Town Lot 6, and portions of Lots 5, 7, 8, 51, 52, 53, 54, and 55 of Block 78 of the Park City Survey.
3. The plat amendment is necessary in order for the applicant to move forward with a Historic District Design Review (HDDR) for the purpose of repairing and restoring the historic house on the significant site, as well as potentially adding a new addition.
4. The 115 Sampson Avenue Subdivision will create one (1) new 7,692 square foot lot.
5. The existing historic house at 115 Sampson Avenue is listed as "Significant" on the Historic Sites Inventory (HSI) and has a footprint of 831.7 square feet.
6. The existing historic structure at 115 Sampson Avenue straddles lots 6, 7, 53, and 54 of the Park City Survey and is a valid complying structure. Per LMC 15-2.1-4, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it does not comply with the required ten foot (10') north side yard setback along the north property line as it is only eight feet nine inches (8'9") from the property line.
7. Any proposed additions to the existing historic home at 115 Sampson Avenue will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.
8. Due to water damage, the Building Department issued a Notice and Order to Repair and Vacate the building at 115 Sampson in 2010 and at that time the mothballing of the house was permitted. The severe decline and deterioration of the vacant structure resulted in a second Notice and Order on April 10, 2013.
9. A Pre-Historic District Design Review (Pre-HDDR) was submitted to the Planning Department on April 9, 2013, following the Notice and Order at 115 Sampson. The Design Review Team (DRT) met with the applicants' representative on May 1, 2013, to discuss the potential redevelopment of the property. No Historic District Design Review (HDDR) application has yet been submitted.
10. The rear of the structure is the west elevation, facing Sampson Avenue. The front façade faces east, towards town.

11. On September 16, 2013, the Planning Director made the determination to increase the required setbacks of the 115 Sampson Avenue site to include a fifteen foot (15') front yard setback, ten foot (10') south side yard setback, fifteen foot (15') rear yard setback, and ten foot (10) north side yard setback.
12. The southwest corner of Lot 51 and the northwest corner of Lot 52 contain a portion of Sampson Avenue. The total area for the street dedication will be approximately thirty-five (35) square feet.
13. The maximum building footprint allowed is 2,490 per the HR-L LMC requirements for a lot of this size. The current footprint of the historic structure is 831.7 square feet and the footprint of the three (3) shed accessory structures is 224 square feet. This would allow a maximum footprint addition of approximately 1,434 square feet. The portion of the street dedication was considered in determining the allowed footprint, and approximately thirty-five (35) square feet was reduced from the overall building footprint.
14. New additions to the rear of the historic home would require adherence to current setbacks as required in the HR-1 District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.
15. The property at 115 Sampson Avenue is contiguous with the property at 125 Norfolk Avenue.
16. The applicant submitted an application for a plat amendment on August 15, 2013.
17. The Planning Commission reviewed the application for a one (1) lot subdivision on October 9, 2013.
18. Staff learned that Silver Potato LLC owned the contiguous property at 125 Norfolk Avenue on October 9, 2013.
19. Silver Potato LLC has directly expressed interest in not subdividing both lots at 115 Sampson Avenue at 125 Norfolk Avenue. The property at 125 Norfolk Avenue is already developed and the owner does not intend to redevelop this property at this time.
20. 125 Norfolk Avenue is located directly to northeast of the 115 Sampson Avenue site.
21. The parcel at 125 Norfolk Avenue is comprised of all of lots 8, 9, and 10; the south half of lot 11, and a portion of Lot 7 of Block 78 of the Millsite Reservation.
22. There are existing structures on the 125 Norfolk Avenue metes and bounds parcel.
23. Silver Potato LLC purchased 125 Norfolk Avenue on August 8, 2005, and 115 Sampson Avenue on January 29, 2010.

Conditions of Approval

1. All standard conditions of approval shall apply.
2. Any modifications to the property 125 Norfolk Avenue, including but not limited to interior remodeling will require the applicant to submit a plat amendment application to the Planning Department.

If you have any questions regarding this determination, please don't hesitate to contact the Planning Department at 435-615-5060.

Sincerely,

A handwritten signature in black ink, appearing to read 'Th. E. Eddington Jr.', with a stylized flourish at the end.

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

CC: Anya Grahn, Historic Preservation Planner

Planning Commission Meeting
February 12, 2014
Page 10

application for a Historic District Design Review and a Steep Slope CUP application if applicable.

5. Modified 13-D sprinklers will 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.

6. Approvals to service the proposed two (2) lots from the utility companies are required before plat recordation.

7. A 10 foot (10') wide public snow storage easement is required along the frontage of the lots with Woodside Avenue and shall be shown on the plat.

8. The larger of the two (2) lots not be allowed to construct duplex.

**5. 115 Sampson Avenue Plat – Plat Amendment
(Application PL-13-02183)**

Planner Anya Grahn reported that the Planning Commission previously reviewed the plat amendment for 115 Sampson on October 9, 2013. At that time it was discovered that the Staff erroneously put it in the wrong zoning district. She was back this evening to discuss the plat amendment in the HRL, Historic Residential Low Density District.

Planner Grahn stated that the plat amendment contains several lots. It is all of lot 6 and portions of Lots 5, 7, 8 51, 52, 53, 54 and 55. An existing significant structure straddles Lots 6, 7, 53 and 54.

When the Planning Commission reviewed this plat amendment in October they also found that the owner had owned a contiguous lot, which raised some concerns. After further research the Staff found that the contiguous lot was located at 125 Norfolk Avenue. Planner Grahn stated that typically when there are contiguous lots, the LMC requires that both lots be included under the same subdivision. However, the Planning Director waived the requirement for this particular plat amendment. The Staff found that the lot has already been developed and the owner has no interest in further subdividing. The owner also understands that before they could obtain a building permit they would have to come to the Planning Department to talk about a plat amendment because interior lot lines run through the existing buildings on the site. If the owner was to redevelop the property, the Staff would have more control in reducing the lot size. The contiguous lot also contains multiple

lots and it is a fairly large property. They would want it subdivided to keep more consistent with the size and scale of development in Old Town.

Planner Grahn asked if the Planning Commission would support waiving the requirement for the contiguous lot and only subdividing the 115 Sampson Avenue lot at this time. The Commissioners were comfortable waiving the requirement.

Planner Grahn noted that the house on 115 Sampson is a significant historic structure. There is currently a Notice and Order from the Building Department. The structure was mothballed several years ago and due to exposure to the elements it is in severe decline. The Staff would like to move forward with the Historic District Design Review to preserve the house. Planner Grahn remarked that if the applicant is ever interested in putting on a small addition, it would have to go through the Steep Slope Conditional Use Permit and require Planning Commission review. Planner Grahn noted that the plat amendment would take care of any existing encroachment. A fence encroaches, per the survey, and there are also railroad ties. Approximately 35 square feet of Sampson Avenue is located on the property and there would be a street dedication for that portion. A ten-foot snow storage easement would also be along the entire west edge of the property. Due to its unusual lot configuration, the Planning Director had already reduced the setbacks to limit the size of the addition. Planner Grahn stated that the building pad has been reduced to approximately 3,330 square feet. There are three existing non-historic sheds on the property and if those were to be removed, the owner could add an addition as large as 1,658 square feet. If the sheds remain, the size would be reduced to 1,434 square feet.

