PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 26, 2009

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Library and Education Center, Santy Auditorium, 1255 Park Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, February 26, 2009.

Closed Session
2:00 p.m. Litigation and property

Work Session

3:50 p.m.	Council questions/comments	
4:00 p.m.	Legislative update	
4:15 p.m.	Racquet Club remodel – presentation by VCBO	P. 5 - 22
5:00 p.m.	Hillside Avenue reconstruction project	P. 23 - 30
	(a) Presentation	
	(b) Public input	
	(c) Discussion	
5:50 p.m.	Break	

Regular Meeting
6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Consideration of and direction on the Planning Commission's recommendation to retain outside special counsel to review the vesting of the Sweeney Master Planned Development for Treasure Hill

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

IV WORK SESSION NOTES AND MINUTES OF MEETING OF FEBRUARY 12, 2009 P. 31 - 44

V NEW BUSINESS *(New items with presentations and/or anticipated detailed discussions)*

1. Consideration of an Ordinance approving the 71 Daly Ave plat amendment, located at 71 Daly Avenue, Park City, Utah
   (a) Public hearing
   (b) Motion to continue to a date uncertain

2. Resolution celebrating Park City's 125th Birthday P. 45 - 46

VI 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.

Posted: 02/23/09
See: www.parkcity.org

PARK CITY HOUSING AUTHORITY
SUMMIT COUNTY, UTAH
FEBRUARY 26, 2009

PUBLIC NOTICE IS HEREBY GIVEN that the Housing Authority of Park City, Utah will hold its regularly scheduled meeting at the Library and Education Center, Santy Auditorium, 1255 Park Avenue, Park City, Utah after the adjournment of the City Council meeting as described below on Thursday, February 26, 2009.

I ROLL CALL

II PUBLIC INPUT *(Any matter of Housing Authority business not scheduled on agenda)*

III MINUTES OF MEETING OF JANUARY 26, 2006 P. 47 - 48

IV NEW BUSINESS *(New items with presentations and/or anticipated detailed discussions)*

Consideration of the Treasure Hill Project affordable housing plan P. 49 - 71
(a) Public hearing
(b) Possible action

V 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.

Posted: 02/23/09
See: www.parkcity.org

Note: This future meeting schedule is TENTATIVE and subject to change.
PARK CITY COUNCIL TENTATIVE MEETING SCHEDULE

March 2009

5 **Jim gone**
Emergency operations training – police facility (1.5 hour)
Legislative update
Cost recovery policy for Recreation Fund
Sister Library site visit – Linda Tillson
Sundance debrief
Award of contract – traffic calming
Land Management Code – Amendments – Old Business - KW
Consideration of an Ordinance – amendments to Municipal Code Titles 1 and 2

12 Legislative update
Golf course update
Award of contract for the construction of the Snow Creek Cottages, 2060 Park Avenue
Award of contract – Park City website
Land Management Code – Amendments SS CUP TE
108 Park Avenue – Plat Amendment [PL-07-00110] KC
333 Main St – Plat Amendment [PL-08-00602] KW

19 **No meeting**

26 Legislative update
1200 Little Kate Road – Subdivision [PL-09-00632] KS
1502 Seasons Dr – Plat Amendment [PL-08-00577] KW
Award of Architectural-Design Contract- expanded transit storage and maintenance facility

April 2009

2

9 **Tom gone**

16 **No meeting**

23

30

May 2009

7

14

21

28

Pending Items:

Sergio ice cream franchise - PM
Amendment to fee resolution - GRAMA
Water supply and demand
Resolution amending (or replacing) Resolution No. 20-07, adopting Affordable Housing Guidelines and Standards for Park City, Utah
Carrying capacity/market analysis survey
Wild land interface issues
No meeting – May 14 – Dana gone

City Council Staff Report

Subject: Racquet Club Design
Author: Ken Fisher, Recreation Manager
Department: Recreation & Library
Date: February 26, 2009
Type of Item: Informational

Summary Recommendations: Affirm the general direction of the Racquet Club renovation project; and provide direction to staff on (1) replacing the existing tennis building, (2) restaurant/food service options for the facility, and (3) input on the four way stop.

Topic/Description: Renovation of the Racquet Club

Background:
The Racquet Club was identified by City Council as a high priority for 2008 targets for action. Council formed a Recreation Advisory Board Racquet Club subcommittee that has been involved in the process of identifying potential improvements to the facility.

In April 2007 Leisure Vision completed a Community Attitudes and Interest survey (Needs Assessment) for Park City. The survey identified the renovation of the Park City Racquet Club (54% of respondents) as the most important improvement that could be made among a list of various recreational amenities.

The public also wanted to renovate the existing Racquet Club (53%) versus building a new facility at a different location (7%). The amenities that the public would like to see in a renovation project are related to adult fitness & wellness with an expanded weight room, group fitness space and a walking jogging track. Expanded aquatic facilities were also highly rated by the public.

In October 2007 the City entered into a professional services agreement with VCBO Architecture to complete a feasibility study, infrastructure analysis, operational assessment and to develop conceptual design for the remodeling of the facility.

In July 2008, City Council approved $8 million for Phase I renovation of the Racquet Club plus $460,000 to rebuild the 7 outdoor tennis courts with another $2 million allocated for Phase II. This amount was based on the work done by VCBO in estimating the cost of the remodel. Table 1 below shows the current funding breakdown:

Table 1: Project Funding

Phase I	$460,000	Rebuild 7 Outdoor Tennis Courts	Funded with existing Asset Management Funds
	$6.2 million	Renovation of Racquet Club	Funded with existing funds
	$1.3 million	Renovation of Racquet Club	Budgeted & was anticipated to be funded with General Fund Surplus in FY 09
	$500,000	Renovation of Racquet Club	Budgeted & was anticipated to be funded with General Fund Surplus in FY 10
Phase II	$1 million	Future improvements to Racquet Club	Funded with existing funds
	$1 million	Future improvements to Racquet Club	Budgeted & was anticipated to be funded with General Fund Surplus in FY 09

Therefore, of the $10,460,000 budgeted for Phases I and II only $7,660,000 is available. It is unlikely that the General Fund surplus will be available to fund all CIP projects as budgeted.

Table 2: Projects that were budgeted with 2009 surplus

Proj	**Project Title**	**2009**
CP0006	Pavement Management Impl.	$100,000
CP0014	McPolin Farm	$50,000
CP0017	ADA Implementation	$10,000
CP0042	Gilmore Open Space Note	$100,000
CP0074	Equipment Replacement - Rolling Stock	$550,000
CP0075	Equipment Replacement - Computer	$150,000
CP0097	Bonanza Drive Reconstruction	$536,000
CP0142	Racquet Club Program Equipment Replacement	$50,000
CP0146	Asset Management/Replacement Program	$582,709
CP0160	Ice Facility Capital Improvements	$35,000
CP0186	Energy Efficiency Study on City Facilities	$700,000
CP0191	Walkability Maintenance	$40,000
CP0212	Park City Ice Arena Screens and Display Cases	$12,500
CP0214	Racquet Club Renovation	$1,300,000
CP0218	Emergency Management Program Replacement	$4,000
CP0221	Indoor Pool (Phase II)	$1,000,000
	Grand Total	**$5,220,209**

In September 2008, City Council approved a $547,000 contract with VCBO Architecture for architectural services for the remodel of the Racquet Club and reconstruction of the 7 outdoor tennis courts. The rebuilding of the courts will be funded by Asset Management and is estimated to cost $460,000. As part of the VCBO contract there are check in points with Council to get their input on project cost estimates and design elements.

Analysis:
The project design team, consisting of members from Planning, Sustainability, Recreation, Recreation Advisory Board (RAB) and the general public, has been meeting on a weekly basis with VCBO since September.

One of the first steps in the process was to develop the following vision statement for the project:

Fully responding to the recreation needs and desires of the Park City community is the Racquet Club's foremost objective. This will be accomplished in conjunction with providing optimal circulation throughout the facility, improved patron visibility, a comprehensive approach to sustainability and energy efficiency goals, and minimal disruption to overall operations of the existing facility for the duration of the renovation. The renovated Park City Racquet Club will fit naturally in its setting, recognizing and embracing local architectural context and neighborhood ambience. The Racquet Club belongs to the community and, as a key part of this trust, the renovation will progress utilizing available funds intelligently and engaging the public throughout the process. Through maximizing enhancements to expand recreational opportunities, the project will culminate in a vibrant, accessible center that exceeds expectations and appeals to all of Park City's diverse community members.

As the initial design was developed, the plan was to leave the existing gymnasium and the tennis building. The tennis building was to remain under the premise that it could be upgraded at a minimal cost. The roof was replaced and structural upgrades were made in 2003. The current snowload capacity is 65 lbs per square foot while current building codes require 98 lbs per square foot of capacity. Despite the 2003 upgrade the building still has maintenance issues such as being highly energy inefficient, condensation build up and occasional leaks through the roof vents.

The Building Department will allow leaving the existing tennis building as long as the renovation maintains the current structural load of the building. The structural engineer subcontracted by VCBO investigated the condition of the tennis building in conjunction with the proposed improvements to the Racquet Club and after meetings with the Building Department on structural solutions estimated that the building would need $1.5 million in structural upgrades. Due to this cost there are three options that Council should consider.

Option 1: Leave existing tennis building with minimal structural upgrades
From a design perspective in order to maintain the tennis building at its current load capacity and have minimal structural upgrades to the building any new structure would have to be a one-story, flat roof element wherever the roof is pitched (north & south side of the building).

The benefits to this are:

1. The project could be built with the existing $8 million with no change to the existing architectural fees.

2. The major improvements would be to the weight room and group fitness facilities.
3. The potential to have the least effect on current facility operations. Indoor tennis courts would have minor disruption operationally. Other amenities would be displaced but would be relocated on site.

The negatives to this are:

1. The facility would not have interconnected spaces and would result in long narrow hallways with amenities spread around the facility.
2. Lose programming amenities such as a walking/jogging track and rock climbing.
3. Less efficiency in staffing of the facility resulting in operating costs similar to the current facility.
4. Limited improvement in the energy efficiency of the tennis building.
5. The tennis building remains but will need to be replaced in a future phase.
6. Dealing with an existing building that has no construction plans or as built drawings. There is a greater unknown element when dealing with a structural upgrade of this building that could result in unforeseen change orders as the project progresses.
7. The building will not meet current snowload capacity requirements and will remain at its current level.

Table 3: Comparison of current facility, original concept and proposed concept square footage

	Current Sq footage	Original Concept Sq footage	Proposed Sq Footage
Group Fitness Room	1,229	2,280	2.941
Weight & Cardio Room	2,974	8,190	6,926
Spin Room	500	None	619
Offices	2,500	2,097	2,135
Child Care	350	686	658
Pro Shop	252	590	354
Janitor	50	110	119
Locker Rooms	2,600	2,995	1,991
Storage Room/EMG	1,386	515	1,564
Circulation/Mechanical	11,177	6,345	4,640
Pool Bathrooms (2)	529	None	529
Party Room	None	320	340
Family Locker Rooms (2)	None	460	171
Restaurant	3,000	3,527	None
Walking/Jogging Track	None	None	4,305
Bouldering/Climbing	None	None	373
Indoor Tennis Building	25,854	25,854	28,928

Option 2: Leave the existing tennis building with major structural upgrades

In order to create a facility that will meet the long term needs of the community the new structure built around the existing tennis building would need to be two stories. This would create an "unbalanced load" on the tennis structure and would require major structural upgrades.

The benefits to this are:

1. The facility would have interconnected spaces. This creates a dynamic space with a sense of interrelated activities. Long hallways would be minimal.
2. Improved and expanded amenities that would include a running/jogging track, expanded weight room, group fitness facilities, and a bouldering wall.
3. There would be no change to the architectural fees.
4. Improved staff efficiency result in lower operating costs as compared to the current facility.

The negatives to this are:

1. The tennis building would remain and need to be replaced in a future phase but its life expectancy would be extended (estimated at 10 years).
2. Cost to structurally upgrade the tennis building is estimated at $1.5 million. The resulting upgrade will not greatly improve energy efficiency.
3. The building will not meet current snowload capacity requirements and will remain at its current level.
4. Would need to use Phase II funding to structurally upgrade the tennis building.
5. Dealing with an existing building that has no construction plans or as built drawings. There is a greater unknown element when dealing with a structural upgrade of this building that could result in unforeseen change orders as the project progresses.
6. The indoor tennis courts would be unusable while the building is structurally upgraded. Medium interruption to existing service levels as classes and offices may be relocated to other locations.

Option 3: Replace the existing tennis building

In order to create a facility that will meet the long term needs of the community replacing the tennis building is the recommended option. The building will no longer be a maintenance issue, energy inefficient and not meet current City building codes.

The benefits to this are:

1. A new building will have increased energy efficiency compared to the existing building giving the city a better opportunity to create a truly energy efficient and sustainable building.
2. Keeping and renovating the existing building would increase its life by only 10 years; a new building will have a useful lifespan of 40 + years.
3. Long term costs to the city are reduced by putting in a new building that will have lower maintenance costs and have a longer lifespan.
4. The new building will be code compliant for accessibility and structural issues, where the existing one is not

5. The new building allows better orientation on the site and provides for a more compact footprint for the remainder of the facility increasing the economy of the construction costs.
6. The new building allows more room for future multipurpose space to the east, a future indoor aquatic space to the west, and possibly a restaurant near the Recreation Pool.
7. The facility would have interconnected spaces. This creates a dynamic space with a sense of interrelated activities.
8. Improved and expanded amenities that would include a running/jogging track, expanded weight room, group fitness facilities and a bouldering wall.
9. Improved staff efficiency result in lower operating costs as compared to the current facility.
10. The existing indoor tennis courts are 35+ years old. While they function fine there are issues with drainage and the limited space between each court.

The negatives to this are:

1. The project would need to use Phase II money to replace the tennis building (estimated at $4.15 million).
2. Architectural fees would increase by $53,000. This is to cover the cost of the increased scope of the project for VCBO and their consultants.
3. Four indoor tennis courts would be unusable during construction. Likely out of operation for a year. Greatest interruption to operations.

Replacing the tennis building is the determination and recommendation from RAB, Building, Planning, Sustainability, Recreation and VCBO. It is estimated to cost $4.15 million to rebuild the tennis barn and the existing four indoor courts. In order to replace the tennis building it will be necessary to use the $2 million that was budgeted for Phase II improvements in the initial upgrade of the building. The remaining $2.15 million would come from the funding for Phase I.

If Council is supportive of replacing or upgrading the structure of the tennis building (option 2 or 3) we will be able to include some recreational amenities that were in high demand by the public but were not included in the original Phase I conceptual plans. A running/jogging track and rock climbing feature were originally thought to be Phase II items. These have been included in the current Phase I design.

In the Recreation Needs Assessment that was completed in April 2007 Question 16 asked about expanded or new program areas that respondent households would use at the Racquet Club. The top 3 items identified were:

- Expanded weight room/cardio area (41%)
- Walking jogging track (36%)
- Expanded group fitness space (29%).

A track was also identified as the amenity that would be used most often in a remodeled facility. The current plan addresses all three of these areas.

The other items identified that are addressed in the current renovation plan are:

- New rock climbing/bouldering wall (21%)
- Space for meeting and parties (8%)
- Expanded childcare facilities (7%)

The current Racquet Club has a net square footage 62,378 sq. ft. The Phase I design anticipates a new facility that has a net square footage of 68,372 and a gross square footage of 71,093 sq. ft. as follows:

- 13,809 sq ft existing building to remain with minimal improvements
- 29,166 sq ft for the new tennis building
- 28,188 sq ft for new recreation center area

The chart below compares net square footage of the current facility and the proposed square footage.

	Current Sq footage	Percentage of space of current building	Proposed Sq footage	Percentage of space in proposed building
Group Fitness Room	1,229	2%	2,941	4%
Group Fitness Storage	None		480	1%
Weight Room	1,974	3%	5,517	8%
Cardio Loft	1,000	2%	1,409	2%
Spin Room	500	1%	619	1%
Offices	2,500	4%	2,135	3%
Child Care	350	1%	658	1%
Pro Shop	252	0%	354	1%
Bouldering	None		373	1%
Party Room	None		340	0%
Locker Rooms	2,600	4%	1,991	3%
Spectator Seating	None		986	1%
Family Locker Rooms (2)	None		171	0%
Restaurant	3,000	5%	None	
Walking/Jogging Track	None		4,305	6%
Pool Bathrooms (2)	529	1%	715	1%
Pool Equipment	515	1%	665	1%
Indoor Tennis Courts	25,854	41%	28,928	42%
Gym	9,462	15%	9,462	14%
Janitor Closet	50	0%	119	0%
Storage Rooms/EMG	1,386	2%	1,564	2%
Circulation/mechanical	11,177	18%	4,640	7%
Total Building Sq Ft	**62,378**		**68,372**	

Estimated Project Cost
The current Phase I conceptual design (option 3) preliminary cost estimate is $10,500,000 with the following breakdown:

Description	Cost
Architectural & Engineering Services	$600,000
Fixtures, Furnishings & Equipment (FF&E)	$200,000
Testing, Fees, Surveys, Etc. (Allowance)	$25,000
Total Estimated Soft Costs	**$825,000**
Demolition	$200,000
Site Work	$500,000
Replace 7 outdoor tennis courts	$455,000
New Indoor Rec Center	$4,370,000
New Indoor Tennis Courts & Building	$4,150,000
Total Estimated Construction Costs	**$10,500,000**
Phase I Budget	$8,460,000
Phase II Budget	$2,000,000
Combined Phase I & II Budget	**$10,460,000**
Budget Shortfall	**($50,000)**
Funding Shortfall	**$2.8 million**

The cost estimate was done by VCBO in February and does not include any potential savings that may be realized by the current price de-escalation in the construction industry. The estimate was based on building costs of recent recreation facilities that VCBO has designed. Given the current economic climate there is a potential that the actual construction costs may be less.

In order to cover the $50,000 budget shortfall the design will be altered to accommodate the combined totals of Phase I & II or alternative funding sources will be applied for (RAP Tax & Grants).

The National Recreation & Parks Association (NRPA) and the United States Tennis Association (USTA) have partnered to offer grants up to $50,000 for public facilities that will be renovating or building new tennis courts. These are rolling grant (no deadline) that staff will be applying for.

