PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
February 1, 2018

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, February 1, 2018.

CLOSED SESSION

2:30 p.m. To Discuss Property, Personnel and Litigation

STUDY SESSION

5:00 p.m. – Discuss Cemetery Space Needs PAGE 3

REGULAR MEETING

6:00 p.m.

I. ROLL CALL

II. SWEARING IN CEREMONY

Swearing In Ceremony for Council Member Lynn Ware Peek PAGE 7

III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Staff Communications Report:

- Wayfinding and Open Space Signage Update PAGE 8

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

V. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from January 4, 11, and 16, 2018 PAGE10

VI. OLD BUSINESS

1. Consideration of a Purchase and Sale Agreement ("Agreement") between Sweeney Land Company, LLC ("SLC"), Park City II, LLC ("PC II") , and Park City Municipal Corporation (the "City"), for the Purchase of the Treasure Hill Creole Gulch and Mid-Station Parcels Within the Sweeney Master Plan in the Amount of $64 Million PAGE 45

(A) Public Hearing (B) Continue to February 15, 2018

VII. NEW BUSINESS

1. Consideration to Approve Ordinance 2018-05, an Ordinance Approving the Kings Crown Re-Subdivision Located at 1201-1299 Lowell Avenue, Park City, Utah, Pursuant to the Findings of Facts, Conclusions of Law, and Conditions of Approval PAGE 57

(A) Public Hearing (B) Action

2. Consideration to Approve Ordinance 2018-06, an Ordinance Approving the Empire Residences Condominium Plat Located at 7695 Village Way Pursuant to the Findings of Fact, Conclusions of Law and Conditions of Approval PAGE 74

(A) Public Hearing (B) Action

3. Consideration to Approve Ordinance 2018-07, an Ordinance Adopting Chapter 3, Stormwater, of Title 13, Water and Stormwater Code, of Park City Municipal Code PAGE 105

(A) Public Hearing (B) Action

4. Consideration to Authorize the City Manager to Execute a One Year Lease, with Two, One Year Automatic Renewals, with Lucky Ones to Provide a Coffee Concessionaire in the Park City Library PAGE 114

(A) Public Hearing (B) Action

VIII. ADJOURNMENT

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

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

PARK CITY 1884

DATE: February 1, 2018

TO HONORABLE MAYOR AND COUNCIL

Our Cemetery has almost been sold out for traditional burial space. Several factors have contributed to this situation. Staff would like Council input on various cemetery options for the future.

Respectfully:

Ken Fisher, Recreation Manager

Study Session

Subject: Cemetery Study Session
Author: Karen Yocum, Cemetery Sexton
Department: Recreation
Date: February 1, 2018

PARK CITY 1884

Recreation

Background

Our Cemetery has almost been sold out for traditional burial space. Several factors have contributed to this situation.

1. Traditional burial (full casket) has been the primary choice in Utah for many years. Only recently have both the LDS and Catholic churches changed their views regarding type of burial acceptable to include cremation.
2. We can only use the eastern side of the east entrance road of the cemetery for full casket burials.
3. Due to rocky terrain throughout our cemetery, stacked burials (1 full casket buried atop another) are not feasible. A single plot dimension is 4' x 8' and a small space is (visually) between plots.
4. The price of plots in our cemetery is the lowest of 15 municipal cemeteries researched. The prices range from $300 (ours) to $1126 with the average price being $6oo. In past research of the other cemeteries in Summit County, our price per plot is similar.
5. The low price has benefits and disadvantages. Most qualified residents can afford $300 for one plot however some residents have the ability to purchase a large quantity.
6. There are no limits placed upon the number of plots a single person may purchase.
7. Memorial Walls: the Memorial Wall project opened in 2013. The walls are offered as an alternative to burial, placing just a plaque to remember someone. To date, 53 spaces (15%) have been sold of the 338 total on 8 walls. Resident plaque space costs $250 and Non-resident spaces are $500.
8. Cremation only plots: Cemetery and parks staff reviewed unsold plots in the west side of the cemetery and opened 55 plots for Cremation burial only. Nine have sold. (a single plot can accommodate up to four cremains).