Planner Grahn reported that the previous Planning Commission raised concerns about the parking. The applicant is currently parking on a raised, elevated parking pad off of Sampson Avenue, which is in the City right-of-way. They did not want to add additional constraints or demands to Sampson Avenue. Therefore, Planner Grahn recommended adding a condition of approval stating, "Any on-site parking shall be provided out of the Sampson Avenue right-of-way. At the time of the Steep Slope CUP the applicant can either reconstruct the existing parking pad completely within the property lines or remove it altogether and return it to landscaping."

Commissioner Campbell asked for clarification on the 35-foot street dedication at the corner. Planner Grahn explained that the property would be dedicated to the City because it is on a City street. Commissioner Campbell asked if it would remain part of the owner's lot or literally turned over to the City. Assistant City Attorney McLean replied that the City has a prescriptive easement on that portion of the property since it is part of Sampson Avenue, and the dedication memorializes the easement.

Chair Worel thanked Planner Grahn for adding the condition of approval because it captured the intent of the previous Planning Commission to avoid adding to the problems that already exist on Sampson.

Commissioner Phillips understood that the owner would have the ability to eventually eliminate the parking and re-vegetate it. He wanted to make sure that the owner would have somewhere to park. Planner Grahn stated that if the owner wanted to add a garage and a driveway, the condition would ensure that the entire section of the property would not end up being parking or paved area.

Chair Worel opened the public hearing.

Carol Sletta, a resident at 135 Sampson Avenue, referred to the “good cause” paragraph in the Staff report and read the last sentence, “The Plat Amendment will utilize best planning and design practices while preserving the character of the neighborhood, of Park City in furthering the health, safety and welfare of the Park City community.” Ms. Sletta did not believe the paragraph would be true if the project north of 115 Sampson is implemented. She commented on the prescriptive easement and noted that a variety of problems occur. Ms. Sletta encouraged the Planning Commission to look carefully at what was happening to this wonderful historic street. She hoped the Commissioners had walked the street and saw what Sampson Avenue looks like now. Road cuts were done after October 15th, which she understood was never done unless it was an emergency. The road cut was authorized by the City Engineer. Ms. Sletta was disappointed with the City’s lack of support for the neighborhoods, particularly in Old Town, and she urged the Commissioners to take a hard look at Sampson Avenue before they make any recommendations.

Chair Worel closed the public hearing.

Chair Worel remarked that Sampson Avenue had been a challenge for the previous Planning Commission and their primary concern was the ability to have access for emergency vehicles and for other vehicles to pass through. Parking on the street creates additional issues.

Board Member Campbell was unsure how the proposal as presented would negatively impact the current problems on Sampson. Chair Worel stated that she was more comfortable with the application with the added condition to keep them from parking on the street.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for 115 Sample Avenue plat amendment based on the Findings of Fact,

Conclusions of Law and Conditions of Approval as found in the draft ordinance, with the additional condition of approval outlined by Staff. Preston Campbell seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 115 Sampson Avenue

1. The property is located at 115 Sampson Avenue within the Historic Residential Low-Density (HRL) Zoning District.
2. The applicants are requesting to combine portions of eight (8) Old Town lots into one Parcel. Currently, the property includes Old Town Lot 6, and portions of Lots 5, 7, 8, 51, 52, 53, 54, 55 of Block 78 of the Park City survey.
3. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of repairing and restoring the historic house on the significant site, as well as potentially adding a new addition.
4. The amended plat will create one new 7,692 square feet lot.
5. The existing historic home is listed as "Significant" on the Historic Sites Inventory (HSI) and has a footprint of 831.7 square feet.
6. The existing historic structure straddles Lots 6, 7, 53, and 54 of the Park City Survey and is a valid complying structure.
7. Any proposed additions to the existing historic home will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.
8. Due to water damage, the Building Department issued a Notice and Order to Repair and Vacate the building in 2010 and at that time the mothballing of the house was permitted.
9. The severe decline and deterioration of the vacant structure resulted in a second Notice and Order on April 10, 2013.
10. A Pre-Historic District Design Review (Pre-HDDR) was submitted to the Planning Department on April 9, 2013, following the Notice and Order. The Design Review Team (DRT) met with the applicants' representative on May 1, 2013, to discuss the potential redevelopment of the property. No Historic District Design Review (HDDR)

application has yet been submitted.

11. The rear of the structure is the west elevation, facing Sampson Avenue. The façade faces east.

12. On September 16, 2013, the Planning Director made the determination to increase the required setbacks of the site to include a fifteen foot (15') front yard setback, ten foot (10') south side yard setback, fifteen foot (15') rear yard setback, and ten foot (10') north side yard setback.

13. On January 16, 2014, the Planning Director waived the requirement for the applicants' to subdivide the contiguous properties at 125 Norfolk Avenue and 115 Sampson Avenue.

14. The southwest corner of Lot 51 and the northwest corner of Lot 52 contain a portion of Sampson Avenue. The total area for the street dedication will be approximately thirty-five (35) square feet.

15. The maximum building footprint allowed is 2,490 per the HR-L LMC requirements for a lot of this size. The current footprint of the historic structure is 831.7 square feet and the footprint of the three (3) shed accessory structures is approximately 224 square feet. This would allow a maximum footprint addition of approximately 1,434 square feet. The portion of the street dedication was considered in determining the allowed footprint, and approximately thirty-five (35) square feet was reduced from the overall lot size.

16. Staff does not recommend adding a condition of approval that reduces the allowed footprint of the lot. The LMC's footprint formula reduces the allowed footprint as the lot size increases. The Planning Director has also increased the setbacks of the site, limiting the buildable area further.

17. Per LMC 15-2.1-4, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it does not comply with the required ten foot (10') north side yard setback along the north property line as it is only eight feet nine inches (8'9") from the property line.

18. New additions to the rear of the historic home would require adherence to current setbacks as required in the HR-1 District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009

Design Guidelines for Historic Districts and Historic Sites.

19. The property at 115 Sampson Avenue is contiguous with the property at 125 Norfolk Avenue. 125 Norfolk Avenue is located directly to northeast of the 115 Sampson Avenue site.

20. The applicant submitted an application for a plat amendment on August 15, 2013.

21. The Planning Commission reviewed the application for a one (1) lot subdivision on October 9, 2013.

22. Staff learned that Silver Potato LLC owned the contiguous property at 125 Norfolk Avenue on October 9, 2013.

23. Silver Potato LLC has directly expressed interest in not subdividing both lots at 115 Sampson Avenue at 125 Norfolk Avenue. The property at 125 Norfolk Avenue is already developed and the owner does not intend to redevelop this property at this time.