If the tennis building is replaced, VCBO's scope has changed and the architectural fees will increase by $53,000 from $547,000 to $600,000. This covers the additional scope for VCBO and their consultants. There is no increase to the fee due to schematic design needing to be updated to reflect the replacement of the tennis building. In other words the contract continues as is with the work that has been done but given the change in scope VCBO's fee will increase. This represents a fee increase of 8.8% while the project budget has increased by 25%.

The recommendation is to fund the replacement of the tennis building in Phase I with the funds that have been allocated for Phase II construction. This will allow the entire facility to be designed as one unit so that it will be an energy efficient building as well as efficient spacewise.

As part of the VCBO contract the Racquet Club is to be master planned to include future phases to make sure as the project is built out that we would not have to remove items that were just built to accommodate the future phase. Build out anticipates indoor aquatics and indoor space for additional tennis courts or a multi athletic court.

Project Timeline & Phasing

As mentioned earlier in this report in July 2008, City Council approved $8,460,000 for Phase I renovation of the Racquet Club with another $2 million allocated for Phase II. Of that amount $2.8 million is unfunded.

Phase I	$460,000	Rebuild 7 Outdoor Tennis Courts	Funded with existing Asset Management Funds
	$6.2 million	Renovation of Racquet Club	Funded with existing funds
	$1.3 million	Renovation of Racquet Club	Budgeted & was anticipated to be funded with General Fund Surplus in FY 09
	$500,000	Renovation of Racquet Club	Budgeted & was anticipated to be funded with General Fund Surplus in FY 10
Phase II	$1 million	Future improvements to Racquet Club	Funded with existing funds
	$1 million	Future improvements to Racquet Club	Budgeted & was anticipated to be funded with General Fund Surplus in FY 09

The original timeline for the project anticipated construction starting this spring/summer but given the recommended change in scope the start will be pushed back to February 2010 with the project being completed the spring 2011. This is beneficial because this will give the City a chance to have a clearer picture of the effect the current economic crisis may have on City funding. If funding needed to be extended to FY 11 this delayed project timeline would allow this to happen. This delay will also allow give Council a chance to prioritize the Racquet Club renovation with other unfunded projects such as OTIS.

Replacing the tennis building will impact operations greatly since the 4 indoor courts would be out of service for approximately a year. While under construction operations would be limited in the winter to the three bubbled courts, group fitness room and the gymnasium. In the summer we would have the seven outdoor courts, group fitness room, the two pools and the gymnasium operating.

Staff will return to Council at a later date with a relocation plan for programming and staffing. The project budget currently does not include a cost to relocate offices and programming since the original phasing plan anticipated a majority of staff being able to stay on site.

Sustainable Strategies
The major sustainable strategy for the Park City Racquet Club Renovation is to focus on dramatically improving energy use and performance of the building systems and experience of the users. This goal will be accomplished by improving the building envelope with increased insulation and high efficiency window systems, installing high efficiency mechanical and lighting systems, incorporating maximum amounts of daylight, and utilizing low maintenance, durable materials.

These changes will drastically improve the user experience in the building by providing access to mountain views, daylight and an open and functional space for recreation. These changes will make the facility more energy efficient thus lowering utility costs and reducing the impact of the facility on the environment.

Per Section 5 of the City's Green Building Policy (Attachment 1*): "At completion of the schematic design process, a professional cost estimate will be done and a list of green elements, with differential pricing, will be provided to the City Council. The City Council will approve green design elements and allocate any additional funding, not to exceed 4% of total building costs, including approved change orders, to be utilized to design and construct a high performance building above levels previously described in this resolution. If the City Council is unable to allocate the full 4% of the total building costs the remaining amount may at the Council's discretion be placed into a CIP budget for energy and environmental improvements to other City facilities."*

Some of the ideas being considered for the 4% are the following:

1. Commissioning agent
2. Renewable energy
3. Green Roof
4. Daylight sensors near windows
5. Occupancy sensors for lighting
6. Low flow plumbing fixtures
7. Construction Waste Management (Diversion from landfills)

Per Section 5 of the policy, staff will return at the completion of schematic design with an itemized list with differential pricing for green building elements.

VCBO believes the facility is on track to receive a LEED Silver designation.

For more detailed sustainable strategies, see Attachment 2

Restaurant
The City originally entered into a Lease Agreement with Michael Collins of Coach Collins LLC in May 2008. The terms of the lease go through June 15, 2009 and thereafter continued on a month to month basis until the remodel of the Racquet Club

begins. Given the change in the project timeline it is anticipated that the restaurant will be able to operate until February 2010.

Per the lease agreement, if the restaurant is part of the remodel Collins would have the right of first refusal to negotiate a new lease assuming he has complied with all the requirements of the current lease.

Coach's has been a good tenant and is current on all rent payments ($2,000 per month). A restaurant is a nice amenity to the Racquet Club and is generally well used by patrons.

In the original concept design of the Racquet Club the space allocated for a restaurant was 3,000 sq feet. In order to bring the project closer to budget the design committee recommended removing the restaurant versus removing a recreational amenity. The recommendation to replace the tennis building necessitated the need to remove the restaurant from the current concept design. This is based on budget not space requirements as we have allocated space for a 3,000 sq ft restaurant in the facility master plan so it could be built in a future phase.

The design team believes, based on the Needs Assessment and space / budget analysis, that while a restaurant is an amenity in considerable demand within the facility, it is not the Recreation Department's primary mission to provide a restaurant. Providing recreational opportunities for the community is a higher priority, thus the reason for eliminating the restaurant from Phase I. A restaurant could be added in a future phase.

The design committee has allocated space in the master plan to build a restaurant on the first floor. Funding the construction of this space is an issue. It is estimated to cost $600,000 to build just the shell. Staff is looking for direction on how to proceed with the restaurant. The options are:

a. Fund the restaurant as part of an initial Phase I $8 million dollar project. This would result in less square footage for other recreational amenities identified as a higher priority in the Recreational Needs Assessment. This is not recommended.
b. Fund the restaurant with Phase II money ($2 million) that was budgeted last year. This would eliminate the recommendation to replace the tennis building and is not recommended.
c. Not include a restaurant in any Phase of the project.
d. Leave a restaurant in the master plan for possible development in the future.
e. Take an approach similar to the shell space and condominiumize it. This would mean the City would build the space but then sell it out right to the operator. The operator would be fully responsible to complete the interior build out and fund all furniture, fixtures and equipment to complete the restaurant space. This could be done but the City would lose control and future use of the space. The current tenant is not interested in this option at this time.
f. Build the restaurant shell space then charge market rent and require the operator to complete, at its cost, the interior build out as outlined above. For example if

the city invests $600,000 in the space and was able to collect $4,000 a month in rent (current rent is $2,000) they would recoup the $600,000 in 12.5 years. This option would allow the City to maintain ownership and control of the space but would require City funding to build it. The ability to actually collect $4,000 a month in rent is unknown at this time. The current tenant does not believe that a restaurant would work at $4,000 a month rent.

Four Way Stop: Council has funded $75,000 for the development of a four-way stop at the intersection of Little Kate, Monitor and the Racquet Club. The current proposed site plan maintains the three-way stop that is currently in place. A four-way stop is not recommended. According to the City Engineer a four way stop would create confusion because one of the roads to the intersection would be a driveway. When intersections are developed in this manner it tends to not work well as the drivers on the actual road tend to not give the same priority at the intersection to the vehicles leaving the parking lot.

Staff and the architect recommend the current entrance configuration in the conceptual design and not developing a four way stop.

Community Input: The renovation plans have not been presented formally to the community yet but based on Council input and direction the preliminary plans will be refined and presentations on the design will be scheduled this spring.

Department Review:
This report has been reviewed or received input from the City Manager, Sustainability, Planning, Building, Recreation & Library, Engineering, Budget and Legal.

Alternatives:

- **A. Approve the Request**: Affirm the general direction of the Racquet Club renovation project; and provide direction to staff on (1) replacing the tennis building, (2) restaurant/food service options for the facility, and (3) input on the four way stop.
- **B. Deny the Request:** Council may change the scope of the renovation project or decide to not continue with the project at this time.
- **C. Continue the Item:** Council may ask staff for more information before proceeding further with the renovation project
- **D. Do Nothing:** This will result in a lack of clarity on how to proceed with the renovation project.

Significant Impacts: The renovation of the Racquet Club is a major project that will influence the recreational opportunities for the community for years to come. The current facility is outdated and in need of significant upgrades. Council approved funding of $8 million for Phase I improvements and another $2 million for Phase II. It is possible that Phase 1 of the renovation project will be under construction in February 2010 with an estimated completion date of Spring 2011.

Given the uncertainty surrounding the local economy, taking on a project of this size may be seen as a risky undertaking but there are several reason that it should continue to proceed as scheduled at this time.

1. The project will not be ready to go to bid until next winter and Council at that time will be able to approve or not approve a construction contract. By next winter the City may have better information on the status of the local economy and the impact it may have on capital projects.
2. The renovation of the facility has been identified by residents as the most important recreational improvement that could be made. The Racquet Club continues to have strong growth in usage. According to the door counter the facility had over 314,000 people come through the front door between October 07 and November 08.
3. Construction costs are estimated to be at a five year low. The City has built several projects at the top of the building cycle and with this project the City should be able to receive great value by building on the low end of the building cycle.
4. Government spending ideally is counter cyclical. The renovation project will help stimulate the local economy providing work for contractors and sub contractors in the area.
5. The Mayor and Council have identified the Racquet Club as a High Priority in their 2008 goals, and the renovation of the facility is consistent with the Economic Strategic Plan.
6. One of the number one reasons people live in this community is for the recreational amenities provided. It is important to continue to provide recreational opportunities for the local population to maintain a healthy community.

If Council uses the $2 million Phase II money on Phase I this would limit alternatives that Council has for covering a General Fund shortfall.

Staff believes that a discussion of the possible funding options for a potentially expanded scope is best had during the budget meetings in May. In the meantime, the Recreation and Budget Departments will explore funding solutions and propose them to the CIP Committee. This committee will forward a recommendation to the City Manager, who will ultimately propose a recommended scope and funding scheme in the City Manager's Recommended Budget. Possible funding sources which staff may consider include the $2 million set aside in Racquet Club Phase II and a potential sales tax bond.

One alternative may be to fund OTIS projects with the cash on hand reserved for the Racquet Club and issue a sales tax bond for the Racquet Club Renovation (rather than bond for OTIS). These ideas have yet to be sufficiently vetted at this point, though, and are probably best considered within the broader context of the budget process.

Consequences of not taking the recommended action: If Council decides to not move forward with the renovation project then the facility will remain status quo and will not meet the needs of the community as outlined in the Community Attitudes and

Interest survey completed in April 2007. The Racquet Club will continue to require significant and costly repairs without extending the longevity of the structure. The facility has a limited lifespan, maybe 10 years before it will need to be replaced.

Recommendation: Affirm the general direction of the Racquet Club renovation project; and provide direction to staff on (1) replacing the existing tennis building, (2) restaurant/food service options for the facility, and (3) input on the four way stop.

Attachment 1: Green Building Policy

Resolution No. 12-07

A RESOLUTION ADOPTING GREEN HIGH PERFORMANCE BUILDING REQUIREMENTS FOR ALL NEW OR RENOVATED PUBLIC BUILDINGS, OWNED AND CONTROLLED BY PARK CITY, UTAH AND ALLOCATION OF 4% MAXIMUM ADDITIONAL BUDGET TO ACHIEVE HIGHER LEVELS OF CERTIFICATION AND PROMOTE ENERGY EFFICIENCY AND SUSTAINABLE DESIGN.

WHEREAS, the City desires to promote sound environmental practices in new construction and renovation of facilities that are funded by the City; and

WHEREAS, high performance building standards promote a healthy environment, provide long-term cost benefits through the efficient use of energy, optimize building performance, and create healthier workplaces for employees and visitors; and

WHEREAS, a strategic approach to sustainable buildings and energy management can produce twice the savings for the bottom line and the environment as typical approaches; and

WHEREAS, the Environmental Protection Agency (EPA) and Department of Energy (DOE) Energy Star Program is designed to help reduce energy costs and protect the environment through efficient products, homes, industrial plants, and buildings; and

WHEREAS, the Energy Star program includes free online benchmarking and monitoring tools for simple implementation of the program; and

WHEREAS, it is accepted by the professional engineering community that an Energy Star rating of a minimum of 75 can be achieve with no net impact on the first costs of a project; and

WHEREAS, the Leadership in Energy and Environmental Design (LEED) rating system, which is a system created by the United States Green Building Council (USGBC) to provide a national standard for healthy environmental and energy efficient design; and

WHEREAS, many professionals in our region are familiar with the LEED process, which is considered to be a consensus-based national standard for developing high-performance, sustainable buildings; and

WHEREAS, the foregoing alternative standards provide for various certifications designated as “Certified,” “Silver,” “Gold,” or “Platinum,” based on the number of specified environmental practices incorporated into a project, with “Certified” being the lowest level of certification; and

WHEREAS, there is consensus in the professional community that LEED Certification can be achieved with no net effect on initial budgets; and

WHEREAS, Park City understands that additional energy efficiencies, further reductions in environmental impact, and increased benefits to health and safety of employees and visitors can be achieved by achieving higher levels of Energy Star rating and LEED certification; and

WHEREAS, the purpose of this Policy is to adhere to high performance building practices, and provide additional funding to ensure Park City facilities are the most energy efficient, cost effective, environmentally responsible, and safe and healthy buildings in the State of Utah; and

WHEREAS, the City has determined to require the use of Energy Star and LEED standards on all new construction and major renovations in order to obtain the benefits promoted by those standards.

NOW THEREFORE, be it resolved by the City Council of Park City as follows:

SECTION 1. REQUIRE FACILITIES BE DESIGNED TO MEET ENERGY STAR.
It is the intent of the City Council of Park City that all new buildings and major renovations be designed to meet Energy Star certification to a score of 75 or higher. The City Council understands that Energy Star certification cannot be awarded until an entire year of building operations have past. After one year, energy use will be reviewed, buildings will be benchmarked using the Energy Star inventory, and Energy Star certification will be achieved. Energy Star knowledge and implementation experience shall be required, but not individually controlling, selection criteria for service providers and contractors for all Park City building projects.

SECTION 2. REQUIRE FACILITIES BE DESIGNED TO LEED "CERTIFIED" LEVEL OR COMPARABLE INDUSTRY STANDARD.

It is the intent of this Policy that, in order to obtain the benefit of reduced operating and maintenance costs and other building efficiencies, as well as cost-saving healthy environmental practices, all new construction and major renovation projects meet the LEED Certified level or comparable industry standard such as . This policy does not require the City go through the process of receiving LEED certification from the United States Green Building Council, instead, certification can be reviewed on a case by case basis.

SECTION 3. APPLY THIS RESOLUTION TO THE FOLLOWING PROJECTS.
Park City will apply this policy to the following construction projects when the project's design contract is first solicited after the date of this Resolution, except as exempted or waived under this Resolution: All new construction to construct buildings owned and controlled by the City that are larger than 3,000 square feet, all affordable housing projects developed by the City, and all major renovations of buildings owned and controlled by the City that are larger than 3,000 square feet when the building has a remaining useful life in excess of fifteen years. The term "major renovation" means a construction project affecting more than 25% of the building's square footage.

SECTION 4. EXEMPT PROJECTS FROM THIS POLICY WITH CITY COUNCIL APPROVAL.

Park City will not apply this resolution to the following, and City departments are required to document the reason for the exemption:

- Any improvement that is not a building.
- Buildings that will not be occupied, or that serve specialized functions (including pump stations, garages, storage buildings, equipment areas, etc.)
- Projects where the useful life of an improvement or other factors do not justify whatever additional expense would be incurred to increase a building's long-term efficiency.
- Projects where the application of LEED factors will increase construction costs beyond the City's funding capacity for the project.
- Projects where the use of LEED factors will create an impediment to construction due to conflicts of laws, building code requirements, federal or state grant funding requirements, or other similar requirements.
- Projects where LEED factors are not attainable due to the nature of the facilities or the schedule for construction.

In addition to the exemptions stated above, particular LEED factors shall not prevail over any prohibition in the City Code. The documentation for any of the above exemptions shall be maintained in the project file of the Department with a copy to the City Council.

SECTION 5. ADDITIONAL FUNDING FOR PROJECTS TO ACHIEVE INNOVATIVE ENERGY AND ENVIRONMENTAL PERFORMANCE.
At completion of the schematic design process, a professional cost estimate will be done and a list of green elements, with differential pricing, will be provided to the City Council. The City Council will approve green design elements and allocate any additional funding, not to exceed 4% of total building costs, including approved change orders, to be utilized to design and construct a high performance building above levels previously described in this resolution. If the City Council is unable to allocate the full 4% of the total building costs the remaining amount may at the Council's discretion be placed into a CIP budget for energy and environmental improvements to other City facilities.

SECTION 6. EFFECTIVE DATE. This resolution shall become effective upon adoption.

Passed and adopted this ______________________________.

PARK CITY MUNICIPAL CORPORATION

____
Mayor Dana Williams

Attest:

____
Janet M. Scott, City Recorder
Approved as to form:

____
Mark D. Harrington, City Attorney

Attachment 2: Park City Racquet Club Sustainable Strategies

Site Strategies

- Reduced parking, proximity to and enhanced public transit stop and connections to adjacent residential development will all work to encourage alternate transportation to and from the Racquet Club. Preferred stalls for carpool parking may also be considered along with Hybrid vehicles.
- Bicycle racks will be located near the front entry
- Where possible, we will retain storm water on site.
- The building is oriented to take advantage of optimal views and solar exposure.

Water Efficiency

- At direction of the owner, Low flow plumbing fixtures can be used throughout to reduce the water used in the building.

Energy Conservation

- At direction of the owner, A commissioning agent can be integrated into the process to verify building systems operate as designed
- The building systems will be designed to take advantage of the Park City climate and will exceed code minimum energy performance

Construction Processes

- Construction phasing will be planned and implemented to ensure users are not exposed to construction pollution
- VCBO will work with the contractor to ensure construction waste is recycled.
- Recycled and regional materials will be specified
- Durable materials will be used to ensure maintenance and material replacement is minimized

User Experience

- The building will be designed for optimal efficiency, comfort and control for building users
    - Daylight sensors at perimeter lighting
    - Premium efficiency light fixtures with occupant sensors and timers
    - Thermal controls and operable windows to promote thermal comfort
    - Acoustically appropriate materials in common and private spaces

- Low emitting materials will be used to ensure a healthy environment for users during and after construction
- High quality filters will be used on the mechanical systems
- Daylight and views will be allowed to permeate deep into the building spaces and provide a connection to nature for all users.