24. The parcel at 125 Norfolk Avenue is comprised of all of lots 8, 9, and 10; the south half of lot 11, and a portion of Lot 7 of Block 78 of the Millsite Reservation. There are existing structures on the 125 Norfolk Avenue metes and bounds parcel.

25. Silver Potato LLC purchased 125 Norfolk Avenue on August 8, 2005, and 115 Sampson Avenue on January 29, 2010.

Conclusions of Law – 115 Sampson Avenue

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed 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 – 115 Sampson Avenue

Anya Grahn

From: Debbie Schneckloth <dkmurilloschneckloth@comcast.net>
Sent: Thursday, February 13, 2014 2:30 PM
To: Anya Grahn
Cc: Carol Sletta; John Vrabel
Subject: 115 Plat Amendment Staff Report Errors

Hi Anya,

There are some errors that continue to exist in the Staff Report for the 115 Sampson Avenue Plat Amendment. I addressed them at the 9 October 2013 public hearing as noted in the Staff Report at the Planning Commission Meeting Staff Report last night, 12 February 2014:

Planning Commission Meeting

October 9, 2013

p. 13

Vice Chair Thomas opened the public hearing.

" . . . Ms. Schneckloth thought page 106 of the Staff report should be corrected to accurately state that the portions of Sampson Avenue that would be dedicated to the City would be the southeast corner of Lot 51 and the northeast corner of Lot 52. She felt that clarification was important."

The quoting of me is partially correct. I stated southwest corner of Lot 51 and northwest corner of Lot 52. The reason that I clarified those details is that the larger piece of Lot 51 residing in the existing Sampson Avenue was deleted so that the square footage the applicant of 115 Sampson needed to deed to the city as right-of-way needed to include Lot 51 not just Lot 52. The inaccuracy has been carried to the present Staff Report which states: "The southwest corner of Lot 51 and northwest corner of Lot 52 contain a portion of Sampson Avenue. The total area for the street dedication will be approximately thirty-five (35) square feet. (Section 1. Approval, Findings Of Fact, 14, p. 80 of 599)

This continues the staff error of counting square footage only in Lot 52 which resides in Sampson--the same mistake to which I spoke on 9 October. When consulting Summit County plat maps, the area of Lot 51 and Lot 52 that cross Sampson Avenue is 126 square feet. This error of 91 square feet is carried through in many places and affects the street dedication and allowable footprint and therefore home size. This is an important detail that needs correction before this goes to the City Council for final approval on 6 March 2014.

I would be glad to meet with you at your convenience to use engineering rulers and plat maps to scale so that this error will be corrected.

Thank you,

Debra Murillo Schneckloth

City Council Staff Report



Application #: PL-13-02163
Subject: 1185 Empire Avenue - Plat Amendment
Author: Ryan Wassum, Planner
Date: March 6, 2014
Type of Item: Administrative – Plat Amendment

PLANNING DEPARTMENT

Summary Staff Recommendation

Staff recommends that the City Council hold a public hearing for the 1185 Empire Avenue Second Plat Amendment and consider approving the proposed plat amendment based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Description

Applicant: Ted King, owner
Location: 1185 Empire Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential single family
Reason for Review: Plat amendments require City Council review and approval

Proposal

The applicant is requesting a plat amendment (Exhibit A) for the purpose of separating 1183 and 1185 Empire Avenue into two separate and legal lots with a proposed new lot line. The plat amendment would create Lot 1B (1183 Empire) and Lot 1A (1185 Empire) of Block 27 Snyder's Addition of the Park City Survey. There is an existing non-historical duplex on the 1183 and 1185 Empire lot (Exhibit B) which will be razed to construct two (2) new single family homes. The applicant wishes to separate the lot by adding a new property line between 1183 and 1185 Empire Avenue to facilitate new construction.

Background

On December 13, 2013 the owner submitted a complete application for a plat amendment. The subject properties are located at 1183 and 1185 Empire Avenue. The structure located at 1183 and 1185 Empire is a non-historic duplex on Lots of 12, 13, and a portion of Lot 14, Block 27 Snyder's Addition of the Park City Survey.

The applicant wishes to separate the combined 1183 and 1185 Empire Lot into two (2) legal lots of record to facilitate new construction for two (2) single family homes.

A demolition permit was issued to the applicant on October 1, 2013 to raze the existing duplex at 1183 and 1185 Empire. The demolition permit is good for 180 days and will expire on April 1, 2014. Although no plans have been submitted, after demolition the applicant intends on building two (2) new single family dwellings. It is important to note that a moratorium currently is in place for Empire Avenue that prohibits new

construction from cutting into the road to connect to utility lines until the year 2016 or when the moratorium is lifted.

Previously, on September 19, 2008, City Council approved an 1185 Empire Avenue Plat Amendment to combine three and three fourths lots of record into two lots of record (see 2008 Draft Ordinance Exhibit E). The applicant, Ted King, wanted to remove an unsafe and non-historic structure and facilitate new construction at 1195 Empire Avenue, as well as make the duplex located at 1183 and 1885 Empire a legal conforming structure by the removal of two (2) lot lines. Since 2008, the applicant razed the non-historic structure located at 1195 Empire Avenue and built a new single family dwelling on Lot 2.

On February 12, 2014, the Planning Commission voted unanimously, 5-0, to forward a positive recommendation to City Council.

Analysis

The current application is a request to separate a 4,951 square feet of lot into two (2) legal lots of record containing 2,565 square feet of area (Lot 1B), and 2,475 square feet of area (Lot 1A) respectively. 1183 Empire (Lot 1B) would be 75 feet deep by 32.75 feet, whereas 1185 Empire (Lot 1A) would be 75 feet by 33 feet. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single family house and 3,750 square feet for a duplex. The proposed plat amendment meets the required lot sizes for two (2) new legal lots of record.

The purpose of the Historic Residential (HR-I) 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.

Re-platted Lots 1B and 1A (Exhibit B)

	Permitted	Proposed Lot 1B	Proposed Lot 1A
Min Lot Size:	1,875 square feet	2,465 square feet	2,475 square feet
Max Footprint:	Lot 1B: 1,073 sf Lot 1A: 1,076 sf	1,073 sf	1,076 sf
Front/Rear Setbacks:	10' min (20' total)	10' min (20' total)	10' min (20' total)
Side setbacks:	3' min (6' total)	3' min (6' total)	3' min (6' total)
Max. Height:	27'	27'	27'

Parking:	Lot 1B/1A: 2 per dwelling	2 per dwelling	2 per dwelling
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The proposed plat amendment does not create any new non-conforming situations.

Good Cause

Planning Staff finds that there is good cause for this plat amendment as it meets the Land Management Code and creates two (2) smaller residential lots that are more compatible within the HR-1 District. Staff finds that the plat will not cause undo harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures in LMC 1-18. A Historic District Design Review application or pre-application is required prior to issuance of any building permits for new construction on the property. Any area proposed for future construction that meets requirements for applicability of a Steep Slope Conditional Use permit shall be reviewed for compliance with the Steep Slope Conditional Use permit review criteria, prior to issuance of any building permits.