City Council Staff Report

Subject: Design Discussion for Hillside Avenue Reconstruction
Author: Matthew Cassel, P.E., City Engineer
Department: Engineering
Date: February 26, 2009
Type of Item: Direction: Regarding Street and Project Design

Summary Recommendations:
Council should provide policy direction on the reconstruction of Hillside Avenue including: final road width; sidewalk/pedestrian location; and the classification of Hillside Avenue per the Streets Master Plan.

Background:
A contract was approved with Ward Engineering on October 2, 2008 to provide the necessary design work for repair/reconstruction of Hillside Avenue. The design includes a retaining wall to support the road and its sub-base, replacement of the sanitary sewer and water line, and a sidewalk on one side of Hillside Avenue or in an alternative location. Storm drain repair/replacement and dry conduits for future under-grounding of overhead utilities may be included as well.

The waterline is being designed by Bowen Collins & Associates through their contract with the City's Water Department and incorporated into the construction plans. Additionally, Ward Engineering Group signed a separate contract with SBWRD for the design to replace the sanitary sewer.

The design process for Hillside Avenue includes:

Task 1 – Preliminary Design
Task 2 – Final Design
Task 3 – Bidding Support
Task 4 – Construction Support
Task 5 – Post Construction

An open house meeting was held on September 25, 2008 to discuss the project with residents and others concerned with the project. Approximately 15 people attended the meeting. Numerous requests were made during the meeting to include sidewalk with the project.

Another open house meeting was held on December 17, 2008 to discuss the preliminary design with residents and others concerned with the project. Approximately 5 people attended the meeting. One request made during the meeting was to include an upgrade of the road signage so traffic is not routed to Hillside Avenue. In general, the neighborhood was comfortable with the proposal to increase the road width.

The Preliminary Design is complete and was reviewed by City Council during the January 8, 2009 work session. A majority of Council was interested in discussing the project again. Before the final design starts, we would like to revisit and discuss the road width and finalize the sidewalk/pedestrian connection discussion with Council.

Analysis:
Two key issues from the January 8, 2009 Council work should be discussed.

1. Final location for the sidewalk/pedestrian connection
Numerous locations for the sidewalk had been identified including: along the south edge of Hillside Avenue (between the existing historic walls and the new roadway); between the two retaining walls for Hillside Avenue; and along the old Grant Avenue right-of-way connecting Hillside Avenue directly with Swede Alley. Staff recommendation for the January 8, 2009 work session was to locate the sidewalk for a short distance between the two proposed retaining walls and then use a set of stairs to bring the passage down to the recently constructed Old Town Park. This sidewalk/pedestrian connection adds approximately 250 additional feet of walkway needing to be maintained by Public Works. This recommendation was selected because the Grant Avenue ROW was thought to be landlocked with private ownership issues requiring the City to obtain an easement or requiring property acquisition. Since then, an existing easement was found that will allow the stairs/pedestrian connection to extend down the Grant Avenue ROW from Hillside Avenue to Swede Alley. The additional stairs/pedestrian connection is anticipated to add approximately $400,000 to the project budget, and will be an additional 350 lineal feet to maintain by Public Works resulting in an additional yearly operation and maintenance cost of $9,729. In further discussion with our Sustainability Team and due to the tight project budget, it is recommended to defer the design, construction, and final location of the stairs/pedestrian connection to the future. This will likely coincide with permitting of the affordable housing project on Marsac Avenue. Additionally, the existing Sandridge Road stairs currently provide an existing level of service to pedestrians heading to Main Street. Engineering and Building/Planning agree with this recommendation to defer construction of the stairs/pedestrian connection. If Council concurs with this direction, Staff will make a Capital Project request as part of the FY 2010 budget to allow Council to prioritize this project in the future.

2. Final roadway width
Alternative 1 - During the January 8, 2009 Council work session, discussion took place concerning the design width for Hillside Avenue. The minimum roadway width required to meet fire code is 20 feet. A 20.5 foot wide roadway (18.0 foot paved surface, 2.5 foot curb and gutter on the west side only) was the width directed by a majority of Council and what we anticipated designing along with signage to minimize truck traffic. During our discussion, though, it may not have been clear as to the full roadway cross section, which is 30.5 feet in total width. In addition to the paved surface, there is an additional 5 foot unpaved area on both sides of the pavement. This area is for snow storage and a buffer area. A cross section display of this roadway section is attached as Alternative 1.

Alternative 1 remains the recommended alternative by Engineering, Building and the Park City Fire District. However, as described below, Engineering, Building and Risk Management have agreed that Alternative 2 is a code-compliant option so long as a minimum of 20 feet hard surface road area is maintained.

Park City Fire District has reviewed the alternatives and is concerned with the reduced roadway width as provided in Alternative 2. They recommend Alternative 1 with modifications to increase the paved travel way to 20 feet.

<u>Alternative 2</u> - On January 27, Staff held an on-site meeting to again review the Hillside roadway width. From that meeting, a reduced cross section for a 20 foot roadway was developed and is attached for review as Alternative 2. The reduced cross section includes a 6" – 1' buffer between the existing historic wall and a 2 foot concrete edge support followed by a 15.5 foot paved surface, a 2.5 foot concrete rolled curb and gutter on the west side only, followed by a 3 foot unpaved buffer and then the new retaining wall. A cross section of Alternative 2 is also attached. Alternative 2 is preferred by our Planning and Sustainability Teams.

Concerns with the 15.5 foot paved surface of Alternative 2 include the narrowness of the new section and the possible inability to maintain two open lanes all year long, the lack of snow storage and restricting our ability to make adjustments to changing traffic patterns in the future.

In the 1984 Street Master Plan, Hillside Avenue is classified as a "residential street," which for new streets requires minimum requirements of 25 foot travel section, and 2.5 foot curb and gutter on each side. Thus the Street Master Plan would seem to suggest alternative 1. The standard is not mandatory for repair of existing streets and the Plan further provides:

> "The cross-section diagram below is the standard to be used for the construction of all new residential roadways in Park City. In unique circumstances or in areas where alternative designs would result in a more appropriate solution, other optional cross-sections are permissible at the City's discretion."

Therefore, even if the reconstruction is considered "new," the Council has the discretion to approve either Alternative 1 or 2. The key question is what is the appropriate solution. That is a policy question for Council to consider. In order to discuss solutions, the problem should be identified. Staff agrees that the problem is that Hillside Avenue needs to be improved and enhanced. Perhaps by asking some questions we can get to a desired policy direction.

1. Does Council believe that a real or perceived narrow road will deter use of the road?
2. Does Council believe that a narrower road will be safer because people will be more cautious?
3. Does Council want to deter use of Hillside as another access to Main Street.

4. Does Council believe that the Roundabout, Heber Avenue, and 9th Street are sufficient access to Main Street?

If the answer is 'yes' to most of these questions, that would likely suggest Alternative 2. If 'no' is mostly the answer, that may suggest Alternative 1. It is hard to know whether a perceived or actually narrower road will cause people going to Main Street not to use the road and thus make it less residential. Over the next 5 years as Empire Pass builds out, car and van traffic on that part of S. R. 224 is projected to increase by 38%. Engineering and Building recommend Alternative 1 to address that growth and ensure safety. They believe Alternative 2 will also adequately address safety needs but would prefer to have a wider section in anticipation of traffic growth and use of the street. Without an updated traffic model, it is difficult to predict traffic patterns in the future and the role Hillside Avenue will play. Planning and Sustainability recommend Alternative 2 in an effort to keep Hillside primarily a residential street and do not believe that Main Street, lower Marsac Avenue or the economy will be adversely impacted with a narrower road. If Council selects Alternative 2 (or Alternative 3 below), the Streets Master Plan should be amended and Hillside should be classified as a low volume street and road width reduced from 25 feet of hard surface to 20 feet of hard surface.

Alternative 3 - Through staff discussion, a third alternative has emerged. This alternative combines the cross section from Alternative 1 with the road section from Alternative 2. Combining these two elements does address all of the goals of the staff. The wider cross section provides the ability to meet future traffic growth demands thus meeting the goals of Public Works, Building and Engineering, while the narrower road section meets the goals of Planning and Sustainability in keeping Hillside Avenue a residential (local) street. This alternative does not meet the requirements of the Park City Fire District. A cross section display of this roadway section is attached as Alternative 3.

Department Review:
This report has been reviewed by Planning, Building, Public Works, Sustainability, Park City Fire District, City Manager and City Attorney.

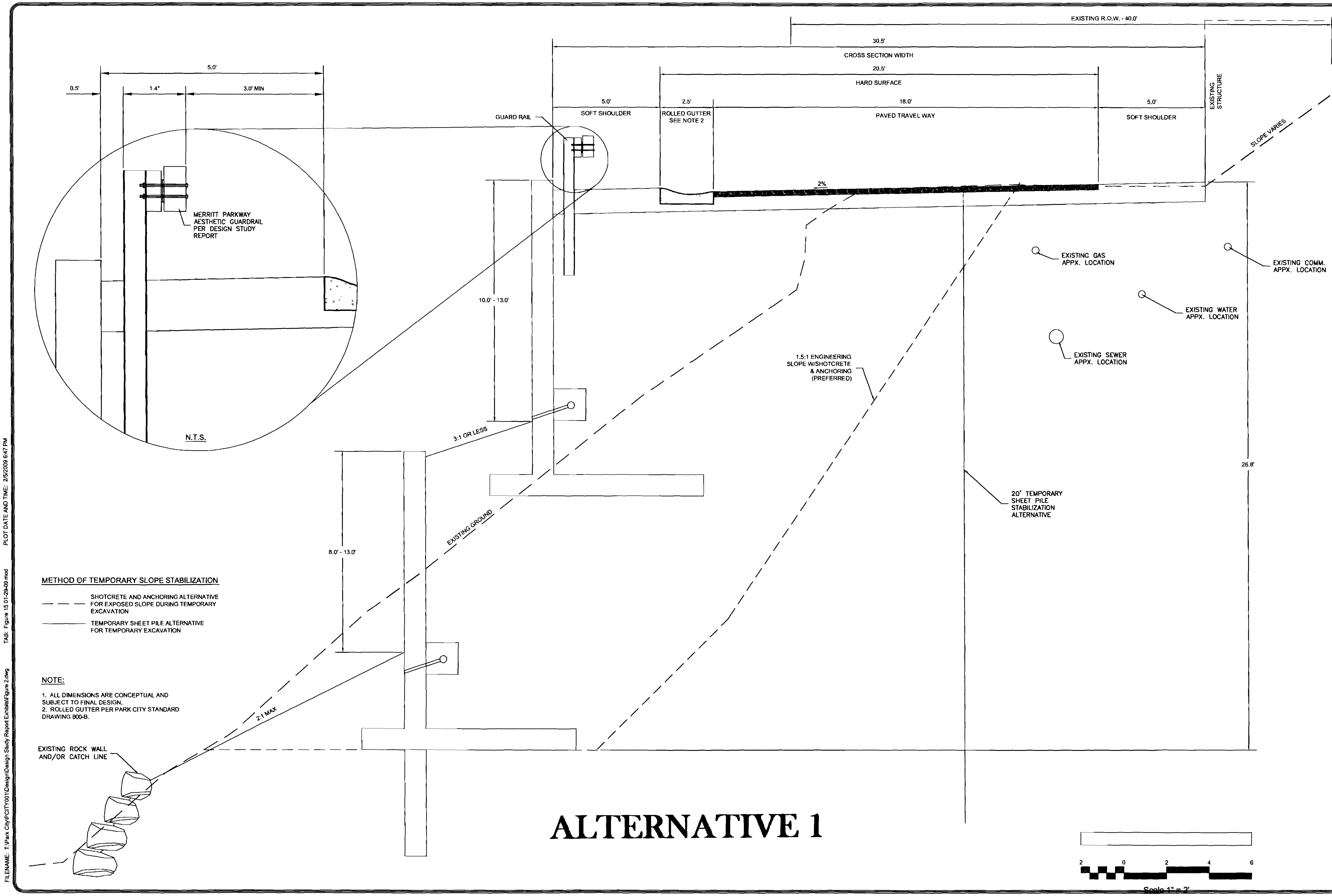
Recommendation:
Council should provide policy direction on the reconstruction of Hillside Avenue including: final road width; sidewalk/pedestrian location; and the classification of Hillside Avenue per the Streets Master Plan.

Exhibits:

Alternative 1: Cross section view of Hillside Avenue with 18 foot wide paved surface and total hard surface of 20.5 feet, plus an additional 5 feet unpaved buffer on each side for a total width of 30.5 feet

Alternative 2: Cross section view of Hillside Avenue with 15.5 foot wide paved surface and total hard surface width of 20 feet plus an additional 3 feet unpaved buffer on the west side and 6”-1 foot on the east side for a total width of approximately 23.5 feet

Alternative 3: Cross section view of Hillside Avenue with 15.5 foot wide paved surface and total hard surface width of 20 feet plus an additional 10 foot buffer on the west side and 6”-1 foot on the east side for a total width of approximately 30.5 feet



ALTERNATIVE 1

HILLSIDE AVE
PARK CITY, UT 84060
Expanded Width Typical Section

231 West 800 South Salt Lake City, Utah 84101
Ward Engineering Group
Planning • Engineering • Surveying
PH: 801 . 487 . 8040 FX: 801 . 487 . 8668

CLIENT: PARK CITY
DWG: Figure 2
JOB No: PCITY 001
DO NOT SCALE THIS DRAWING. DRAWING IS REDUCED IF LESS THAN 22x34 x 34x44 • DIMENSIONS AND NOTES TAKE PRECEDENCE

DRAWN BY: BV
DESIGN BY: BV
CHECKED BY: MTD
DATE: 12/10/08

REVISIONS

SHEET
FIGURE 15

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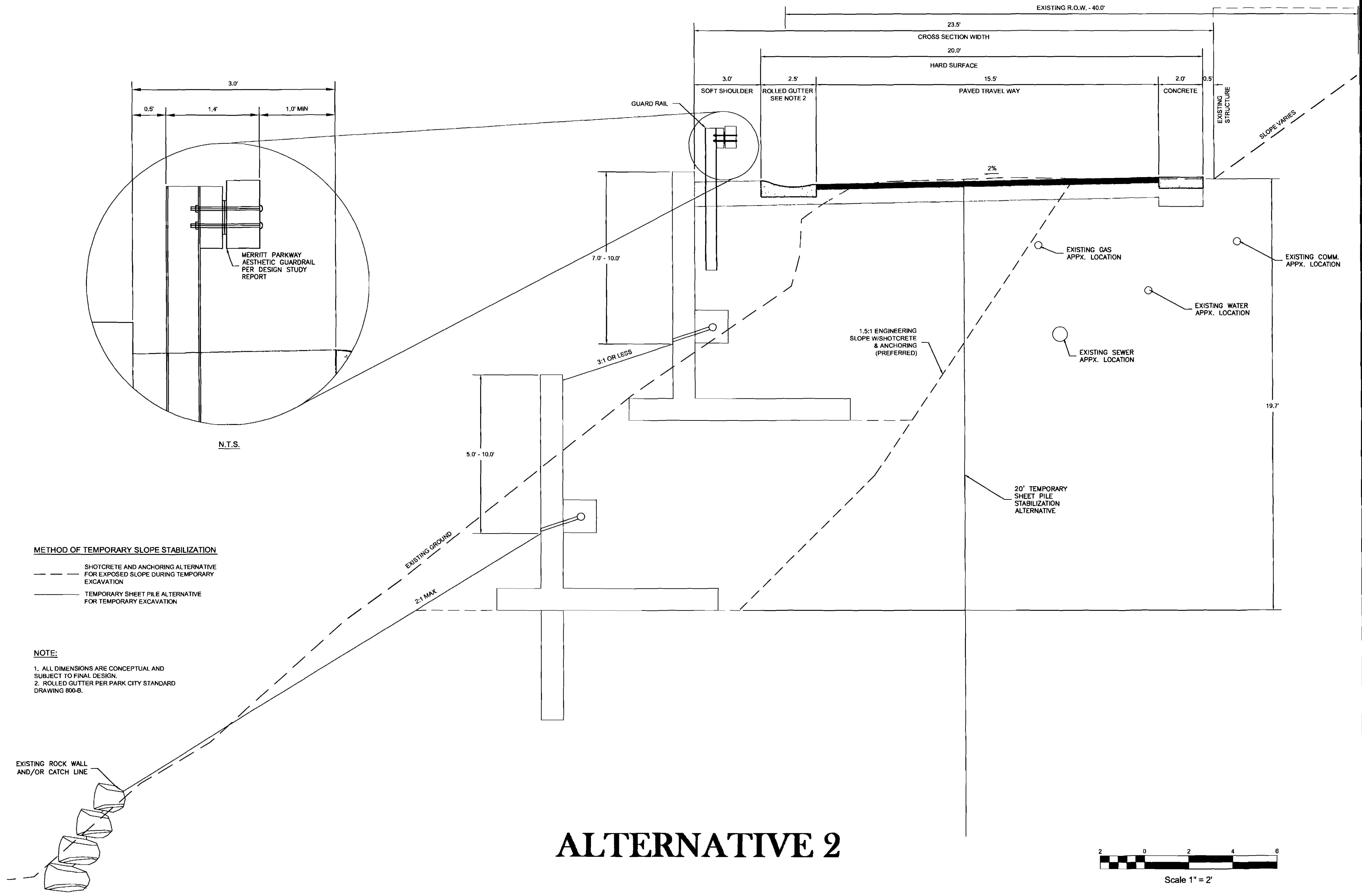

ALTERNATIVE 2

HILLSIDE AVE
PARK CITY, UT 84060
Reduced Width Typical Section

231 West 800 South Salt Lake City, Utah 84101
Ward Engineering Group
Planning • Engineering • Surveying
PH: 801 . 487 . 8040 FX: 801 . 487 . 8668

CLIENT: PARK CITY
DWG: Figure 2
JOB No: PCITY 001
DO NOT SCALE THIS DRAWING. DRAWING IS REDUCED IF LESS THAN 22in x 34in - DIMENSIONS AND NOTES TAKE PRECEDENCE

DRAWN BY: BV
DESIGN BY: BV
CHECKED BY: MTD
DATE: 12/10/08

REVISIONS

SHEET
FIGURE 15

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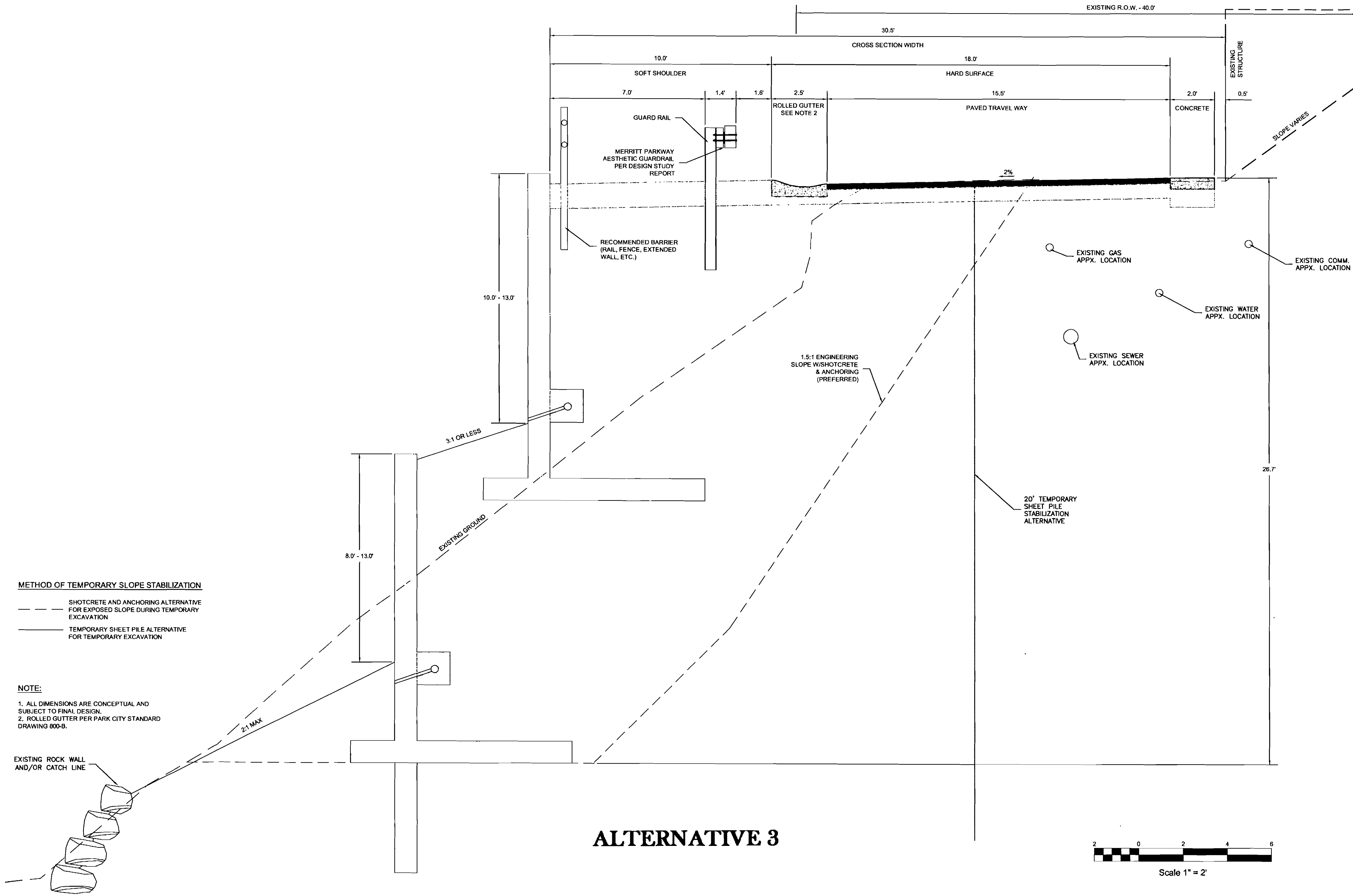

HILLSIDE AVE
PARK CITY, UT 84060
Reduced Width Typical Section 2

231 West 800 South Salt Lake City, Utah 84101
Ward Engineering Group
Planning • Engineering • Surveying
PH: 801 . 487 . 8040 FX: 801 487 . 8668

CLIENT: PARK CITY
DWG: Figure 2
JOB No: PCITY 001
DO NOT SCALE THIS DRAWING. DRAWING IS REDUCED IF LESS THAN 22x34 • DIMENSIONS AND NOTES TAKE PRECEDENCE

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DESIGN BY: BV
CHECKED BY: MTD
DATE: 12/10/08

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SHEET
FIGURE 15

PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
FEBRUARY 12, 2009

Present: Mayor Dana Williams; Council members Candace Erickson; Roger Harlan; Jim Hier; Joe Kernan; and Liza Simpson

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Wade Carpenter, Chief of Police

1. Council questions/comments. Roger Harlan reported that he attended the Art Advisory Board meeting where proposals were reviewed for bus shelters. Mountainlands Housing Trust is providing funding for infrastructure for subsidized housing like Park Place and Holiday Village Apartments. He spoke about potential legislation that would adversely affect the Park City School District's capital funding. Liza Simpson thanked the public, Planning Commission and staff attending the Planning Commission meeting on Treasure Hill. There were about 200 members from the public; the meeting was well run with a great presentation from Katie Cattan. The public was organized, articulate and polite. She also attended the Historic Preservation Board visioning meeting which was very successful. Jim Hier stated that he was impressed by the number of people at the Planning Commission meeting which seemed like many more at this stage of the game than even Flagstaff. This project will have repercussions throughout the community greater than Flagstaff. He and Candace Erickson met with staff on the special service grants. Candace Erickson disclosed that she received a complaint from a citizen about taxis idling in the handicap parking zones at the grocery stores and various other locations. Mayor Williams stated that he is proud of the community its engagement in the Treasure Hill project and spoke about collecting idling ordinances from other cities. He stated that he wrote a letter expressing his concerns to Representative Mel Brown because the House is considering a resolution that would stop Utah's participation in the Western Governors Climate Exchange Initiative. He expressed his frustration about derogatory statements about the work of the Governors Blue Ribbon Committee on the environment. The Peace House is looking to restructure its board. He and Pace Erickson attended the Mosquito Abatement meeting and the Mayor explained the goal of using of biological controls on mosquitoes as opposed to pesticides which has largely been achieved. The biological approach is unique to mosquitoes and nothing else is harmed. Candace Erickson commented on Senator Bennett's town meeting which could be listened to by telephone and listeners could weigh in with questions and participate in the meeting.

2. Legislative update. Tom Bakaly stated that the City is opposing HB 3, the climate initiative mentioned by the Mayor. HB 64, deterring illegal immigration, may end up as a compromise that would create a multi-agency strike force to combat violent and other major crimes associated with illegal immigration and human trafficking. The League's position is neutral. Chief Wade Carpenter pointed out that HB 64 and SB 81 are tied closely together. Senator Griner is the Police Chief of Ogden and he asked him specifically how this bill would affect law enforcement. Essentially, if there is a violation, police enforce the law and if it is suspected that that person is illegal, he would be taken to a correctional facility placing the burden on the jail to check for immigration status which is no different than what Park City is doing now. Chief Carpenter expressed concerns about creating a special task force because resources are already stretched and officers can be better utilized. There should be local control of police departments and this is an unfunded mandate. He would rather focus efforts on a drug task force or something else. The Utah Police Chiefs Association, however, is neutral on the bill and waiting for the ULCT to voice a position. Tom Bakaly pointed out that the ULCT is neutral and waiting to see what the Chiefs will do which is indicative of what's going on with this issue. The City will need to watch this issue closely as the session winds down. It was decided to remain neutral. HB 66 is proposing to change the way school funds are allocated and currently capital funds within school districts are not equalized. This bill would equalize capital funds and it is estimated that the Park City School District would have to recover $8 million. It is recommended to oppose this legislation and actively support the School District with other affected communities. Members agreed to *strongly* oppose. Roger Harlan discussed inequities that will occur if this is passed and specifically addressed Alpine where there is a wealthy tax base that chose not to fund capital improvements for its schools but will be the beneficiary of equalized capital funding.

Tom Bakaly discussed HB 68 and HB 241 dealing with water. As written, the City opposes HB 241. He briefly covered proposed cell phone legislation and state budget impacts, including discontinuing no interest water development loans. The City recently received approval for a $10 million loan which has been pulled back and slated to be used to help balance the state budget. The City's rate for borrowing for the pipe line and treatment plant will have to be considered in the budget process.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 12, 2009

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Library and Education Center on Thursday, February 12, 2009. Members in attendance were Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Matt Cassel, City Engineer; Tom Eddington, Planning Director; Kent Cashel, Streets and Transportation Manager; and Kayla Sintz, Planner;

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Treasure Hill meeting – Liza Simpson commented on the well run and attended Planning Commission meeting. She was impressed by the civility of citizens who were informed and articulate.

2. Open house for Bonanza Drive Project – Matt Cassel reported that there will be an open house on Bonanza Drive February 17 from 5 p.m. to 7 p.m. here in this room.

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

School District legislation - Mike Boyle, Vice President of the School Board, expressed his appreciation of the Council's support to strongly oppose HB 66. The impact, as described in work session, is tremendous.

IV NEW BUSINESS *(New items with presentations and/or anticipated detailed discussions)*

1. Consideration of an Ordinance approving the 395 Centennial Circle plat amendment located at 395 Centennial Circle, Park City, Utah – Tom Eddington explained that approval would consolidate Lot 69 and Lot 70 of the American Flag Subdivision. Currently a structure sits on the existing lot line and this would create a 30,000 square foot lot that accommodates the existing structure and provides for adequate set-backs. The Planning Commission forwards a positive recommendation; there was no public input. Staff has determined there are no significant environmental or fiscal impacts. The Mayor opened the public hearing; there were no comments and the hearing was closed. Jim Hier, "I move we approve the 395 Centennial Circle plat amendment based on the findings of fact, conclusions of law, and conditions of approval as found in the draft Ordinance". Roger Harlan seconded. Motion carried unanimously.

2. Consideration of an Ordinance approving the Park Meadows No. 5, Lots 1 and 2 amended plat, Park City, Utah (2001 and 2009 Lucky John Drive) – Mr. Eddington explained that the request is for a lot line amendment to better reflect the existing

structures on these two properties and removes a lot line from under a house. Lot 2 will maintain a 15 foot wide utility and access easement for Lot 1. The Planning Commission forwards a positive recommendation and staff recommends approval based on the findings of fact, conclusions of law, and conditions of approval. The Mayor opened the public hearing and with no comments from the audience, closed the public hearing. Liza Simpson, "I move we approve the Park Meadows No. 5 Lots 1 and 2 amended plat based on the findings of fact, conclusions of law and conditions of approval as found in the draft Ordinance". Jim Hier seconded. Motion unanimously carried.

3. Consideration of a Resolution adopting the SR248 Corridor Plan for Park City, Utah – The Mayor commented that he received a flyer at his house last night and assumed that many in the audience from the Prospector neighborhood also received the same flyer which is inaccurate. The City did not hire the consultants to look at bus routes to Heber or to Kamas; however, expanded service is under consideration. The approach is to restripe existing SR248 for four lanes and two bike lanes and the proposal is not to widen the road. The alternative of changing the Rail Trail for vehicular access was not supported by members because it would box both sides of the neighborhood with traffic on both sides. The flyer mentions that more noise and air pollution will be generated with the plan which is untrue. Mayor Williams explained the concept of creating two high vehicle occupancy lanes and two regular lanes which would lessens the project's carbon footprint because cars are not stopped and idling in traffic.

He emphasized that if the traffic becomes too backed up on SR248, UDOT will dictate a plan and the City is trying to be more proactive in terms of arriving at long term solutions. It is also advisable to present a plan to UDOT now for improvements slated for future years. The Council made it very clear that before the plan is implemented that the Park and Ride is operating and the tunnel constructed in the Comstock area to assess the effectiveness of these measures. He again stressed that the width of the road will not be expanded and the idea of cutting into the hillside or into the wetlands was not supported by the City Council.

Kent Cashel announced that there are graphics of the project available to the public at the meeting and distributed comments received on-line from the public on the plan to Council members. There is no strong central theme in the comments, other than concerns about widening SR248 in a manner that would induce traffic growth and there were many comments based on misinformation. The Mayor interjected that the flyer indicates that the plan will prompt more traffic in Prospector neighborhoods but the plan decreases the ability to turn into neighborhoods other than Comstock. Mr. Cashel continued to explain that the City has been working on this well over a year. Six individual studies were conducted on SR248 which provided the foundation for the initial look at this study. That information was consolidated and the consultants presented eight alternatives that could be utilized to address traffic growth along the corridor. When the first phase was completed early summer, the Council directed staff and the consultant to explore four alternatives including (1) no build, (2) full four lane widening,

(3) widening within the existing footprint, and (4) integration of HOV lanes and directional lanes. These alternatives were studied for four months and the plan returned to Council in November after holding public and stakeholder meetings. City Council members narrowed the alternatives to three and removed the full four lane widening as an option which would require encroaching in the wetlands and PC Hill.

Mr. Cashel pointed out the bottleneck created in front of the schools and the section between Wyatt Earp and Sidewinder Drive. No matter what alternative was explored, without doing something to address this, the plan turned into essentially a no build option in terms of providing any remediation to the traffic that models show will exist over the planning horizon to 2020. He stated that there will be four lanes in front of the high school and some expansion of the asphalt there to accomplish this; the graphic displays the footprint. The added capacity is intended to accommodate turn movements in and around the schools, not to encourage more traffic to flow. He explained that in order to protect the hillside and wetlands, the recommendation heading east is to stay within the existing footprint by narrowing lanes, removing the planter, and integrating five foot bike lanes. The engineers looked at a variety of criteria like the carbon footprint, traffic growth, cost and impacts to transit and the Park and Ride. Mr. Cashel noted that the recommendation for four lanes within the existing footprint and minimal widening at the school section was the most viable alternative both environmentally and economically and from a traffic management standpoint.

In response to a comment from the Mayor about the widening in front of the schools, H W Lockner Consultant Gene Cline advised that the lanes could be narrowed somewhat but if full 12 foot lanes are added, there is the potential of cutting into the buffer adjacent to the Prospector neighborhood by 12 feet or by eight feet if the width of the lanes is narrowed. Mr. Cashel reiterated that the plan was reviewed with the stakeholders group and at work session last week by Council and staff made an effort to ensure that the media got the message out about the public hearing tonight. Candace Erickson stated that the widening by the schools was something she was not aware of and asked about the length of the section. Mr. Cline explained that there are two lanes in each direction from Park Avenue to Sidewinder. Between Sidewinder and close to US40, there is one lane each direction plus a center turn lane. This alternative would add a lane in each direction from Sidewinder all the way to the schools out to Wyatt Earp which is a narrower section but still four lanes and once out of the barrier area, SR248 is wider and four lanes. Liza Simpson emphasized that the Council is in the planning stage of developing a plan for the corridor and in no way is near the engineering phase of determining the exact pavement width. There are still many opportunities to adjust the plan.

Kent Cashel stated that this is an important point. This is a plan that provides staff with the ability to get a project into a funding cycle which could be as far away as five to seven years out. During that time, the plan can change but without a plan, the project is not identified for funding and what stands between the plan and the pavement is the funding cycle and the UDOT process. UDOT needs to review and approve the plan but has been participating as a member of the steering committee and helped finance a portion of this study. A public involvement program will be established during the design stage. Laney Jones of H W Lockner pointed out that SR248 is UDOT's road and the state has its own process for implementing improvements. When a project is slated for funding, UDOT will initiate public participation through its own process. Roger Harlan asked if UDOT has been historically accepting of narrowed lanes as opposed to following strict engineering standards and Ms. Jones replied that it is becoming more common for UDOT to be more flexible. It is common for UDOT to narrow a 12 foot lane to 11 feet if there is a benefit or a need but 10 feet would not be typical. The Mayor mentioned that when the City was considering directional lanes, UDOT actually traveled to other sites to observe how these worked. He again discussed the importance of making the Park and Ride and HOV lanes feasible and creating incentives to get people out of their cars. Kent Cashel believes that UDOT is amenable to a lane width reduction and added that it is not very common for a Utah community to attempt to articulate a vision in advance of UDOT stepping in; this is a proactive step for Park City. Additionally, he felt the plan has been well received. The Mayor invited public input.

Tim Snyder, Doc Holiday Drive, asked what HOV meant and Kent Cashel advised that it is an acronym for high occupancy vehicle which now means more than one person in the vehicle. Laney Jones further explained that HOV can be redefined to manage traffic by the designation of number of occupants, but the big benefit is buses using the HOV lane to and from the Park and Ride. Mr. Snyder stated that this is a better plan than he originally expected, but hates to see the planter box go away because the stretch is so dangerous. In response to a question from Mr. Snyder, Kent Cashel explained that the widened section is from Sidewinder to Wyatt Earp. Ms. Jones indicated that both the four lane and directional concepts have four lanes in front of the high school. Council has expressed an interest in working with UDOT on speed limits. It was pointed out that narrower lanes and shoulders provide a traffic calming effect. The Mayor added a jersey barrier is proposed in place of the planter. Mr. Snyder felt that there are minimal traffic problems when the schools aren't in session. The school zone speed of 20 mph contributes to traffic backing up and four lanes may not make a difference but Kent Cashel believed that the Comstock tunnel will make a difference in traffic flow. There was discussion about medians drawn on the plan which could be used to prevent left hand turns or planted for the sake of aesthetics.

Mike Boyle, School Board member, expressed his appreciation of Messrs. Cashel and Cline meeting with him and several school administrators. He stated that he has shared information with the rest of the Board who understands that the plan is a concept and in general, they approve the plan as presented. They had the same concerns as probably a lot of people in attendance tonight about impacting the trails along the highway, but understands that they may have to be moved. Mr. Cashel has kept them involved and they approve of the plan.