Department Review

This project has gone through an interdepartmental review. There were no issues raised by any of the departments regarding this proposal that have not been addressed by the conditions of approval.

Notice

The property was posted and a notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. Legal notice was also published in the Park Record and on the public notice website in accordance with the requirements of the LMC.

Public Input

No public input was received at the February 12, 2014, Planning Commission hearing.

Alternatives

- The City Council may approve the 1185 Empire Avenue Second Plat Amendment as conditioned or amended; or
- The City Council may deny the 1185 Empire Avenue Second Plat Amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the 1185 Empire Avenue Second Plat Amendment; or
- 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 large lot would remain as it currently exists; however, with a demolition permit already approved and issued to the applicant for removal of the existing duplex, an abandoned lot could remain in the Old Town neighborhood.

Recommendation

Staff recommends that the City Council hold a public hearing for the 1185 Empire Avenue Second Plat Amendment and consider approving the 1185 Empire Avenue Second Plat Amendment based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

Ordinance Exhibit A- Proposed Plat Amendment

Exhibit B- Aerial photo/ vicinity map

Exhibit C- Survey

Exhibit D- Photos

Exhibit E- Approved 1185 Empire Plat Amendment and Draft Ordinance (2008)

Exhibit F- Draft Planning Commission Minutes, 2.12.14

Draft Ordinance

Ordinance No. 14-

AN ORDINANCE APPROVING THE 1185 EMPIRE AVENUE SECOND PLAT AMENDMENT SEPARATING LOT 1B, 1183 EMPIRE, WITH ALL OF LOT 12 AND THE SOUTHERLY 7.75 FEET OF LOT 13, AND LOT 1A ,1185 EMPIRE, WITH THE NORTHERLY 17.25 FEET OF LOT 13 AND THE SOUTHERLY 15.75 FEET OF LOT 14, BLOCK 27 SNYDERS ADDITION, AMENDED PLAT OF THE PARK CITY SURVEY, LOCATED IN PARK CITY, UTAH

WHEREAS, the owner of property located at 1185 Empire Avenue petitioned the City Council for approval of the 1185 Empire Avenue re-plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on February 12, 2014, to receive input on the 1185 Empire Avenue Second Plat Amendment;

WHEREAS, the Planning Commission, on February 12, 2014, forwarded a recommendation to the City Council;

WHEREAS, the City Council held a public hearing on March 6, 2014; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 1185 Empire Avenue Second Plat separating Lot 1B, 1183 Empire, with all of Lot 12 and the southerly 7.75 feet of Lot 13, and Lot 1A, 1185 Empire, with the northerly 17.25 feet of Lot 13 and the southerly 15.5 feet of Lot 14. The plat amendment also secures public snow storage easements across the frontage of the proposed lot.

WHEREAS, Staff finds that the plat will not cause undo harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

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 1185 Empire Avenue Second Plat Amendment as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1185 Empire Avenue and consists of two (2) “Old Town” lots, namely Lot 11, Lot 12, and the southerly half of Lot 13, Block 27 Snyders addition, of the amended Park City Survey.
2. The property is located within the Historic Residential (HR-1) zoning district.
3. There is an existing non-historic duplex located at 1183 and 1185 Empire Avenue with an approved demolition permit to raze the structure.
4. The property has frontage on Empire Avenue and the lot contains 4,951 square feet of lot area. The minimum lot area for a single family lot in the HR-1 zone is 1,875 square feet. The minimum lot area for a duplex in the HR-1 zone is 3,750 sf.
5. Single family homes are an allowed use in the HR-1 zone.
6. On November 26, 2013, the owner submitted an application for a plat amendment to separate the 1183 and 1185 Empire Avenue Lot into two (2) legal lots of record, Lots 1B (2,465 sf) and 1A (2,475 sf), to facilitate construction for two (2) new single family homes. The application was deemed complete on December 13, 2013.
7. The HR-1 zone requires a minimum lot area of 1,875 square feet.
8. The property has frontage on and access from Empire Avenue.
9. The lot is subject to the Park City Design Guidelines for Historic Districts and Historic Sites for any new construction on the structure.
10. A Steep Slope Conditional Use Permit is required for any new construction over 1,000 sf of floor area and for any driveway/access improvement if the area of construction/improvement is a 30% or greater slope for a minimum horizontal distance of 15 feet.
11. The proposed plat amendment does not create any new non-complying or nonconforming situations.
12. The maximum building footprint allowed for 1183 Empire Avenue, Lot 1B, is 1,073 square feet per the HR-1 LMC requirements and based on the lot size.
13. The maximum building footprint allowed for 1185 Empire Avenue, Lot 1A, is 1,076 square feet per the HR-1 LMC requirements and based on the lot size.
14. The plat amendment secures public snow storage easements across the frontage of the lots.
15. There is good cause to add a new lot line and create two (2) legal and smaller residential lots that are more compatible within the HR-1 District.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed 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.
3. The demolition of the structure at 1185 Empire is a condition precedent to plat recordation.
4. Approval of an HDDR application is a condition precedent to issuance of a building permit for construction on the lots. Also recordation of the plat is a condition of building permit issuance.
5. Approval of a Steep Slope Conditional Use Permit application is a condition precedent to issuance of a building permit if the proposed development is located on areas of 30% or greater slope and over 1000 square feet per the LMC.
6. Modified 13-D sprinklers will be required for new construction as required 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.
7. A 10 foot wide public snow storage easement is required along the frontage of the lots with Park Avenue and shall be shown on the plat.
8. All prior snow storage easements from this property shall be reflected on this plat.

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

PASSED AND ADOPTED this ____ day of March, 2014.

PARK CITY MUNICIPAL CORPORATION

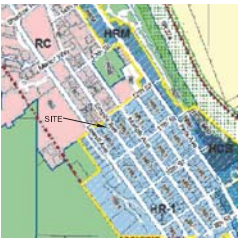
Jack Thomas, MAYOR

ATTEST:

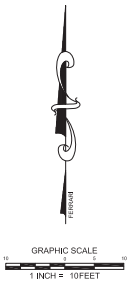
Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney



1185 EMPIRE AVENUE SECOND PLAT AMENDMENT
A PLAT AMENDMENT BLOCK 27 SNYDERS ADDITION
LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 28 RANGE 4E
SALT LAKE BASE AND MERIDIAN



SURVEYOR'S STATEMENT

I GREGORY J. FERRARI OF PARK CITY, UTAH, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NO. 5406908. THIS PLAT AMENDMENT WAS PREPARED UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE PARK CITY MUNICIPAL CORPORATION. I FURTHER CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE SURVEYED PROPERTY.

GREGORY J. FERRARI, P.L.S. 5046908 EXPIRES
MARCH 31, 2015

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT TED W. KING & KRISTINA M. KING, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVE CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS THE 1185 EMPIRE SECOND PLAT AMENDMENT. DOES HEREBY CERTIFY THAT THEY HAVE CAUSED THIS PLAT AMENDMENT TO BE PREPARED. TED W. KING & KRISTINA M. KING HEREBY CONSENTS TO THE RECORDATION OF THIS PLAT AMENDMENT. ALSO, THE OWNERS, OR HIS REPRESENTATIVE, HEREBY IRREVOCABLY OFFERS 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 PLAT AND CONSTRUCTION DRAWINGS IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.