Helen Stanley, Doc Holiday, suggested bus only lanes as opposed to HOV lanes and Ms. Jones explained that this doesn't have to be decided at this phase of the study and the lanes can be managed accordingly. Ms. Stanley insisted they should be bus only lanes. She complained about flashing signs being placed on SR248 directing people to

Salt Lake and asked how this happened and if it will be continued. Kent Cashel explained that it was a trial program intended to run for a few weeks only to measure the effectiveness of the route to out-load the ski areas. It was run from 3 p.m. to 7 p.m. on peak ski days in order to move some of the traffic off of SR224. Ms. Stanley asked why we are directing drivers to SR248 because people that never traveled that way to Salt Lake will continue to go that way. Ms. Cashel responded that staff is sensitive to that issue. Ms. Stanley assumed that if the lanes are narrowed on SR248 that all wide loads will travel on SR224. Mr. Cashel noted that wide loads mean that the vehicle is already exceeding the lane width so it probably doesn't matter. A very wide load requires pilot vehicles but he didn't feel SR248 will be restricted. Ms. Stanley felt that this should be considered. Laney Jones explained that the reason UDOT is comfortable with an 11 foot lane but not 10 feet is because 11 feet will easily accommodate a truck. In response to another question from Ms. Stanley, it was explained that there will be room between the trail and the road and enough area for snow storage, however, the trail between the schools may have to be moved somewhat.

Kurt Benson, Doc Holiday Road, felt that the proposal is better than he anticipated. He suggested building the Park and Ride and requiring anybody that does not have a permit to park there and take transportation into town like Zermatt or Vail. This would mitigate some of the traffic. Kent Cashel explained that the 750 space Park and Ride lot is being completed at Richardsons Flat. Employee parking and carpooling are strategies that will be promoted to limit traffic along the corridor. Mr. Benson felt that there should be a policy of not allowing anyone on SR248, except for residents with permits. He wasn't convinced that carpooling will be successful; people like their cars too much. More lanes create more traffic side by side and speeds increase with familiarity. He agreed that traffic is congested but only two times a day, and implementing any plan with a 20 mph speed limit in place is a waste of time. Traffic signals also back up traffic. Diverting traffic to a residential area from SR224 is inappropriate. He urged Council to consider not allowing cars into town. Laney Jones advised that SR248 is a state-owned public facility and UDOT would not be comfortable restricting a public roadway and that is why this is not included as an alternative.

Faye Malnar, Sidewinder Drive, congratulated Council on a good plan but the only problem she has is expecting the Park and Ride will be used. As a retired employee of USSA, she polled employees from Heber and Kamas about parking at the Park and Ride and taking a bus, and there were no positive comments. She did not feel a permit system is appropriate because Park City invites people to visit our community. It would be helpful to get trucks off of SR248.

Margaret Hyatt, Butch Cassidy Road, commented on the removal of the planter box, which she understood made the section safer. It was explained that a jersey barrier would be installed and that some separation is needed. She was pleased to learn that the Comstock tunnel will be constructed this summer. The Mayor reiterated that the plan is three to seven years out and there other improvements the Council would like to get done in terms of the tunnel and the Park and Ride facility before any other improvements are considered. She felt that the no build alternative is most appropriate.

Colin Jackson, Sidewinder Drive, agreed with Mr. Benson and stated that he didn't feel we have a road problem but a too many vehicles problem. He spoke about the daily regional transportation systems operating in Aspen, Telluride and Crested Butte while Salt Lake, Heber, Coalville and Kamas have nothing to offer. The model of moving people around needs to get away from cars and building more lanes by offering the Park and Ride, buses, and making it difficult to bring cars into town. There is a lot of parking and pavement here making it attractive to drive into town. The no build alternative, making mass transit available to Salt Lake and other places, and making it difficult to bring in cars, will manage traffic. The Mayor referred to Mr. Jackson's flier which he addressed before Mr. Jackson arrived at the meeting. Mayor Williams emphasized that the Council is interested in pursuing all alternatives before the plan is considered for implementation. The plan is being created so it is identified in a funding cycle and is three to seven years out into the future. The Mayor further explained that the Park and Ride road will go all the way through to SR248 where the new lumber store is located so someone coming from Kamas can get off of SR248 at the lumber yard and travel directly to the Park and Ride.

Jill Orchel, Prospector resident, stated that she grew up in Aspen and rode the bus everywhere and when she moved here 18 years ago, she recalls seeing flowers on the side of the road in memory of accident victims. When the planter was installed on SR248, she was relieved and would hate to see that work undone.

David Orchel expressed concerns about the Wyatt Earp intersection because it may be difficult to enter into traffic and the no left turn into Wyatt Earp will cause more traffic to travel through Prospector. He felt the intersection, especially with planters, will create a need for a traffic light causing more delays. Liza Simpson stated that she participated in all of the WALC meetings and there is funding reserved for important projects yet to be defined, i.e., Park Avenue, SR248. At some point in time it was felt that there would likely be a need for a light at Wyatt Earp and possibly another tunnel.

Michelle Rainer, Doc Holiday Drive, felt that most of the comments have dealt with safety and quality of life. We all moved here to live in a mountain town and not to be splitting our town up with highways and promoting congestion. When does it end? If we invite traffic to come, it will. Narrowing lanes is great, but on I-80 a lane was narrowed and semis were asked not to drive on it but they do. It is a huge safety concern and even with a tunnel there are four lanes of traffic. The commuter lot is a good idea as well as the tunnel but she is against widening the road and suggested making the center lane the HOV lane. SR248 should be no engine brake zone; there are other viable options and SR224 should be looked at again. Ms. Rainer acknowledged that this is a long term plan but 2020 is not that far away.

Helen Stanley pointed out that building a tunnel is very costly but the idea of constructing a bridge was rejected. In these economic times, maybe it is time to reconsider a pedestrian bridge and evaluate the effectiveness of diverting pedestrian traffic. This would be an interim cost effective solution.

Sam Constanza, Buffalo Bill Drive, stated that he can barely turn on SR248 in the evening now and asked if crossing two lanes will make it more difficult to make a left hand turn. The Mayor replied that at peak times, he travels to streets with lights. Candace Erickson interjected that it depends on the management and use of the HOV lane and turning may actually be easier.

Wes Garrett, Prospector resident, felt that the real problems only occur three hours a day and the rest of the time traffic flows smoothly. School traffic is the real problem plus motorists can not travel over 25 mph through the school zone. There is going to be a lot of asphalt that is not going to be used most of the time. Adding traffic lights is expensive and interferes with traffic flow. Four lanes seem like too much and accommodating cars does not help meet the goal.

Max Doilney, Prospector resident, stated that he agrees with Mr. Garrett 100%. There is just a small chunk of the day that we're dealing with and the best way to make SR248 safe should be the ultimate goal. Adding pavement will result in another SR224 with traffic lights backing up traffic.

Andre Dumas, Cochise Court, felt the plan is not a good idea because it is helping commuters and no one here and Park City residents are paying for it. He suggested installing gates in neighborhoods and closing them at peak times. Moving school starting times could be helpful in the morning.

Marion Melnar, Sidewinder resident, stated that he likes the gated concept. Eliminating truck traffic is not realistic but truck traffic can be controlled from turning to keep trucks on state roads. The same applies to Bonanza and the Mayor indicated that this is an element of discussion on the rebuild of Bonanza Drive.

Kurt VonPuttkammer stated that a little less than nine years ago, he approached Council members about the SR224 expansion but was told with bodily threat not to object to this project because it was the one time we had UDOT money to do something. Mayor Olch gave him his word that the median would not be removed and it is now being removed. He referred to his letter distributed to members regarding the use of the Rail Trail for vehicular access. There is only one good solution. He referred to his written request of March 28, 2007 that this option be reviewed and asked why this has never been discussed. Why can't we look at this option? It solves every one of these problems by directing all traffic onto Deer Valley Drive. No one is willing to talk about this. Mayor Williams stated that the Rail Trail alternative has been discussed with the stakeholder group and many residents objected to another road in the back of their neighborhood. Residents were not interested in converting a safe recreation area to another mode of transportation into town. In fact, there are associated comments in the public input report received tonight. Kent Cashel added that this is also addressed in the study. Mr. VonPuttkammer pointed out that it wasn't included in the walk-ability study. One decision can improve the quality of life for generations to come. He asked why they chose the Rail Trail when they had all the land to pick from and an analysis should be done. Candace Erickson clarified that she made it a point after receiving his letter to talk to Prospector residents, explaining that Mr. Von Puttkammer's proposal was to divert traffic from the location of the Old Dump Road, turning the Rail Trail into a two lane road connecting into Deer Valley Drive. The response she received from residents was that they didn't want traffic on both sides of the neighborhood.

Andre Dumas felt that the Rail Trail makes sense because it eliminates the bottleneck problem at the schools and SR248 could remain as it is.

Sloan Reed expressed her support for the Park and Ride and getting people to use public transportation.

Joanna Kahn, Prospector resident, asked whether studies have identified the types of drivers. Kent Cashel stated that there is some data on this and the majority of drivers or about 74% are single occupant commuters. There is no information on where people work or the destination. Staff will continue to look at the mix and also measure vehicle occupancy. She stated she supports no more asphalt and green alternatives.

Howard Silverman, Sidewinder Drive, stated that he is an avid cyclist and is concerned about narrowing shoulder widths. Gene Cline explained that the stretch between the Wyatt Earp and the Old Dump Road is the only section affected. Mr. Silverman expressed that if the road is wider, the traffic will come. People will not likely use the Park and Ride because many people like to run errands during the day. No one wants to carpool because there's no flexibility. Kent Cashel felt it important to note that no element of the plan will be implemented until there is an opportunity to evaluate the effectiveness of the tunnel and other measures. In order for the Park and Ride to work, transit needs to be able to move efficiently in and out of town and the design balances these interests. In particular, through the wetlands and PC Hill area, there will be narrower lanes and restrictions on traveling in the HOV lane that should have the effect on reducing traffic. Mr. Silverman asked about the status of the option of directional lanes. Gene Cline advised that the reversible lanes did not work as well because the only place the HOV lane could be placed is in the center lane, creating an access problem to the Park and Ride because buses would have to pull into the general purpose lane. Mr. Cline mentioned that large overhead directional signs are required by UDOT with the operation of reversible lanes adding expense and visual impacts.

In response to a question from the City Attorney regarding the location of rumble strips, Laney Jones advised that this will be determined when UDOT conducts its study, but Lockner is recommending is that the five foot lane be dedicated as a bike lane. Currently, it is not a bike lane but a shoulder. The advantage of adding another stripe designating the area as a bike lane is that cars are allowed to be on the shoulder of the road but not within the bike lane section. Typically, UDOT will not install rumble strips in a bike lane.

With no further public input, the hearing was closed.

Jim Hier pointed out that members are not that naïve to think that because the City builds a Park and Ride that people are automatically going to park there and take a bus into town. It's going to take some force and in his opinion most of the traffic problems are created by construction traffic. The City can require any large project, as a part of a construction mitigation plan, to require employees to park outside of town and have those employees shuttled into town either on City buses or a shuttle similar to what Talisker has been doing for Empire Pass construction. If construction worker traffic is addressed, it should make a difference in the mornings. With regard to building a bridge versus a tunnel, the City Council deferred the decision to WALC who discussed this at length. He suggested building a separate bike lane next to the Rail Trail, acknowledging that it is not a recommendation from Lockner but it would be beneficial to take a look at the cost. Discussion ensued about lighting the Park and Ride lot during the past week. Jim Hier added that if and when PCMC and Deer Valley develop their parking lots, it would be to everyone's advantage that resort employees park at the Park and Ride so that parking is available to resort patrons. This could make a huge difference in decreasing traffic in consideration of one employee in individual cars. The City has leverage to require the use of a satellite lot during the review processes. Mayor Williams added that with the City's acquisition of the PRI property, a Park and Ride could be built at Kimball Junction. It is important to get the large employers in town to buy into the program because it's not going to work without their participation.

Mayor Williams thanked the audience for attending and reminded them that there are concepts that need to be submitted to UDOT for its review regardless. He encouraged Council to consider the expansion of the bus system before the plan is implemented. Jim Hier felt that Council continually examines the bus system and regional transportation which only be accomplished with the cooperation of the other communities. The ski areas run buses to Heber and Provo with some success.

Roger Harlan relayed that the obvious problem is having three schools on SR248 which can not be relocated and appreciated the input from residents to alleviate existing challenges. The Mayor noted that many people moved to Prospector because it is close to the schools. SR248 and SR224 are state highways and before improvements were made to them, there were many more accidents. Joe Kernan stated that if traffic continues to grow as has been trend, the City will have to implement this type of plan. The additional lanes are HOV lanes which will be faster which will provide the incentive to use them. Everyone will need to make sacrifices to reduce traffic. It would be very helpful if school bus service was expanded, acknowledging that it would be costly, but it would significantly lessen congestion in the morning. If the community is not willing to spend the money, or do anything different, UDOT will determine how and when to widen the road.

Candace Erickson stated that when this plan was first reviewed, Council favored the no build option hoping that people would change their driving habits so the plan would not be needed. The reality is that this probably won't happen and she pointed out that local businesses are dependent on outside workers. Quality of life is a priority and that is the reason the Rail Trail access road was eliminated as an alternative. All Council

members are concerned about the well being of the neighborhood. Liza Simpson felt that everyone needs to do their part. One day she observed the crossing guard stopping the traffic signal for one child at a time which dramatically disrupted the flow of traffic and pointed out that the tunnel may make a real difference. She thanked the public for valuable input.
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Joe Kernan, "I move we approve the Resolution adopting the SR248 plan for Park City". Liza Simpson seconded. The Mayor reiterated that the effectiveness of the tunnel and the Park and Ride will be evaluated before the plan is implemented. Jim Hier believed that statement should appear in the Resolution and asked that the motion include all of the criteria included in the staff report as an addendum to the Resolution. Joe Kernan and Liza Simpson accepted the amendment. Candace Erickson asked if Park City's plan is accepted by UDOT, whether the City is forced to proceed. Laney Jones explained that the City would need to contact UDOT about getting the plan in the transportation improvement program and into the queue for conducting a study. UDOT would then assign a project manager, conduct an environmental study, review these options again, and gather public input again. UDOT does not have excess funds currently and when communities decline to move on projects, the state would not likely object if there are no safety issues. Kent Cashel emphasized that this is a state highway which UDOT is monitoring in terms of planning. If the City is proactive and successful in providing an acceptable level of service on SR248 that the community supports, he felt confident that the City could back out of implementing the plan if desired. Motion unanimously carried.

V OLD BUSINESS

Consideration of an Ordinance approving amendments to the Park City Land Management Code clarifying Financial Guarantee language to Chapters 1, 7, 11 and 15 – The Mayor disclosed that the Council received a letter from Craig Elliott expressing concerns about the potential burden to the public of having to provide a financial guarantee. Planner Kayla Sintz explained that in reviewing the LMC and Historic District Guidelines, and issues involving non-compliance and non-completion of additions and reconstructions of historic structures, staff saw a need to clarify and expand the ability of the City to guarantee completion of public and site improvements and compliance with the historic preservation plan. This item was heard by the Planning Commission on January 7 and January 28, 2009. Direction was given on January 7 for additions to Chapter 11, Historic Preservation, dealing with the effect of non-compliance, amount of guarantee, release of guarantee, and terms of guarantee. With regard to Mr. Elliott's comments, staff and the Planning Commission are very aware of the economic downturn right now and the Commission added the option of a lien on the property to the types of guarantees allowed. Others include escrow deposit, cash deposit or letter of credit. In consideration of the City moving forward with rewriting the Historic District Guidelines as well as adopting the Historic Sites Inventory, staff felt that it made sense to codify guarantee language. Ms. Sintz emphasized that there have been problems with saving historic material, not only for panelization projects but also replication and/or reconstruction approaches and this legislation ensures compliance with the preservation plan.

Ms. Simpson asked if placing a lien on the property would negatively impact the owner's ability to obtain a construction loan. Should the lien be placed at the time of occupancy or inspection? By way of example, Ms. Sintz pointed out that the guarantee for a 456 square foot historic property is $250 per square foot plus an additional $50 per square foot for a 75 square front porch for a total financial guarantee of $132,500. However, a considerable addition to the historic structure is proposed. The City Attorney acknowledged that this exaction is on the high end and there may be some difficulties for the owner with the lien option in this instance, depending on his financing. The City uses the lien method or trust deeds for the preservation grant program for five years and then the property is released. The grants tend to be much less money but the City is always last in position in the event of foreclosure and other options may provide higher levels of security. Mr. Harington pointed out that it is another tool in the tool box. Ms. Simpson feared encouraging replication over renovation and is sensitive to Mr. Elliott's concerns. Ms. Sintz explained that the Planning Commission was concerned about people developing properties any way that they want and throwing historical material in dumpsters because the amounts in place currently were a slap on the hand.

Mark Harington stated that at the same time the Ordnance gives the Chief Building Official final determination. He encouraged starting with these standardized numbers and if prohibitive, they can be adjusted without coming back to Council and amending the Ordinance. Liza Simpson stated that she has no problem with the high numbers unless it prevents somebody from actually doing what the City wants them to do. Mr. Hier asked if letters of credit and deposits with the City are drawn down as construction proceeds. Ms. Sintz referred to language on the section on the release of the guarantee, *or at the discretion of the Chief Building Official, Planning Director, or their designees*. Mr. Harrington suggested adding language, *in accordance with the work performed* or some other standard. Jim Hier expressed concerns about the guarantee making a preservation project prohibitive for some property owners, not necessarily developers, and there should be some way to draw down on the funds as the project is completed. He suggested adding wording based on construction progress. Tom Eddington suggested, *at the discretion of the Chief Building Official, Planning Director, or their designees based on construction progress in compliance with the historic preservation plan.* Members accepted the wording.

The Mayor opened the public hearing; there were no comments from the audience.

Liza Simpson, "<u>I move that we approve the proposed amendment to the Land Management Code for Chapters 1, 7, 11 and 15 as amended by the Planning Director's sentence</u>". Roger Harlan seconded. <u>Motion unanimously carried</u>.

VI ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 4 p.m. Members in attendance were Mayor Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Jerry Gibbs, Public Works Director; Tom Daley, Deputy City Attorney; Diane Foster, Sustainability Manager; Jon Weidenhamer, Project Manager; and Mark Harrington, City Attorney. Joe Kernan "I move to close the meeting to discuss litigation and property". Roger Harlan seconded. Motion carried unanimously. The meeting opened at approximately 5:30 p.m. Jim Hier, "I move to open the meeting". Roger Harlan seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott

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Janet M. Scott, City Recorder

PARK CITY
1884

City Council Staff Report

Subject: Resolution celebrating Park City's 125th Birthday
Author: Jan Scott
Department:
Date: February 26, 2009
Type of Item: Administrative

Summary Recommendations:
Adopt the Resolution kicking off Park City's 125th Birthday Year

Topic/Description:
Park City was incorporated on March 1, 1884 and 2009 marks our 125th Year. The well qualified Mayor Williams and Craig Sanchez are heading the celebration effort. A couple of informal meetings with staff have been held and a stakeholders meeting is scheduled this Wednesday. The City's official Birthday Party is slated for June 13 but there are no details at this time.

RESOLUTION CELEBRATING PARK CITY'S 125TH BIRTHDAY

WHEREAS, early in January 1882, a mass meeting was held in town to consider an incorporation bill to be presented to the legislature in Salt Lake City and in March 1882, the county court in Coalville issued orders that in accordance with the wishes of the population, the 5th day of August 1882 was to be election day in Park City; and

WHEREAS, it is appropriate to honor Park City's first elected officials, including Mayor Fred W. Hayt together with Aldermen George Morrison, Henry Newell, James Stevens, Orville L. Brown, Mayer S. Ascheim and Edward Pierce and important to note that the first election was rare in political history, because one of the two polls was determined illegal but the people's choice was never challenged; and

WHEREAS, in March 1884, the amended Act of Incorporation and the Park City Charter were formally accepted by the Legislature and signed by the Governor and the construction of City Hall commenced and was completed in 1885. Appropriately, 125 years later, the ambitious renovation of the building conceived by the Park City Historical Society and made possible with the enthusiastic and generous support of citizens and preservation advocates will beautifully showcase our history and culture, opening its doors this summer during the year of our Quasquicentennial Celebration; and

WHEREAS, by June 1898, Park City's population approached 10,000 residents and the town experienced a horrific fire where 200 of 300 structures burned to the ground turning three-quarters of the town into burning embers. Five hundred residents were homeless, $1 million in property was lost but Parkites demonstrated their steadfast determination and rebuilt the entire community in 18 months, and not surprisingly, the first to be rebuilt was George Wanning's Saloon;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council cordially invite residents to participate in the many activities planned throughout the year and specifically Park City's 125th Birthday Party which will be celebrated on June 13, the date The Western Federation of Miners organized Miners Union Day beginning in 1895 and observed through 1922; and

BE IT FURTHER RESOLVED that the Mayor and City Council urge citizens to reflect on periods of Park City's history ranging from industrious mining town, deserted ghost town, to a world class resort community and to acknowledge and appreciate the tremendous contributions and sacrifices made by citizens in the past which created the enviable lifestyle enjoyed today. The City Council further encourages the people of Park City to celebrate the spirit of our past by continuing to demonstrate our rich history of camaraderie and good will which will ensure a blessed future.

PASSED AND ADOPTED this 26th day of February, 2009.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

PARK CITY HOUSING AUTHORITY MEETING
SUMMIT COUNTY, UTAH
JANUARY 26, 2006

I ROLL CALL

Mayor Dana Williams called the meeting of the Park City Housing Authority to order at approximately 6:30 p.m. at the Marsac Municipal Building on Thursday, January 26, 2006. Members in attendance were Dana Williams, Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; and Phyllis Robinson, housing consultant.

II PUBLIC INPUT

None.

III MINUTES OF MEETING OF OCTOBER 15, 1998

There was discussion of acting on unapproved minutes annually to close them out with seated members in the future. Roger Harlan, "<u>I move approval of the Minutes of the Housing Authority meeting of October 15, 1998</u>". Joe Kernan seconded. <u>Motion unanimously carried</u>.

IV NEW BUSINESS

<u>Request by Cloud Nine Resorts for the payment of an in-lieu fee for 3.45 affordable housing units required for the Sky Lodge Development</u> – See staff report and City Council work session notes. Phyllis Robinson explained the request which is before the Housing Authority because of specific language in the MPD. Candace Erickson suggested that the provision of affordable housing be discussed earlier in the planning process. She stated that she is not in favor of the payment of in-lieu-of fees, however, will probably be voting in favor because the Sky Lodge is too far along in its design. Jim Hier agreed and suggested that housing requirements be identified and triggered well in advance of final approvals. He asked that the Authority be updated regularly on the status of affordable housing production. Phyllis Robinson agreed that it may be prudent to determine the affordable housing component during the planning process. Mayor Williams feared that the new schedule for in-lieu-of fees will not cover the actual costs of building new construction and suggested setting fees to discourage the payment of in-lieu-of fees. Tom Bakaly noted that this could be addressed in the housing resolution which will be before Council on February 1, 2006.

Ms. Robinson explained that the in-lieu-of fee is currently calculated as the amount that was determined to be the difference between what a household could afford and what is available in the marketplace. The calculation reflects this gap, rather than construction costs, however, the calculation is significantly low and will be adjusted. Ms. Robinson again explained the formula which is essentially buying down a unit for an identified income group. Tom Bakaly understood Council consensus to be that applicants for pending MPDs be informed that Council may not be inclined to accept in-lieu-of fees and the resolution will emphasize this direction. Mr. Hier clarified that he does not want to eliminate it as an option and in-lieu-of–fees should be identified as Council's last choice. Tom Bakaly again spoke about notifying applicants in the planning process and clarifying Council's intent in the resolution. Marianne Cone suggested that an administrative fee be created for the in-lieu-of fee option because of the potential additional staff time involved. Roger Harlan agreed with Council members regarding producing housing and appreciates the message sent to developers on the onset. Jim Hier, "<u>I move we approve the request for payment of an in-lieu-of fee by Cloud Nine Resorts for the 3.45 affordable housing units required</u>". Candace Erickson seconded. <u>Motion carried</u>.

Marianne Cone	Nay
Candace Erickson	Aye
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Aye

V ADJOURNMENT

With no further business, the Housing Authority meeting was adjourned. The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott

Janet M. Scott, City Recorder

Housing Authority
Staff Report

Author:	**Phyllis Robinson**
Subject:	**Treasure Hill Affordable Housing Plan**
Date:	**February 26, 2008**
Type of Item:	**Direction - Housing Authority**

Sustainability

SUMMARY RECOMMENDATION
Staff recommends that the City Council consider the Planning Commission's input, conduct a public hearing and provide direction on the proposed employee housing mitigation strategy.

DESCRIPTION
Treasure Hill Employee Housing Mitigation Plan

BACKGROUND
The Affordable Housing requirements were stated within the tenth development parameter and condition of the original Treasure Hill MPD. Number 10 states "As projects are submitted for conditional use approval, the city shall review them for required employee housing in accordance with adopted ordinances in effect at the time of application."

The Applicant submitted its initial Housing Mitigation Plan in accordance with Housing Resolution 17-99 which was in effect at the time of the Conditional Use Permit application. It is included as Attachment A. Please note that late last week the applicant proposed an amendment to that proposal which is discussed herein.

Under this Resolution the applicant is required to mitigate for employee housing impacts by satisfying the following requirements.

Affordable Housing Mitigation Requirements
- Fifteen Percent of the total residential units constructed shall be provided as Affordable Unit Equivalents (AUE).
- One Affordable Unit Equivalent shall be provided for 20 percent of the employees generated by the retail, restaurant, hotel and office components of the project.
- One Affordable Unit Equivalent is 800 square feet.

Location of Affordable Unit Equivalents
Affordable Unit Equivalents (AUEs) shall be constructed on the project site, unless the developer can demonstrate to the Housing Authority compelling evidence (density or design) that the project should not accommodate on-site units. Subject to Housing Authority approval, the following alternatives, in order of preference are available:
- Construction of units within the Park City Limits
- Construction of affordable units within the Park City School District Boundaries
- Land donation

- Acquisition of off-site units
- Payment of in-lieu fees. The fee in effect at the time of application is $59,828 per Affordable UE.

ANALYSIS

The Housing Mitigation Plan is being reviewed at this stage in the planning process because of the need to resolve the amount and location of the employee housing units. The Applicant submitted its Housing Mitigation Plan in December 2008. The initial submittal proposed two key elements to address the employee housing requirement.

1. The Applicant proposed 4,000 net square feet of on-site dorm style seasonal employee housing. There will be a significant seasonal workforce at this project. The proposed 4,000 square feet could house 26 employees or approximately 17 percent of the projected employee mitigation.

2. The Applicant requested the option of providing an in-lieu payment to the City for the remaining affordable housing obligation. According to Housing Resolution 20-07 payment of in-lieu fees may be approved if in the City Council/Housing Authority determination that (1) no other alternative is feasible, (2) such a payment would result in more immediate development of housing or (3) such a payment would leverage additional resources. Recognizing that an in-lieu fee is the least preferred option in meeting the employee housing obligation, the Applicant proposed voluntarily to be bound by the requirements of the current Housing Resolution 20-07. While this option does not result in any additional AUEs provided by the Applicant, the in-lieu payment option, if approved, would increase significantly from $1.4 million to $3.57 million based on the current proposal and/or maximum allowed commercial/residential square footage. Assuming an average per unit size of 1,200 square feet this is equivalent to 15.6 affordable units with a construction cost excluding land of approximately $240,000. The proposed in lieu fee of $3,569,033 would fund the full construction of a nearly equivalent number of units (14.8 units). The proposed in-lieu payment could be used as a source of construction funding and subsidy to enhance affordability for the redevelopment of the Park Avenue Fire Station/Woodside Avenue Senior Center sites which is proximate to the project. While this would be a benefit to this project and to the range of affordable housing options in Park City, it does shift the burden and risk for the development, sales and/or lease up and management of these units from the Applicant to the City.

Table 1 summarizes the Applicant's preliminary housing obligation based the current proposal and/or maximum allowed commercial/residential square footage. Based upon preliminary analysis, the project requires 28.47 Affordable Unit Equivalents, or 22,775.38 square feet.

Table 1: Estimated Housing Obligation

Employee Generation (commercial)	Resolution 17-99 AUE = 800 sq. ft	Resolution 20-07 AUE = 900 sq. ft
a. Employees per 1,000 sf per Resolution	2.90	2.9
b. Proposed Square Feet Commercial	19000	19000
c. Total Employee Generation Projection (a x b/1000)	55.10	55.10
d. Assumed Workers per Household per Resolution	1.30	1.5
e. Total Worker Households (c ÷ d)	42.38	36.73
f. Park City Mitigation Rate per Resolution	0.20	.20
g. Employee Mitigation Required (e x f)	**8.48**	**7.35**
h. Affordable UEs Required (g ÷2)	**4.24**	**3.67**
Employee Generation (commercial)		
i. Employees per hotel room per Resolution	0.60	.60
j. Proposed Number of Rooms per Applicant	200	200
k. Total Employee Generation Projection (i x j)	120	120
l. Workers per Household per Resolution	1.30	1.5
m. Total worker households (k ÷ l)	92.31	80
n. Park City Mitigation Rate per Resolution	0.20	.20
o. Employee Mitigation Required (m x n)	**18.46**	**16.0**
Affordable UEs Required (o ÷ 2)	**9.23**	**8.0**
Residential Development		
p. Proposed Residential Units per Applicant	100	100
q. Park City Mitigation Rate per Resolution	15%	15%
Subtotal: Affordable UEs Required (h X i)	**15**	**15**
TOTAL AUES Required	**28.47**	**26.67**
Total: Affordable AUEs proposed to be on-site	**5.0**	**4.44**
Total outstanding AUES proposed for in lieu fee	**23.47**	**22.23**
In-Lieu Contribution per AUE per Resolution	**$59,828**	**$160,553**
Total: Proposed In-Lieu Contribution (In lieu contribution x outstanding AUES)	**$1,404,163**	**$3,569,093**

Important *Note: The AUE calculations are a preliminary ESTIMATE at this time based on the current proposal and/or maximum allowed commercial/residential square footage. The AUEs are subject to change in accordance with the final residential/ commercial mix as approved by the Planning Commission. Should the AUEs change +/- 10 percent, staff will return to the Housing Authority to make sure such a change does not impact the direction given at this meeting.*

The Planning Commission reviewed the Applicant's proposed housing mitigation plan at its January 7, 2009 work session. There was consensus that at minimum the bulk of the units should be provided on-site, with a strong preference for all of the units on site. Commissioner Pettit stated that "*they struggle in town to find sites to locate affordable housing units and yet this land is already in town and within walking distance of Main*

Street and access to public transportation." Other Planning Commissioners echoed Commissioner's Pettit's statement. The majority of the Planning Commissioners did express concern, however, about the potential impact on the project's mass and scale. Subject to actual plan review, Planning staff estimates that the AUEs can be accommodated on-site without being detrimental to the overall project design. Attachment B is the minutes from the Planning Commission work session on this topic.

The Applicant expressed concern that providing additional on-site employee housing could require additional density within the project site and an amendment to the existing Master Planned Development (MPD). The City Attorney confirmed that employee housing provided on-site does not count against base project density and would not require an amendment to the MPD. The units would need to be incorporated within all other existing parameters of the MPD. This is consistent with how staff has treated AUEs with respect to maximum project EU density on all other projects (except stand alone AUE applications).

Following the January 7 work session and the Planning Commission's input at that meeting that units should be provided on-site, the Applicant has proposed an alternative housing mitigation strategy to incorporate the employee housing on-site. This proposal was presented verbally to Staff on February 19, 2009 and is discussed below.

REVISED PROPOSAL

On-site housing is the most preferred option under the City's housing resolution. Providing units on-site can minimize daily vehicle trips, especially during peak hours, ensures that the units are constructed in a timely manner, and places the responsibility for these units on the developer and the project that is creating the demand. The Applicant's proposal would provide 16,000 square feet of employee housing on-site. The units would be configured in a dorm/lodge style setting. As proposed, each employee would have a private bedroom with shared bath (one bath to four residents), common areas and kitchen. The acceptance of dormitory/lodge style units for occupancy by winter seasonal employees is permissible under the City's Housing Resolution. Such permission is at the sole discretion of the City Council. The Applicant has indicated that these units could be available for year round or summer seasonal use, as well. Based on the City requirement of 150 net livable square feet of livable space per employee, this proposal would provide housing for approximately 90 – 100 seasonal employees. Based on the current proposal and/or maximum allowed commercial/residential square footage the applicant is required to provide housing for 71 employees.

Analysis

The 16,000 square feet proposed by the applicant is approximately 30 percent less than the 22,776 square footage that is required by Resolution 17-99 (and one-third less than the 24,000 square feet required under Resolution 20-07.) In comparison, the 90 – 100 employees that would be accommodated by this project are approximately one-third greater than the 71 employees estimated by the Affordable Unit Equivalents. This is attributable to the lodge-style configuration with shared dining, common and bath facilities that creates a more efficient building design. The Housing Resolution provides City Council with the ability to waive all or part of the requirements in exchange for enhanced project affordability or livability including but not limited to the incorporation of sustainable building practices and systems in the unit design and development.

The Applicant proposes that the entire amount of required employee housing be developed as dorm/lodge-style units with shared common areas and baths. This would create a new housing option for seasonal workers in Park City. Planning and Sustainability staff requests, however, that a portion of the units be developed as private units. This increases the diversity of unit types and may appeal to a broader range of employees. The private units, in particular, may be more suitable to year round employees. A well-designed project may provide a higher quality living environment for workers than an overcrowded private rental unit. Alternatively, the provision of dorm/lodge style housing may be less desirable for year round employees. Permitting the construction of primarily seasonal housing does not add to the permanent housing supply. ***Staff is seeking Council direction and discussion on the Applicants revised proposal with specific focus on the issues below.***

- ***Is Council comfortable with the Applicant's proposal to provide a dorm/lodge-style housing arrangement targeted primarily for seasonal workers vs. permanent housing for year round employees?***

- ***Does Council support Staff's request that a portion of the units be developed as private units? If so, Staff is asking for general Council direction on the preferred unit configuration and would recommend that the final mix of units and configuration be determined as part of the Planning Commission's current review of the Treasure Hill Conditional Use Permit.***

- ***If so, Staff is seeking Council direction on the Applicant's proposal which provides less total square feet than required, but meets or exceeds the total number of employees required to be housed?***

Other Issues for Council Consideration

- **Initial Proposal.** The Applicant initially proposed to meet their housing obligation with 4,000 square feet of dorm/lodge style housing on-site and the majority of their housing obligation through an in lieu fee. The revised proposal demonstrates that the AUEs in terms of employees housed can be accommodated on-site which is Applicant's preferred alternative. ***Does Council wish to explore any further a fee in lieu option for this project? If so, under what conditions would Council be willing to accept an in-lieu fee payment?*** Planning Staff would recommend further evaluation of the in lieu fee specifically as a funding mechanism for the Woodside/Park Avenue properties due to their proximity to the Treasure Hill Hotel/Condominium project.

- ***Off-site units* within the City Limits.** Another employee housing option is to provide units within the Park City limits. This is the next preferred option after providing units on-site. ***Does Council wish to provide direction to the Applicant to consider off-site locations?*** The Applicant has not proposed offsite units as part of its mitigation strategies.

SIGNIFICANT IMPACTS

Accommodating the additional units on-site can be accomplished within the parameters of the existing MPD. As stated above, Planning staff estimates that the units can be accommodated on-site without being detrimental to the overall project design. Increasing the amount of on-site employee housing may have an impact on the current design and volumetrics that the Planning Commission will need to consider within the overall context of the project. Second, the acceptance of an in lieu fee will not result in the immediate production of affordable housing. Staff has identified a project where these funds could be used in a timely manner (2 – 3 years) to enhance affordability as required by the Housing Resolution.

DEPARTMENT REVIEW

Sustainability, Planning, Legal and the City Manager reviewed this report.

ALTERNATIVES

A. **Approve the Request:** The City Council/Housing Authority could approve the revised Housing Mitigation Plan as submitted by the Applicant.

B. **Modify the Request:** The City Council/Housing Authority could modify the request by directing the Applicant to provide additional square footage and/or offer private units

C. **Continue the Item:** The City Council/Housing Authority could continue the item and direct Staff to return with additional information. This could include direction to return to Planning Commission for input on the Applicant's revised proposal.

D. **Deny the Request.** The City Council/Housing Authority could deny the request and direct the Applicant to resubmit the Housing Mitigation Plan.

RECOMMENDATION

Staff recommends that the City Council consider the Planning Commission's input, conduct a public hearing and provide direction on the proposed employee housing mitigation strategy.