IN WITNESS WHEREOF THE UNDERSIGNED SET HIS HAND THIS ____ DAY OF _____, 2014

TED W. KING KRISTINA M. KING

ACKNOWLEDGMENT

STATE OF UTAH:)
COUNTY OF SUMMIT:) SS
PERSONALLY APPEARED BEFORE ME ON THIS ____ DAY OF _____, 2014, THE FOLLOWING:

WHO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC
RESIDING IN _____

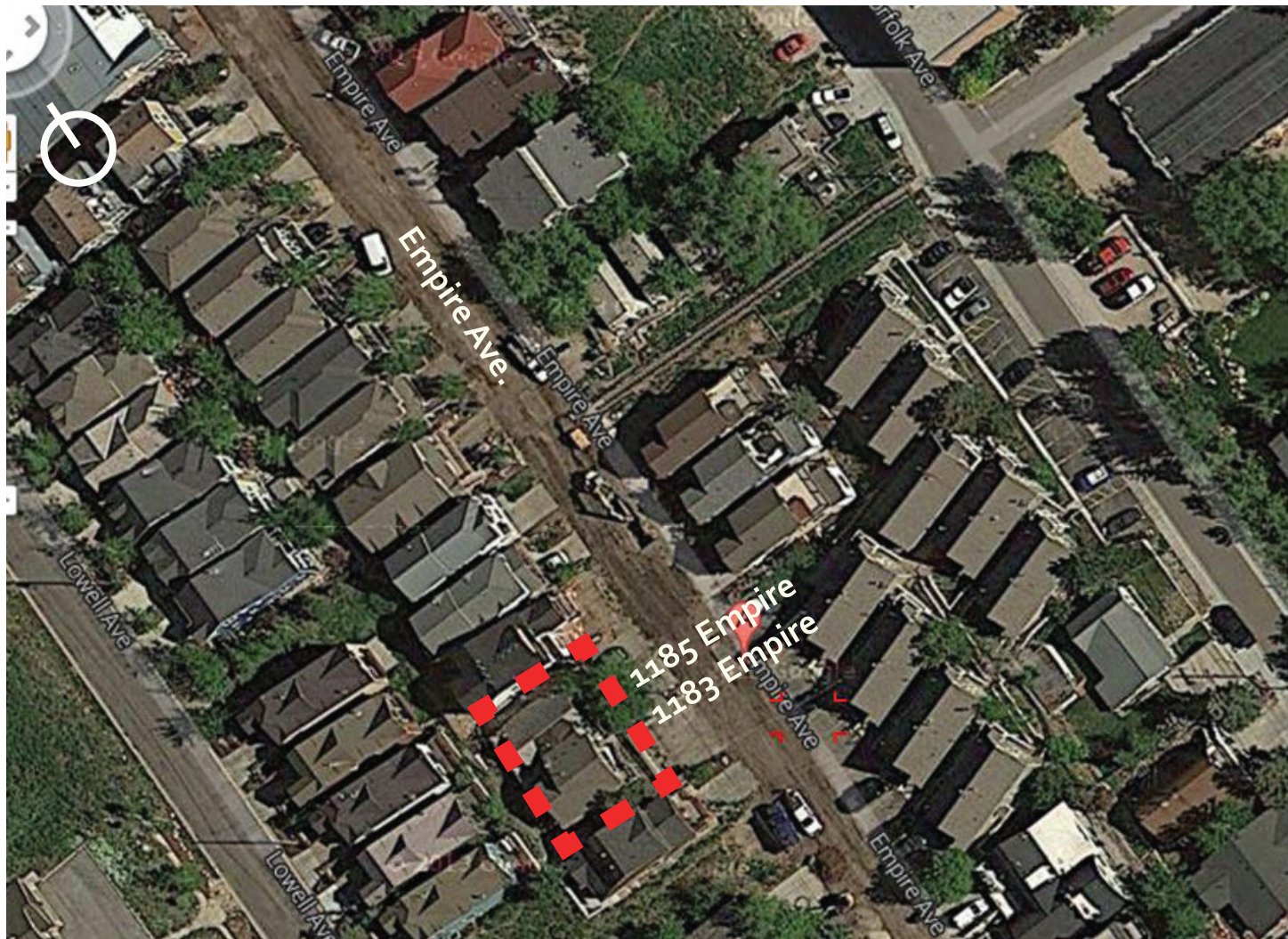
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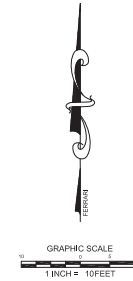
LOT 1B: ALL OF LOT 12 AND THE SOUTHERLY 7.75 FEET OF LOT 13, BLOCK 27 SNYDERS ADDITION TO PARK CITY.
LOT 1A: THE NORTHERLY 17.25 FEET OF LOT 13 AND THE SOUTHERLY 15.75 FEET OF LOT 14, BLOCK 27 SNYDERS ADDITION TO PARK CITY.
LOT 2: THE NORTHERLY 9.25 FEET OF LOT 14 AND THE SOUTHERLY 18.75 FEET OF LOT 15, BLOCK 27 SNYDERS ADDITION TO PARK CITY.

LEGEND:

—	PROPERTY LINE	●	5/8" REBAR AND CAP L.S. 5046908
- - -	CENTER LINE	●	5/8" REBAR AND CAP L.S. 163391
- - -	SNOW STORAGE EASEMENT	⌵	5/8" REBAR AND CAP L.S. 163486
- - -	ORIGINAL LOT LINE		
1185	STREET ADDRESS ON EMPIRE AVE.		

 FERRARI SURVEYING, LLC P.O.B. 685001 PARK CITY, UT (435) 640-0412	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2014 A.D. BY: _____ S.B.W.R.C.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2009 BY: _____ CHAIRMAN	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2014 A.D. BY: _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS ____ DAY OF _____, 2014 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 _____, 2014 A.D. BY: _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 2014 A.D. BY: _____ MAYOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE: ____ TIME ____ BOOK ____ PAGE ____ FEE RECORDER
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I GREGORY J. FERRARI OF PARK CITY, UTAH, CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NO. 5406908. THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME, OR UNDER MY DIRECTION, OF THE HEREON DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.

GREGORY J. FERRARI, P.L.S. 5046908 EXPIRES
MARCH 31, 2015

LOTS 1 & 2 1185 EMPIRE AVE PLAT AMENDMENT SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDERS OFFICE.

	PROPERTY LINE		5/8" REBAR AND CAP LS 5046008
	MAJOR CONTOUR		5/8" REBAR AND CAP LS 163931
	MINOR CONTOUR		5/8" REBAR AND CAP LS 163486
	CENTER LINE		WATER MANHOLE
	SNOW STORAGE EASEMENT		SEWER MANHOLE
	ORIGINAL LOT LINE		SIGN
	STREET ADDRESS ON EMPIRE AVE.		POWER POLE & GUY WIRE

CUSTOMER:	TED KING 1185 EMPIRE AVE. PARK CITY, UT 84060
PROJECT ADDRESS:	1185 EMPIRE AVE. PARK CITY, UT 84060
SERIAL NO:	1185-1 & 1185-2
RECORD INFORMATION:	LOT 1 & 2 1185 EMPIRE AVE SUBDIVISION

1. THE PURPOSE OF THIS SURVEY IS LOCATE THE BOUNDARIES OF THIS PROPERTY ON THE GROUND AND CREATE A TOPOGRAPHICAL MAP AT THE REQUEST OF TED KING.
2. THE EVIDENCE OF BOUNDARY SHOWN HEREIN IS TAKEN FROM RECORD INFORMATION COMPILED FROM 1185 EMPIRE AVE. PLAT AMENDMENT SUBDIVISION.
3. NO INVESTIGATION CONCERNING ENVIRONMENTAL & SUBSURFACE CONDITIONS, OR THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
4. NO INVESTIGATION CONCERNING THE LOCATION OF OR EXISTENCE OF UTILITY SERVICE LINES TO THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
5. ALL UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO ANY DESIGN OR CONSTRUCTION.
6. DATE OF FIELD WORK SEPTEMBER 30, 2013.
7. VERTICAL DATUM IS TAKEN FROM MONUMENT AT EMPIRE AVE & 13TH STREET EL ELEM, AZ.
8. BUILDING SETBACKS MUST BE CONFIRMED WITH THE COUNTY, HOMEOWNER'S ASSOCIATION, ARCHITECTURAL COMMITTEE, OR SIMILAR ADVISORY GROUP, IF ANY.
9. THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT.
10. BASIS OF BEARING SHOWN HEREON.

UTAH	REVISIONS	REV	DATE
P.O. BOX 6833001 PARK CITY, UT 84068			
REUSE OF DOCUMENTS THIS DOCUMENT IS THE DESIGN & DRAWING INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICE IS NOT TO BE USED, REPRODUCED OR IN ANY MANNER FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF FERRARI & SONS SURVEYING, INC.			
RECORD OF SURVEY AND TOPOGRAPHICAL MAP LOT 1 + 2 185 EMPIRE AVE SUBDIVISION TED KING			226 UTAH
PARK CITY			SUMMIT COUNTY
0 1 2 BAR IS ONE INCH OR OTHER, DRAWING NOT ONE INCH ON THE SHEET, ADJUST SURVEY ACCORDINGLY			
DRAWING:		XREF:	
DATE:		DATE:	
1 OF 1		1 OF 1	
1110 HORIZONTAL 2' CONTOURS VERTICAL		1110 HORIZONTAL 2' CONTOURS VERTICAL	
PROJECT NO.		PROJECT NO.	



FRONT SIDE (FACES EAST)
226



FRONT SIDE (EAST)



RECEIVED
SEP 16 2013
PARK CITY
PLANNING DEPT.

BACKSIDE (West)



BACKSIDE (west)



THIS SHOWS NW corner
corner of house





SOUTH WALL BACKSIDE LOOKING NORTH



232
LOOKING AT NORTH SIDE

Draft Ordinance No. 08-

**AN ORDINANCE APPROVING THE 1185 EMPIRE AVENUE PLAT AMENDMENT
LOCATED AT 1183, 1185, AND 1195 EMPIRE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 1183, 1185, and 1195 Empire Avenue have petitioned the City Council for approval of the 1185 Empire 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; and

WHEREAS, the Planning Commission held a public hearing on August 27, 2008, to receive input on the 1185 Empire Avenue plat amendment;

WHEREAS, the Planning Commission, on August 27, 2008, forwarded a positive recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the 1185 Empire Avenue 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 1185 Empire 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 property is located at 1183, 1185 and 1195 Empire Avenue in the HR-1 zoning district.
2. Two non-historic structures are located on the property.
3. The subject properties encompass Lots 12, 13, 14, and the southern three fourths portion of Lot 15, Block 14, Snyder's Addition to the Park City Survey.
4. The applicant intends on creating 2 lots from 3.75 lots.
5. Lot 1 containing the duplex at 1183 and 1185 Empire will have a width of 65.75 feet.
6. The duplex located at 1183 and 1185 Empire is a legal non-conforming structure as the building crosses two lot lines.
7. The LMC requires lots with widths from 62.5 feet up to 75 feet to have a side setback minimum of 5 feet and total of 18 feet.

-
8. ~~The duplex at 1183 and 1185 Empire will meet the side yard setback requirements.~~
 9. The structure at 1195 Empire was found to be unsafe and dangerous by Ron Ivie, Chief Building Official. A notice and order to vacate and demolish the structure was issued on October 15, 2007.
 10. The demolition of 1195 Empire must take place before the recordation of the plat.
 11. Lot 2 located at 1195 Empire will have a width of 28 feet.
 12. Due to size constraints of the Lot a duplex would not be permitted at 1195 Empire Avenue.
 13. A Historic District Design Review is required prior to any development in the Historic Residential District (HR-1).

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed 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.
3. The demolition of the structure at 1195 Empire is a condition precedent to plat recordation.
4. No remnant parcels are separately developable.

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

PASSED AND ADOPTED this 11 day of September, 2008.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, MAYOR

ATTEST:

Jan Scott, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

1185 EMPIRE AVENUE PLAT AMENDMENT
A PLAT AMENDMENT OF LOT 14 BLOCK 27 SNYDERS ADDITION
LOCATED IN SECTION 18
TOWNSHIP 28 RANGE 4E
SALT LAKE BASE AND MERIDIAN

SURVEYOR'S STATEMENT

I GREGORY J. FERRARI OF KANAB, UTAH, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NO. 5048008. THIS PLAT AMENDMENT WAS PREPARED UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE PARK CITY MUNICIPAL CORPORATION. I FURTHER CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE SURVEYED PROPERTY.