ATTACHMENT A: Employee Housing Mitigation Proposal
ATTACHMENT B: January 7, 2009 Planning Commission Minutes

December 12, 2008

Emailed and Hand Delivered
Phyllis McDonough Roberson,
Community and Public Affairs Manager
Park City Municipal Corporation
1354 Park Avenue
P.O. Box 1480
Park City, Utah 84060-1480

Re: **Employee Housing Contribution**

Dear Phyllis,

Pursuant to the October 28th, 2008 meeting with you, Mark Harrington, Katie Cattan, Pat Sweeney and Mike Sweeney this letter is being submitted to you to set forth the MPE's position with respect to its 1986 Sweeney Properties Master Plan approval as it pertains to employee housing. It also includes a proposal to contribute to employee housing.

MPE supports the principle of employee housing. Condition No. 10 of the Sweeney Properties Master Plan approved by the Planning Commission on December 18, 1985 and subsequently approved by the City Council on October 16, 1986 specifies that: "As projects are submitted for conditional use approval, the City shall review them for required employee housing in accordance with adopted ordinances in effect at the time of application (emphasis added)." And, in addition, in Section VI, Major Issues, Employee Housing, states: "At the time of conditional use approval, individual projects shall be reviewed for impacts on and the possible provision of employee housing in accordance with applicable city ordinance in effect (emphasis added)."

MPE understands that in 2006 Mr. Pat Putt, on behalf of the City, took the position that "adopted ordinances in effect at the time of application," meant that Resolution 17-99: "*Resolution Adopting Affordable Housing Guidelines and Standards for Park City, Utah*" would apply. Notwithstanding Mr. Putt's letter of June 7, 2006, we believe that the 1999 Resolution pertains to annexations into the City and master planned developments approved after the date of the Resolution. The filing of a conditional use permit "CUP" for a previously approved master planned development would not require compliance with this Resolution. Nonetheless, MPE is prepared to recommend, subject to an acceptable approval and development agreement, a financial contribution to employee housing utilizing the greater 2007 standards rather than the 1999 standards in the Resolution (**see proposal below**) to be located off-site of Treasure Project boundaries or to negotiate for other substitutes acceptable to MPE and the other owners and approved by the City Council. Furthermore, MPE proposes that the Treasure Project will

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3. Location/Development alternatives.

Affordable Housing units shall be constructed on the project site, unless the developer can demonstrate to the Housing Authority compelling evidence (density or design) that the project should not accommodate on-site units. Subject to Housing Authority approval, the following location alternatives, in order of preference, are available:

1. Construction of affordable units within the Park City limits;
2. Construction of affordable units within the School District boundaries;
3. Land donation;
4. Acquisition of off-site units within Park City limits subject to Housing Authority approval;and,
5. Payment of in lieu fees. The fee is structured on the subsidy gap that is required to construct rental and for-sale units, not on the actual cost of construction. For 1999 the figure is $59,828 per unit.

These figures are based on 1999 costs and will need to be administratively adjusted to reflect market costs at the time of project approval. The in-lieu fee figure can be reduced by the Housing Authority if the payment occurs in the first two years of the development process and results in a partnership that leverages the immediate production or purchase of units. Methodology for the in lieu fee calculation can be found in the Park City Housing Data Handbook 1999.

4. Design/Site criteria

Projects shall be integrated in design and in income. Large scale projects that provide the same unit type at the same price or rent and that are isolated from community services and public transportation are discouraged. Smaller projects located near community services that provide for mixed income levels are mixed unit types are preferred.

5. Limitation Period.

Rental rates and resale price limitations shall remain in place for a minimum of 40 years, with perpetuity being the preferred alternative. First right of refusal and/or option to purchase shall be granted to the Housing Authority. The Authority shall have 90 days to respond or assign the above-described rights. Longer terms of limitation may be negotiated on individual projects as directed by the Housing Authority. This limitation period may also be reduced based upon the provision of additional public benefits such as preservation of historic structures or other community benefits as negotiated by the Housing Authority.

SECTION 5. INDEPENDENT CALCULATION

An applicant may submit an application for independent calculation requesting modification to the following:

a) Unit Standards;
b) Limitation Standards;
c) Unit Equivalents; and,
d) In Lieu Guidelines cost calculations.

The application for independent calculation shall be reviewed by the Housing Authority. If the material in the application demonstrates by substantial competent evidence that there is reasonable basis to modify the standards listed above because of unique circumstances related to the proposed incorporate a limited amount of "seasonal" employee housing onsite provided such does not violate the Sweeney Properties Master Plan.

Employee Housing Contribution Proposal

1. Provide 4,000 net square feet of on-site dorm style seasonal employee housing on three levels with 150 square feet of net liveable space per person, without increasing the building footprint or height.

2. Propose to use the Affordable Housing Requirements per Resolution 2007 instead of Resolution 17-99 to calculate the number of affordable unit equivalents "UEs" (26.67 and 28.47 respectively), size of a unit equivalent (900 net square feet and 800 net square feet respectively), affordable square feet required (24,006 square feet and 22,775 square feet respectively) and the Buyout Price ($3,569,093 and $1,404,163 respectively). See table below for details of calculations. **These calculations are approximate and are based on the proposed units, unit type and other Treasure Project assumptions that are subject to CUP approval and ultimate build-out of Treasure.** This financial contribution to employee housing can be used to support Affordable/Employee Housing located off-site of the Treasure Project or for other substitutes acceptable to substitutes acceptable to MPE and the other owners and approved by the City Council.

This proposal is sensitive to the neighbors' and Park City Planning Commission's concerns with respect to traffic, density, height and massing of the Treasure Project and we believe complies with the Sweeney Properties Master Plan conditions of approval. Moreover it provides an increase of $2,164,930 in the Buyout Price.

As always, I appreciate working with you.

Sincerely,

MPE, Inc.

Michael E. Sweeney,
Vice President

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Treasure
Affordable Housing Requirements per Resolution 17-99

Employee Generation (commercial)	
Employees per 1,000 sf (Note 1)	2.90
Proposed Square Feet Commercial	19000.00
Total Employee Generation Projection	55.10
Workers per Household	1.30
Total worker households	42.38
Park City Mitigation Rate (Note 2)	0.20
Employee Mitigation Required	8.48
Subtotal: Affordable UEs (800 sq. feet) Required	**4.24**
Residential Development	
Proposed Residential Units	100
Park City Mitigation Rate	15%
Subtotal: Affordable UEs (800 sq. feet) Required	**15**
Employee Generation (commercial)	
Employees per hotel room	0.60
Proposed Number of Room	200.00
Total Employee Generation Projection	120.00
Workers per Household	1.30
Total worker households	92.31
Park City Mitigation Rate (Note 2)	0.20
Employee Mitigation Required	18.46
Subtotal: Affordable UEs (800 sq. feet) Required	**9.23**
Total: Affordable Square Feet Required	22,775.38

Treasure
Affordable Housing Requirements per Resolution 2007

Employee Generation (commercial)	
Employees per 1,000 sf (Note 1)	2.90
Proposed Square Feet Commercial	19000.00
Total Employee Generation Projection	55.10
Workers per Household	1.50
Total worker households	36.73
Park City Mitigation Rate	0.20
Employee Mitigation Required	7.35
Subtotal: Affordable UEs (900 sq. feet) Required	**3.67**
Residential Development	
Proposed Residential Units	100
Park City Mitigation Rate	15%
Subtotal: Affordable UEs (900 sq. feet) Required	**15**
Employee Generation (commercial)	
Employees per hotel room	0.60
Proposed Number of Room	200.00
Total Employee Generation Projection	120.00
Workers per Household	1.50
Total worker households	80.00
Park City Mitigation Rate	0.20
Employee Mitigation Required	16.00
Subtotal: Affordable UEs (900 sq. feet) Required	**8.00**
Total: Affordable Square Feet Required	24,006.00

Coments:
1) 17-99 has 1.3 workers per household while 2007 has 1.5 workers per household.
(2) 17-99 base is 800 square feet and 2007 is 900 square feet.

Total estimated Buyout Price (excludes 4,000 sq. ft.)	
Resolution 17-99 Affordable UEs = 19.23 @ $59,828	$1,404,163
Resolution 2007 Affordable Ues = 18.56 @ $160, 553	$3,569,093
Increase in Buyout Price	$2,164,930

Employee Housing Contribution

Treasure supports the principle of employee housing. Condition No. 10 of the Sweeney Properties Master Plan approved by the Planning Commission on December 18, 1985 and subsequently approved by the City Council on October 16, 1986 specifies that: "As projects are submitted for conditional use approval, the City shall review them for required employee housing in accordance with adopted ordinances in effect at the time of application (emphasis added)." And, in addition, in Section VI, Major Issues, Employee Housing, states: "At the time of conditional use approval, individual projects shall be reviewed for impacts on and the possible provision of employee housing in accordance with applicable city ordinance in effect (emphasis added)."

Treasure's opinion is that the "adopted ordinances in effect at the time of application," Resolution 17-99: "*Resolution Adopting Affordable Housing Guidelines and Standards for Park City, Utah*" does not apply, notwithstanding Mr. Pat Putt's letter of June 7, 2006 as shown below. This resolution pertains to annexations into the City and new master planned development. A conditional use permit "CUP" does not trigger this resolution. Nonetheless, Treasure will work with the City to make a financial contribution to employee housing to be located outside of Treasure or other substitutes acceptable to Treasure and approved by the City Council. Furthermore, Treasure will incorporate a limited amount of "seasonal" employee housing into Treasure provided such does not violate the Sweeney Properties Master Plan as it pertains to the Mid-Station and Creole Sites (Treasure).

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Mr. Putt's June 7, 2006 Letter

June 7, 2006

Mr. Patrick Sweeney
Mr. Michael Sweeney
Mr. Edward Sweeney
C/o MPE, Inc.
Post Office Box 2429
Park City, Utah 84060

RE: Treasure Hill Employee Housing Requirement

Dear M. Sweeney:

This letter is a follow-up to our meeting on Tuesday, May 30th where you requested the City's position regarding whether or not MPE, Inc. is required to provide employee housing mitigation as part of its' current Treasure Hill conditional use permit application.

Condition No. 10 of the Sweeney Properties Large Scale Master Planned Development approved by the Planning Commission on December 18, 1985 specifies that:

> **"As projects are submitted for conditional use approval, the City shall review them for required employee housing in accordance with adopted ordinances in effect at the time of application."**

This condition of approval leaves no room for ambiguity. You submitted a conditional use permit application to the City on January 26, 2004. Resolution 17-99: *Resolution Adopting Affordable Housing Guidelines and Standards for Park City, Utah (which includes employee housing)* is the affordable housing requirement in effect at the time you submitted your conditional use permit application. The City is currently in the process of reviewing your conditional use permit application.

It is my determination that Resolution 17-99 applies to the Treasure Hill conditional use permit application. I have been unable to find any documentation in my files that demonstrates the City has waived this administrative requirement. Furthermore, I have reviewed my determination with the City Attorney's office. The City Attorney concurs with my determination.

I will be happy to continue to work with you reviewing your revised/updated project plans, including strategies for providing the employee housing required under Condition No. 10.

Please feel free to contact me at (435) 615-5062 should you wish to discuss this matter in greater detail.

Sincerely,

Patrick J. Putt
Planning Director

cc: Mark Harrington, City Attorney
Polly Samuels McLean, Assistant City Attorney
Phyllis Robinson, Affordable Housing Project Manager

PARK CITY PLANNING COMMISSION
WORK SESSION
January 7, 2009

PRESENT: Jack Thomas, Rory Murphy, Dick Peek, Julia Pettit, Evan Russack, Adam Strachan, Charlie Wintzer, Brooks Robinson, Katie Cattan, Phyllis Robinson, Polly Samuels McLean

WORK SESSION ITEM

Treasure Hill - Re-introduction and discussion

Planner Katie Cattan stated that the objective this evening was to re-introduce the Treasure Hill conditional use permit. She noted that in 1985 the discussions of the Planning Commission ranged from scattered homes across the 123 acre site to a more dense, compact and less sprawled higher story buildings. In the end, the approval was for more compact, dense development at the Creole Gulch and Mid-station sites of the original MPD.

Planner Cattan presented a rendering of one option that was presented to the Planning Commission in 1985. The rendering provided an overall picture of the actual ownership of the land. The property went all the way up Treasure Hill. Another slide showed the location of the proposed project.

Planner Cattan stated that the approval for more dense development called for 97% open space, which is 110 acres that will be dedicated to open space, more dense and taller buildings, and it allowed for greater heights. A height exception was approved by the City Council during a call-up. Planner Cattan noted that a height exception in a master planned development had to be approved by the City Council. She presented a rendering from the Aerie of the Treasure Hill development, showing Creole Gulch and the Mid-station.

Planner Cattan noted that the parcel sits above the HR-1 zone within the Estate Zone. She pointed out that the Creole Gulch site is proposed to be a resort hotel, private club area, and employee housing. The Mid-Station site is proposed to be condominiums or buildings that look more like single family home buildings.

Planner Cattan reported that the Sweeney Master Plan was approved by the City Council October 16th, 1986. It was made up of 125-1/2 acres on Treasure Hill. Within the MPD the Coalition properties were created, which included the town lift plaza on Main Street, the HR1- properties, the Hillside Properties and three single family lots. The two remaining sites to be developed are the Creole Gulch and the Town Lift Mid-station.

Planner Cattan stated that the Creole Gulch site is allowed to have 161-1/2 residential UE's under the MPD and 15.5 commercial UE's. The Town Lift Mid-Station is allowed 35-1/2 residential and 3.5 commercial. The total is 197 residential UE's and 19 commercial UE's. Planner Cattan clarified that residential is quantified by 2,000 square feet and commercial is 1,000 square feet.

Planner Cattan stated that the standards for review are handled differently if there is a master planned development. The application must comply with the original MPD as well as the conditional use parameters under the current Land Management Code. Planner Cattan reviewed the ten findings from the original Sweeney MPD that were included in the Staff report. Those findings will be referred to during the CUP review to make sure this proposal fits within the findings of the MPD.

Planner Cattan noted that the development parameters and conditions were also included in the Staff report and they address the obligations of the MPD in terms of the densities, height limit, access, utilities, roads, easements, and affordable housing.

Planner Cattan remarked that the Land Management Code reflects the Utah Legislature standards for writing up conditional use permits. The Planning Department will evaluate all proposed conditional uses and may recommend conditions of approval to preserve the character of the zone and to mitigate potential adverse effects of the conditional use. The conditional use shall be approved if reasonable conditions can be imposed to mitigate anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of the proposed use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards, the CUP may be denied. Planner Cattan remarked that the proposal must mitigate the fifteen criteria outlined in the Land Management Code before it can be approved.

Planner Cattan requested discussion this evening on 1) the setbacks of the original MPD and the conditional use; 2) affordable housing; and 3) the process moving forward. Planner Cattan stated that this conditional use has been in review since 2004 and was reviewed by the Staff and the Planning Commission from 2004 to 2006. The applicant has come back with revisions that were made in response to direction given during those reviews.

Planner Cattan pointed out inconsistencies in the 1985 Staff report from the MPD approval. One was a statement indicating that there are100 foot plus setbacks from the road with buildings sited considerably further from the closest residence. In looking at that statement they need to remember that many of the homes that are now built were not existing at the time of the MPD. Planner Cattan noted that an exhibit from the MPD shows a zero foot height limit for the first 40 feet from back of pavement to the first above ground building. The original MPD also shows underground parking at 20 to 25 feet. Planner Cattan stated that the current design was based on an exhibit within the master planned development where there were zero maximum building heights for the first 40 feet and higher increments as the building steps back. The current plan complies with that exhibit, but it is inconsistent with the Staff report written at the time of the MPD. Planner Cattan requested that the Planning Commission address a number of inconsistencies that resulted from so many changes throughout the MPD process. She requested that the Planning Commission provide input for determining how to interpret the setbacks. The Staff interpretation from 2006 was that the design must meet the original intent of the MPD, which was to establish a sizable setback, landscape buffer and transition area between the edge of the street, the neighboring residence and the proposed vertical construction. Planner Cattan suggested utilizing the maximum building height from the exhibit and utilize the zero foot area as the front yard setback. Anything built in that area would have to comply with the Land Management Code for a setback area.

Planner Cattan reviewed the original master plan exhibit. She emphasized that a decision needed to be made this evening on how to apply the setbacks to clarify the inconsistency in the document.

Planner Cattan noted that the affordable housing proposal was attached to the Staff report. Under the square footage that was provided, the Staff conducted an analysis of the affordable housing and under the 99 Resolution, 22,775 square feet would be required. She noted that the requirements of the 99 Resolution are less strict that the current Code.
The proposal is for 4,000 net square feet on-site, dorm-style seasonal employee housing. The applicants are requesting the option to pay an in-lieu fee for the remaining affordable housing obligation. The applicant proposes to utilize the '07 Resolution, which requires 24,000 square feet of affordable housing. Therefore, the in-lieu fee would be approximately $3.5 million. Planner Cattan noted that the analysis was based on the square footage as proposed. The support commercial was not included and that would affect the final number. At the time of approval, the Planning Commission will look at the square footages and the use of the building and redefine the exact numbers.

Planner Cattan stated that the Staff and the applicant were looking for direction as to whether the Planning Commission supports the level of on-site units and the in-lieu fee, and whether the Planning Commission is willing to consider an in-lieu fee subject to the application of the Housing Resolution '07. If not, if the Planning Commission would recommend an in-lieu payment for fewer unit equivalents that what is being requested by the applicant and under what conditions. Planner Cattan noted that the Planning Commission would forward a recommendation to the Housing Authority and the Housing Authority would make the final decision.

Chair Thomas noted that this item was scheduled for work session only and not for public hearing this evening. The Staff was asking the Planning Commission to make a decision without hearing public input. Chair Thomas was uncomfortable with that process.

Phyllis Robinson explained that this matter was slightly different from the normal process of due process for affordable housing. This could have gone directly to the Housing Authority without input from the Planning Commission, but because of potential impacts of the affordable housing on a large scale project, they preferred to bring it to the Planning Commission for work session discussion. That discussion would be included as part of the Staff report to the Housing Authority.

Chair Thomas pointed out that the Staff was also requesting input on setbacks and he felt that also required public input. Chair Thomas felt these items could be discussed this evening but the decision should be made during a regular session after a public hearing.
Planner Cattan stated that the discussion would be helpful and they could schedule this for a public hearing at the next meeting with possible action. The Commissioners concurred. Ms. Robinson pointed out that there would be opportunity for additional public hearing before the Housing Authority.