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT TED W. KING, THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, TO BE KNOWN HEREFTER AS THE UNDERSIGNED, DOES HEREBY CERTIFY THAT THEY HAVE CAUSED THIS PLAT AMENDMENT TO BE PREPARED. TED W. KING HEREBY CONSENTS TO THE RECDORDATION OF THIS PLAT AMENDMENT. ALSO, THE OWNER, OR HIS REPRESENTATIVE, HEREBY IRREVOCABLY OFFERS 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 PLAT AND CONSTRUCTION DRAWINGS IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION. IN WITNESS WHEREOF THE UNDERSIGNED SET HIS HAND THIS _____ DAY OF _____ 2008

TED W. KING

ACKNOWLEDGEMENT

STATE OF UTAH:)
COUNTY OF SUMMIT:) 08

ON THIS _____ DAY OF _____ 2008, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID STATE AND COUNTY, _____ THE OWNERS OF THE HEREON BEING DULY SWORN AND ACKNOWLEDGED TO ME THAT _____ SIGNED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

MY COMMISSION EXPIRES _____
NOTARY PUBLIC
RESIDING IN _____

LEGAL DESCRIPTION:

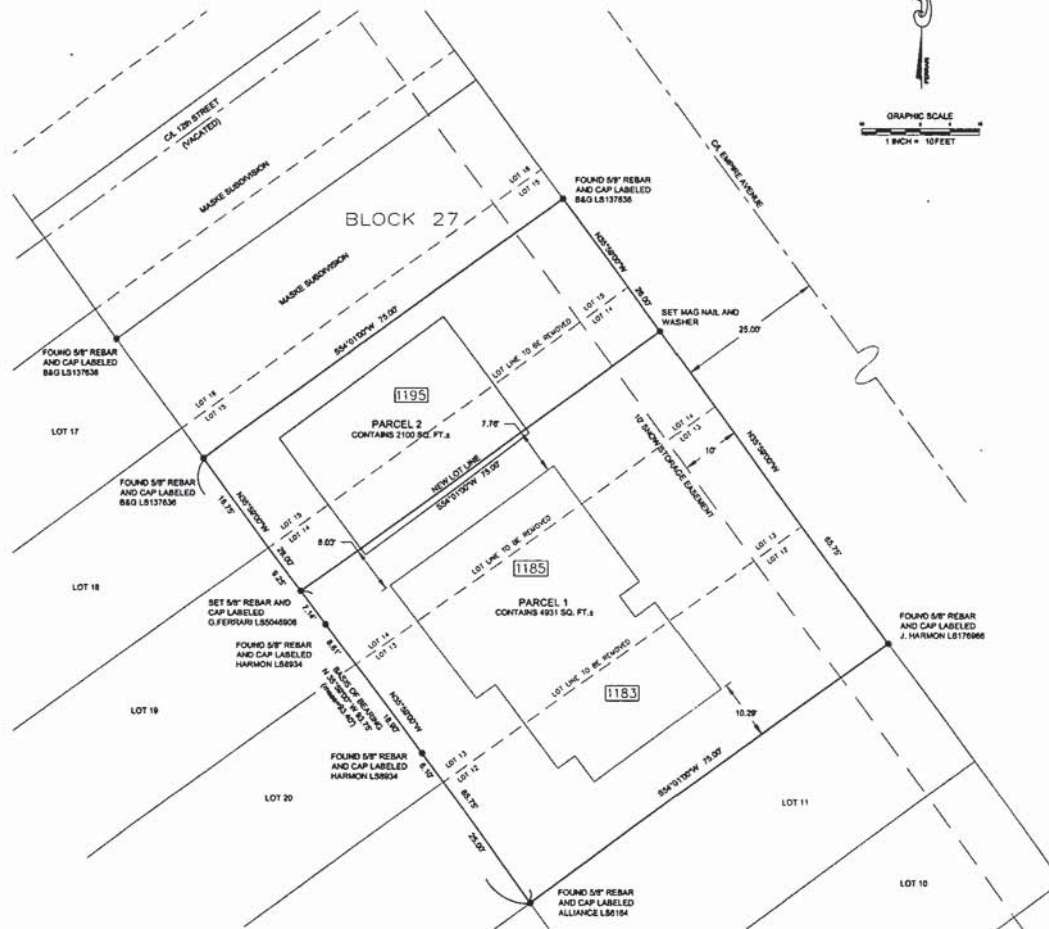
PARCEL 1: ALL OF LOT 12, ALL OF LOT 13 AND THE SOUTHERLY 15.75 FEET OF LOT 14 BLOCK 27 SNYDERS ADDITION TO PARK CITY.
PARCEL 2: THE NORTHERLY 9.25 FEET OF LOT 14 AND THE SOUTHERLY 18.75 FEET OF LOT 15 BLOCK 27 SNYDERS ADDITION TO PARK CITY.

LEGEND:

- 1185 STREET ADDRESS ON EMPIRE AVENUE, TYP.
● MONUMENT AS NOTED

NARRATIVE:

THE PURPOSE OF THIS PLAT AMENDMENT IS TO MOVE THE LOT LINE BETWEEN 1185 EMPIRE AVENUE AND 1186 EMPIRE AVENUE TO MAKE 1185 EMPIRE AVENUE 28 FEET WIDE. ALSO TO COMBINE 1185 EMPIRE AVENUE AND 1186 EMPIRE AVENUE INTO ONE LOT. PLAT AMENDMENT PERFORMED AT THE REQUEST TO TED W. KING.



FERRARI SURVEYING
271W 500N KANAB, UT 84036
(435) 785-4066

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2008 A.D.
BY _____ S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2008 A.D.
BY _____ CHAIRMAN

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2008 A.D.
BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____ 2008 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 _____ 2008 A.D.
BY _____ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL, THIS _____ DAY OF _____ 2008 A.D.
BY _____ MAYOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE _____ RECORDER _____



MAX. FOOTPRINT ALLOWED
933.1' #

1185 EMPIRE AVENUE PLAT AMENDMENT

A PLAT AMENDMENT BLOCK 27 SNYDER'S ADDITION
LOCATED IN SECTION 16
TOWNSHIP 28 RANGE 4E
SALT LAKE BASIN AND MERIDIAN

SURVEYOR'S STATEMENT

I GREGORY J. FERRARI OF KANAB, UTAH, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NO. 504908. THIS PLAT AMENDMENT WAS PREPARED UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE PARK CITY MUNICIPAL CORPORATION. I FURTHER CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE SURVEYED PROPERTY.



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT TED W. & KRISTINA M. KING, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, TO BE KNOWN HEREINAFTER AS THE 1185 EMPIRE AVENUE, DOES HEREBY CERTIFY THAT THEY HAVE CAUSED THIS PLAT AMENDMENT TO BE PREPARED. TED W. & KRISTINA M. KING HEREBY CONSENTS TO THE RECORDATION OF THIS PLAT AMENDMENT.

ALSO, THE OWNER, OR HIS REPRESENTATIVE, HEREBY IRREVOCABLY OFFERS 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 PLAT AND CONSTRUCTION DRAWINGS IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.

IN WITNESS WHEREOF THE UNDERSIGNED SET HIS HAND THIS 22 DAY OF OCT., 2008

Ted W. King
TED W. & KRISTINA M. KING, HUSBAND AND WIFE AS JOINT TENANTS

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF SUMMIT: 105

ON THIS 22 DAY OF October, 2008, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SALT LAKE AND COUNTY, *Ted W. King and Kristina M. King* BEING DULY SWORN AND ACKNOWLEDGED TO ME THAT THEY, THE OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND AND THAT THEY, SIGNED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

MY COMMISSION EXPIRES

7-19-2012

Diann Green
NOTARY PUBLIC
RESIDING IN UTAH



LEGAL DESCRIPTION:

PARCEL 1: ALL OF LOT 12, ALL OF LOT 13 AND THE SOUTHERLY 15.75 FEET OF LOT 14

BLOCK 27 SNYDER'S ADDITION TO PARK CITY.