Planner Cattan explained the process. Because this is a large scale project and it was reviewed in 23 previous Planning Commission meetings, she preferred to start with the affordable housing component. The next step would be to address the conditional use criteria in an organized manner, beginning with traffic. Throughout the process the Planning Commission will have the opportunity to decide what element they would like to see next.

Chair Thomas noted that the Planning Commission last saw this project in April of 2006. He wanted to revisit that last discussion with regards to the project and the input given by the previous Planning Director and Commissioners who are no longer on the Planning Commission. He thought that input would be valuable and it would help update the newer Commissioners.

Commissioner Russack suggested that the Staff provide a synopsis of the previous input as opposed to reviewing the material verbatim. Commissioner Peek suggested that a copy of the minutes from the April meeting would be helpful.

Chair Thomas commented on the magnitude of this project and requested that the applicants keep their presentation to the elements the Planning Commission was asked to address this evening.

Planner Cattan reviewed the requests the Planning Commission made to the applicant in April 2006, as outlined in the Staff report. These included 1) site plan and grading details; 2) open space calculations; 3) building setbacks for all structures; 4) building height compliance with approve building volumetrics; 5) residential unit size and configuration so as to verify the density and parking compliance; 6) architectural details illustrating size, form, mass, roof shapes and exterior details; 7) project streetscape detailing the design of the project entrances, retaining walls, landscape areas and pedestrian ways; 8) preliminary landscape plan; 9) ski lift and funicular design.

Chair Thomas reiterated an earlier request to have the minutes of the April 2006 meeting. Commissioner Wintzer suggested that the Staff try to keep the comments from previous years in context with a particular element being discussed at the time. This would help them focus on one aspect at a time rather than try to remember everything over several meetings.

Pat Sweeney, representing the applicant, introduced David Eldredge, the project architect and Jim Laroche, who is responsible for keeping the Treasure Hill website updated.

Mr. Sweeney noted that the history of this project goes back a long time. He presented a slide showing a general big picture of what they have been doing and what they are trying to accomplish. He reiterated that the decision was made to go with open space and tall buildings. A key concept is that the buildings were sunk into the Creole Gulch location. Mr. Sweeney reviewed the drawings and documents that are posted on the Treasure Hill website.

Mr. Sweeney stated that his father acquired the property rights in 1977 and there were two versions of the plan that came off of Lowell/Empire and were clustered developments, classic vintage 1970's condominiums. He noted that those two plans struggled through the process and went nowhere. Following that they were approached by people from Chicago who had a plan to put a road up over the hill and put everything on top. That plan also struggled. Another plan was to base the funicular on Lowell/Empire and access 500 UE's. At that time, they also had the rights to the King Road Estate Lot, which is a 74 acre parcel that ended up with a large single family home.

Mr. Sweeney stated that when he approached the Planning Staff in 1984 he had a simple plan and he only wanted permitted use. Permitted use was the plan that Planner Cattan showed at the beginning. It would basically be a road from Lowell/ Empire to Upper Norfolk and a road up and over the hill. Mr. Sweeney noted that the UE's were calculated and the number was close to 200

UE's. When that proposal was presented to the Staff they were asked to look at all other alternatives. They agreed to do that and the Planning Commission and City Council were behind that concept.

Mr. Sweeney stated that initially they were willing to do a clustered development in Creole Gulch and a road from Lowell/Empire to Upper Norfolk. The looked at all the possibilities and ultimately settled on high rises in the Creole Gulch and Mid-station areas with smaller units around them. The decision to use that plan was made in 1986. The density amount was about half of the underlying density and they felt that was fair and could be reasonably achieved. He remarked that the City Council had set the parameters and they were asked to make their development fit within those parameters. They have spent the last six years proving that they are inside those parameters.

Mr. Sweeney stated that they spent the last two years addressing the nine items requested by the Planning Commission in 2006 that were outlined by Planner Cattan. It was a lot of work but he believes they addressed those items. In addition, they went back to the fifteen criteria of the CUP. Mr. Sweeney noted that all the current drawings reference the conditions in the Code that they feel were addressed.

Mr. Sweeney pointed out that the northwest edge of the project was clearly articulated, some of the mass was taken out, and the streetscape was completely redone. This was in response to previous direction given in terms of design.

Mr. Sweeney reviewed a computer model that was based on aerial surveys and field surveys.

Regarding the three items for discussion requested by the Staff this evening, Mr. Sweeney reviewed drawings on the website and indicated the zero building height zone. He noted that necessary retaining walls were added to accommodate the access to various parts of the project, but everything else was ground zero with landscape. He believed this addressed the setback issue. He noted that the drawing was generated 35 years ago and it was the basis of all the drawings for the master plan in the 1980's.

With respect to the setbacks, Mr. Sweeney presented another drawing that he felt was pertinent. It was an expression of the 100 foot setback from existing buildings at the time of MPD approval. He noted that development remained behind that line.

Mr. Sweeney stated that the previous Staff report was an interpretation of the entire process and this exhibit. He believed the absence in the Staff report was that there would be separation. Mr. Sweeney noted that a number of separation drawings were detailed.

Mr. Sweeney commented on the technicalities involved with the affording housing component. He remarked that they believe in employee housing and intend to do whatever is necessary to meet the requirements of the current Code. They are not interested in building employee housing elsewhere and prefer to pay the in-lieu fee. Mr. Sweeney explained why it makes sense to put some employee housing on the project and why it would not negatively impact the project plan. The employee housing would net somewhere between 400-550 square feet of employee living space. Mr. Sweeney pointed out that the exact amount would be determined by the final design. There is room in the project for employee housing and the question is whether the Housing Authority wants it there or if it breaks the master plan. Mr. Sweeney provided a different view of the project showing where the employee housing would be located. He stated that it would provide daylight, access and a limited amount of parking and it would be a great place for an employee to live in Park City.

Mr. Sweeney provided a brief background on the traffic issue. He noted that years ago, his predecessor participated in a special improvement district to pay for Lowell Avenue, with the intent of accessing this property. The connection from Lowell/Empire was never condemned at that time and part of the master plan consideration was to deed that back to the City after the MPD approval. Mr. Sweeney noted that his family helped make that road possible and it has always been the staging area or access to this property. He pointed out that alternative options to connect Lowell/Empire to King Road were frowned upon and never occurred.

Mr. Sweeney noted that all the traffic studies were posted on their website, along with all the associated reports and graphs. He noted that both the independent study and their study indicated that in general the traffic service to that part of town is Level A or B and it would remain at that level. This project would have little impact on the capacity of those roads. Mr. Sweeney noted that the results of the traffic study are predicated on the road being plowed and everyone in Park City knows that there are times when that does not happen anywhere in town.

Mr. Sweeney stated that another issue that became apparent is a potential conflict with pedestrians walking on the roads. As a solution, they propose to build a sidewalk on the upside of Lowell/Empire. There is adequate right-of-way for a sidewalk and two travel lanes and one parking lane on the downhill side. Mr. Sweeney noted that the former City Engineer was not convinced that was the right approach and they have not heard an opinion from the current City Engineer. This involves more people beyond the developer but they believe it is the right thing to do. Mr. Sweeney commented on timing and felt the sidewalk should be in place and the road rebuilt before construction trucks start using that road. He also encouraged a pro-active plowing plan.

Planner Cattan reiterated her request for discussion on affordable housing, setbacks and process. She was willing to postpone the setbacks discussion until they schedule a public hearing.

Commissioner Strachan stated that he and Commissioner Pettit were never given a complete MPD document and he did not think it was available on the website. Mr. Sweeney stated that at the time of the MPD approval, there was only a Staff report and the exhibits, and those are all on the website under History. Planner Cattan noted that there are two large folders of MPD documents that reflect everything that was done throughout the process. The actual document is the Staff report and the exhibits.

Commissioner Wintzer noted that several of the documents reference other documents and he wondered where they could find those referenced documents. Mr. Sweeney replied that some of the documents are 40 or 50 pages and involve several different versions. He was willing to put those documents on the website if the Planning Commission wanted.

Mr. Sweeney explained that after the 1987 amendment, which took away three houses and brought the ski run down to Woodside, they went back and updated all the drawings at the request of Nora Seltenrich. He presented the drawings posted on the website and noted that those drawings are the essence of the approval.

Commissioner Wintzer stated that the Planning Commission could not go through documents on a website. They need to have an actual report from the Staff and documents in a book that can be reviewed and referenced. Planner Cattan stated that she had worked off the Staff report and offered to provide a full copy of all the exhibits to the MPD for each Commissioner. Commissioner Wintzer felt that would be adequate. The Commissioners concurred. Chair Thomas wanted MPD drawings from the approval and not interpreted drawings after that date.

The Commissioners discussed employee housing. Recognizing that the decisions for affordable housing are made by the Housing Authority and not the Planning Commission, Commissioner Pettit preferred to have all the affordable housing on-site. However, she understood the discussion in the Staff report with regards to how adding all of the affordable housing would impact the mass and scale and size of the project. Commissioner Pettit pointed out that there is nothing that shows what the impacts would be if all the affordable housing was placed on site. She stated that they struggle in town to find sites to locate affordable housing units and yet this land is already in town and within walking distance of Main Street and access to public transportation. Commissioner Pettit felt this was the ideal location and she would like to see the bulk of affordable housing on site.

Commissioner Murphy reiterated Commissioner Pettit's position for putting the affordable housing on-site. Commissioner Murphy did not support an in-lieu fee. He felt this was the perfect site for affordable housing and the perfect application for it, particularly in terms of a hotel use. Commissioner Murphy stated that it is imperative that all the affordable housing be on-site and that they find room for it without unduly impacting the surrounding neighborhoods.

Commissioner Wintzer agreed. He noted that every time they deal with employee housing at the Planning Commission level it has always been an argument and they never get it where people want it. If the City has the money but no place to put it, they do not have employee housing.

Commissioner Russack agreed that all the affordable housing needs to be part of the project; however he was concerned about the impacts on the mass and scale.

Commissioner Peek agreed with his fellow Commissioners that putting all the affordable housing on-site was best, understanding that there would be impacts.

Commissioner Russack recalled an earlier comment from Mr. Sweeney that there was plenty of volume to put affordable housing into this project. Mr. Sweeney stated that if they go back and put mass on the northwest edge and other places, they would be below the height envelope. However, there are important issues to consider. One is that it flies in the face of their efforts to drop that edge to a more neighborhood scale. A second issue is whether it is legally allowed under the master plan or if the obligation is to put the affordable housing off-site because the master plan is already limited to certain unit equivalents. He had not received a firm answer from the Legal Staff and it is important to know that before they move forward. A third question is whether the employee housing would be for this project or for all of Old Town. Mr. Sweeney reiterated that the first step is to get a legal opinion as to whether this could even be done. If it is legal, a separate question would be cost and trade-offs.

Chair Thomas stated that the affordable housing component of a project is part of the community and they need to stop treating it like an ugly stepchild and pushing it out of town. Chair Thomas favored a solution for keeping all the affordable housing on site.

Chair Thomas referred to a letter from former Planning Director, Patrick Putt, in 2006, as well as a comparative analysis of Mr. Putt's interpretation, that was included in the Staff report. He wanted to know who had prepared the interpretation. Ms. Robinson stated that she had prepared the interpretation and the table, which was part of the housing proposal. Ms. Robinson explained that when a proposal comes in that triggers an affordable housing requirement, it is vested under the ordinance in effect at the time of the application. In this case, it would have been Housing Resolution 17-99. She noted that Resolution 17-99 still has specific requirements in terms of how to calculate the affordable housing obligation of that project. Recognizing that times have changed significantly from 1999 to 2007, the applicant has expressed a willingness to be bound by the 2007 ordinance as opposed to Housing Resolution 17-99. Ms. Robinson stated that this is particularly significant in regard to any potential in-lieu fee because the in-lieu fee in the 17-99 Resolution had not been updated until 2006. The in-lieu fee changed from $59,000 to approximately $160,000 per unit. As part of the concession for requesting an in-lieu fee, the applicant has offered to pay the 2007 fee. Ms. Robinson pointed out that another difference is that the affordable unit equivalent is 900 square foot as the base under the current resolution as opposed to 800 square feet. Even though more square footage is required under the 2007 Resolution, the number of affordable unit equivalents square footage would be divided by 900. The 2007 Resolution does not require fewer units, it only requires that they be larger.

Commissioner Strachan asked if the square footage of affordable housing is greater under the 99 ordinance. Ms. Robinson replied that it is greater under the 2007 ordinance. With the exception of dorm style housing, it is the actual indoor wall to wall measure of the unit. The dorm space is 150 net square feet livable per person.

Chair Thomas clarified that there was not much difference between the two tables. Ms. Robinson agreed and noted that the most significant difference was the in-lieu obligation between the two resolutions.

Commissioner Strachan echoed the other Commissioners. He believed there could be more affordable housing on site without increasing the bulk and mass. Chair Thomas agreed. He was not convinced it would have to impact the bulk and mass.

Ms. Robinson noted that the City Attorney had sent a text message with his response regarding the legal ability to provide affordable units on site without affecting the base number of allocated UE's. According to his text message, it is permissible that affordable units are not counted towards the base density. Ms. Robinson offered to obtain an official opinion from the City Attorney.

Planner Cattan stated that she would relay the comments from the Planning Commission to the Housing Authority.

Planner Cattan noted that another topic for discussion is whether to move forward with the conditional use permit and the process. She requested that the Planning Commission discuss traffic as the first item. She noted that traffic was the primary concern expressed by the public and the Planning Commission during those first meetings.

Chair Thomas requested a site visit and a walking tour of Lowell Avenue and he preferred that it be on a heavy snow day.

Mr. Sweeney stated that if the Planning Commission would like to spend an hour or two reviewing all the materials, he would be happy to give them a CD of all the materials. Planner Cattan stated that she would provide the Planning Commission with the traffic studies and she had created a disk with all the past information. Any communication would have to occur in a public forum.

Commissioner Wintzer felt it would be helpful to have a CD of all the information on the Treasure Hill website and have Mr. Sweeney attend a work session to explain how to use it.

Commissioner Pettit believed the engineering and excavating for the parking being proposed is inter-related to traffic issues and she suggested that those be discussed together. She thought the parking issue also ties in with mass and scale and size of the project. Commissioner Pettit noted that this project has not tried to be creative in minimizing the use of the car. The parking exceeds what the MPD requires and she felt there could be creative solutions that would mitigate the traffic impacts if the number of cars to and from the project could be reduced.

Chair Thomas commented on the number of visual aids, photographs and testimony that was submitted to the previous Planning Commission in the earlier application. He thought it was important for the current Planning Commission to review that material.

Commissioner Pettit stated that the minutes never give the full flavor of people's comments and the experiences they share that could be relevant on the traffic issue. She wanted to make sure that they allow and encourage public comment so the Planning Commission can hear full comments rather than a synopsis from the minutes. Chair Thomas agreed. They are looking at a project that will have a staggering impact on the community and they should shake the community and get people interested.

Commissioner Wintzer referred to what was called Big Picture 01 and asked someone to identify the dotted lines. He was not interested in hearing an explanation this evening but suggested a colored drawing that spells out what the different lines mean.

Planner Cattan clarified that setback issues would be postponed to the next meeting. Commissioner Murphy asked for a brief explanation of the setback inconsistencies. Planner Cattan stated that the inconsistencies are between the exhibits at the time of the master planned development versus the Staff report. She noted that Mr. Sweeney had shed light this evening when he indicated the portion where Lowell becomes Empire that used to be part of the Sweeney project. Taking into consideration that the lot line needs to be further away from the property, those numbers may work. She remarked that there may have been 100 feet between the previous lot line before it was dedicated to the City for the turnaround between Lowell and Empire. She noted that the Staff report referred to 100 feet plus setbacks, but the exhibits of the MPD showed that it was clearly not 100 feet. She would need to look at that again after hearing Mr. Sweeney's explanation this evening.

Commissioner Pettit pointed out that a conceptual plan was submitted during the MPD stage and the CUP level is when they look at the impacts of the project and the proposed mitigation. She wanted to know if anything prevented them from looking at certain conditions that might include increasing the setbacks to create more of a buffer and space between the neighbors.

Planner Cattan stated that if the conditional use as proposed is not mitigating the impacts of the actual use, the Planning Commission can increase the setbacks as a way to mitigate the impacts. In terms of setbacks, Planner Cattan noted that they typically go off the zone setbacks. At the time of the MPD approval, a lot of the exhibits were just trying to figure out volumetrics and what would work in terms of height from existing grade. They put certain conditions on certain height and the Sweeney's worked with their architect to make sure they could make the volumetrics work in terms of units. It was always the understanding that the architecture was not final and it would change. One of the findings within the MPD is that the architecture must be compatible with the historic district. With all the projects within this MPD, the architecture is changed at the time of CUP review. Planner Cattan clarified that the exhibits for buildings is not what has to be built for this MPD.

Mr. Sweeney stated that there are a number of ways to demonstrate setbacks and separation and he was willing to present those to the Planning Commission at a later date.
Chair Thomas requested blown up copies of the schematic elevations and grade. He also requested that the building cross sections be changed to existing natural grade. He wanted larger versions of each one instead of four on one sheet. Mr. Sweeney stated that he would meet with Planner Cattan to see which drawings she wants to include in the package. He would then make copies and prepare full scale sets.

Chair Thomas referred to the small scale section. He assumed that the drawing was done to some kind of scale but the scale was not represented. Mr. Sweeney stated that the drawings were very accurate and there was scales. He pointed out they have not yet physically nailed down all the details of the houses outside of the Sweeney property. The information was taken from aerials. Chair Thomas stated that throughout the process he would try to give Mr. Sweeney advanced notice on what the Planning Commission would need to see at future meetings.

Chair Thomas and the Commissioners pointed out exhibits and drawings that they felt needed to be better clarified.

Planner Cattan stated that this item would be scheduled for discussion and public hearing the first meeting in February. Chair Thomas commented on the importance of this project and he requested that the agenda allocate a substantial amount of time for public input. He requested that this be scheduled as one of the first items on the agenda. Commissioner Wintzer expressed his desire for a one item meeting to give ample time for discussion and public input. Chair Thomas suggested that they schedule this item for the next meeting on the regular agenda and see how that goes before talking about a special meeting.

Planner Cattan summarized that Treasure Hill will be scheduled for a public hearing on the February 11th agenda and traffic would be the main topic for discussion. A request was made to hold the meeting in the auditorium to accommodate more people. Planner Cattan would check to see if the auditorium is available that evening.