PARCEL 2: THE NORTHERLY 9.25 FEET OF LOT 14 AND THE SOUTHERLY 18.75 FEET OF LOT 15

BLOCK 27 SNYDER'S ADDITION TO PARK CITY.

LEGEND:

1185 STREET ADDRESS ON EMPIRE AVENUE, TYP.

MONUMENT AS NOTED

NARRATIVE:

THE PURPOSE OF THIS PLAT AMENDMENT IS TO MOVE THE LOT LINE BETWEEN 1185 EMPIRE AVENUE AND 1185 EMPIRE AVENUE TO MAKE 1185 EMPIRE AVENUE 28 FEET WIDE. ALSO TO CORRECTED 1185 EMPIRE AVENUE AND 1185 EMPIRE AVENUE INTO ONE LOT. PLAT AMENDMENT PERFORMED AT THE REQUEST OF TED W. & KRISTINA M. KING.

NOTE:

MODIFIED 130 SPRINKLERS ARE REQUIRED FOR NEW HOMES AND SUBSTANTIALLY RENOVATED HOMES.



271W 300N KANAB, UT 84036
(435) 785-4066

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 22 DAY OF Oct., 2008 A.D.
BY *B.O.G.* S.B.W.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 27TH DAY OF AUGUST, 2008 A.D.
BY *Jack Thomas* CHAIRMAN

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 22 DAY OF Oct., 2008 A.D.
BY *Gregory J. Ferrari* PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 22 DAY OF Oct., 2008 A.D.
BY *Paul S. M.* PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 11 DAY OF Oct., 2008 A.D.
BY *Diann Green* PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 11 DAY OF Oct., 2008 A.D.
BY *Diana Williams* MAYOR

#860973 RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF *High Country Title*
DATE *11-24-08* PAGE *1*
FILE *32* RECORDER *Diann Green*

Chair Worel closed the public hearing.

MOTION: Commissioner Gross moved to CONTINUE 7101 North Silver Lake Condo Plat to February 26, 2014. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

3. 1185 Empire Avenue – Plat Amendment (PL-13-02163)

Planner Ryan Wassum reviewed the application for a plat amendment for the purpose of separating 1183 and 1185 Empire Avenue into two separate and legal lots with a proposed new lot line. The plat amendment would create Lot 1, which would be 1183 Empire and Lot 1A, 1185 Empire of Block 27, Snyder's Addition of the Park City survey. There is an existing non-historic on the 1183 and 1185 Empire lot, which would be raised to construct two new single family homes.

Planner Wassum reported that a demolition permit was issued to the applicant on October 1st, 2013 to raze the existing duplex at 1183 and 1185 Empire. The demolition permit is valid for 180 days and would expire on April 1st, 2014. Currently no plans have been submitted, but following the demolition the applicant intends on building two new single family homes. Planner Wassum stated that a moratorium was in place until 2016 on cutting into the road for utilities on Empire Avenue; however, that could be conditioned during the HDDR process.

The Staff found good cause for this plat amendment as it meets the Land Management Code and creates two smaller residential lots that are more compatible within the HR-1 District.

The Staff recommended that the Planning Commissioner conduct a public hearing for 1185 Empire Avenue Second Plat Amendment and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Ted King, the applicant, stated that there was an existing property line originally and a property line adjustment was made on the adjacent property. Since he owns the properties he was asked to clean up the remnant lot lines, which he did through a plat amendment. The reason for the currently requested plat amendment was to return the lot to how it was originally.

Chair Worel asked if the moratorium on cutting into the road for utilities needed to be a condition of approval as part of the Planning Commission approval, or just through the HDDR process.

Assistant City Attorney McLean replied that it was not related to the plat and she was comfortable that it could be conditioned with the HDDR. She pointed out that a building permit could not be issued until that was resolved.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for the 1185 Empire Avenue replat according to the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1185 Empire Avenue

1. The property is located at 1185 Empire Avenue and consists of two (2) “Old Town” lots, namely Lot 11, Lot 12, and the southerly half of Lot 13, Block 27 Snyder’s addition, of the amended Park City Survey.
2. The property is located within the Historic Residential (HR-1) zoning district.
3. There is an existing non-historic duplex located at 1183 and 1185 Empire Avenue with an approved demolition permit to raze the structure.
4. The property has frontage on Empire Avenue and the lot contains 4,951 square feet of lot area. The minimum lot area for a single family lot in the HR-1 zone is 1,875 square feet. The minimum lot area for a duplex in the HR-1 zone is 3,750 sf.
5. Single family homes are an allowed use in the HR-1 zone.
6. On November 26, 2013, the owner submitted an application for a plat amendment to separate the 1183 and 1185 Empire Avenue Lot into two (2) legal lots of record, Lots 1 (2,465 sf) and 1A (2,475 sf), to facilitate construction for two (2) new single family

homes. The application was deemed complete on December 13, 2013.

7. The HR-1 zone requires a minimum lot area of 1,875 square feet.

8. The property has frontage on and access from Empire Avenue.

9. The lot is subject to the Park City Design Guidelines for Historic Districts and Historic Sites for any new construction on the structure.

10. A Steep Slope Conditional Use Permit is required for any new construction over 1,000 sf of floor area and for any driveway/access improvement if the area of construction/improvement is a 30% or greater slope for a minimum horizontal distance of 15 feet.

11. The proposed plat amendment does not create any new non-complying or nonconforming situations.

12. The maximum building footprint allowed for 1183 Empire Avenue, Lot 1, is 1,073 square feet per the HR-1 LMC requirements and based on the lot size.

13. The maximum building footprint allowed for 1185 Empire Avenue, Lot 1A, is 1,076 square feet per the HR-1 LMC requirements and based on the lot size.

14. The plat amendment secures public snow storage easements across the frontage of the lots.

15. There is good cause to add a new lot line and create two (2) legal and smaller residential lots that are more compatible within the HR-1 District.

Conclusions of Law – 1185 Empire Avenue

1. There is good cause for this plat amendment.

2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.

3. Neither the public nor any person will be materially injured by the proposed 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 – 1185 Empire Avenue

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The demolition of the structure at 1185 Empire is a condition precedent to plat recordation.
4. Approval of an HDDR application is a condition precedent to issuance of a building permit for construction on the lots. Also recordation of the plat is a condition of building permit issuance.
5. Approval of a Steep Slope Conditional Use Permit application is a condition precedent to issuance of a building permit if the proposed development is located on areas of 30% or greater slope and over 1000 square feet per the LMC.
6. Modified 13-D sprinklers will be required for new construction as required 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.
7. A 10 foot wide public snow storage easement is required along the frontage of the lots with Park Avenue and shall be shown on the plat.
8. All prior snow storage easements from this property shall be reflected on this plat

4. The Fluter Subdivision, located at 225 Woodside Avenue – Plat Amendment (Application PL-13-02183)

Planner Christy Alexander reviewed the request for a plat amendment to combine 3-1/2 lots, Lots 4, 5, 6 and the south half of Lot 7, into two lots of record at 225 Woodside