Concerns

1. Our cemetery is about to close to new plot sales.
2. The number of plots available for traditional (full casket) burial has significantly diminished.
3. There are currently **47 individual plots** left for sale (traditional full casket).
4. Nationwide, cremation has become a popular alternative for burial and Park City is able to accommodate those wishing this option by using plots not viable for full casket which have been labeled cremation only. 46 cremation plots are currently

available.

5. The low cost of plots along with no maximum number set has allowed those who can afford it to purchase numerous plots while the other side is that they are affordable for most people. We have sold as many as 50 plots to one family.

6. Our cemetery is enclosed by two major roads and a very rocky hillside leaving us without room to expand the cemetery for traditional burial.

7. The other small towns in Summit County have cemetery districts including the Snyderville Basin. In 2012, Summit County Council approved Resolution NO. 2012-8, creating the Snyderville Basin Cemetery District. The area includes all of Western Summit County with the exception of Park City. The County Council has not moved forward with any action on filling the Cemetery Board nor acquiring land for a cemetery. Summit County Cemetery Districts include Coalville, Echo, Emory, Francis, The Glenwood, Henefer, Hoytsville, Marion, Oakley, Peoa, Stevens, Upton, Wanship and Woodland.

8. When in need of burial options, Snyderville Basin residents often call the Park City Cemetery but if they don't qualify with our current eligibility requirements, we are unable to accommodate them.

Link to Resolution No. 03-14 **..\2014 Cemetery Resolution 1.docx**

Details

1. Fees:
Plot - $300
Open/Close full casket - $600
Open/Close cremation - $70

2. The Park City Cemetery plots are currently only available to residents who have eligibility status according to our Cemetery policies.

A. Eligibility requirements - must meet one or more of the following criteria:
-birth in the Miner's Hospital
-owning property within the City limits
-having lived within Park City limits 10 years consecutively at a previous time
-by recommendation from the Park City Historical Society
*One hundred plots had been set aside to sell to non-residents and, as of October 2006, all 100 have been sold.

3. Direction by the prior Cemetery Sexton (Pace Erickson), that plots were not to be sold on the west side of the east entrance road.

A. Reasons:
-older destructible caskets (plywood)
-movement of ground
-lack of vaults by which to determine spacing
-area includes all but the newest addition to the cemetery acreage.

4. We have a large plat on the far west end of the cemetery which had held the burials for many mining personnel and others associated with mining. According to Pace Erickson a fire in town burned all the wood crosses marking those sites and there are no records to verify burials and locations.

*Research was done with regard to use of ground penetrating radar to determine whether there had been disturbances in that area however there was no guarantee that any movements seen were due to burials or rocks.

Ideas for Discussion

1. Determine space within the City limits to develop a second cemetery with viable space for both traditional and crematory burials.
2. Communicate with Summit County Council regarding co-development of a cemetery which would accommodate both County and City residents.
   *the District created by Summit County Council includes all of Western Summit County except Park City proper.
3. Develop cremation niches for above ground cremation burial option (west end of cemetery along lilacs/fencing)
4. Develop a cremation garden above the fence line on the hillside with walking trail
5. Create a resolution or policy change to limit the remaining plot sales to those eligible residents with *immediate need*.

Park City Cemetery

A - East end; only area with full burial plots for sale; only 48 left

B - Snyder/Evans Private Section

C - Burial site from mining days; no markers, unknown burial sites

DATE: February 1, 2018

TO HONORABLE MAYOR AND COUNCIL

Lynn Ware Peek will be sworn in as a Council Member, filling the open seat left by Andy Beerman when he was elected Mayor.

Respectfully:

Michelle Kellogg, City Recorder

PARK CITY 1884

DATE: February 1, 2018

TO HONORABLE MAYOR AND COUNCIL

In an effort to improve the user experience and continue to strengthen the functionality and usability of the trails and multi-use pathway system, city staff is taking initial steps towards developing and strengthening brand identity and signage consistency and clarity. Wayfinding signage drives travel to local destinations (civic, historic, recreation, and commercial) and also benefits user experience, encouraging more use. Increasing the level of service for non-motorized use will help reduce congestion and provide more multi-modal transportation options for residents and visitors (a critical priority of City Council). Below is a brief update of initial steps started to increase the level of service.

Respectfully:

Logan Jones, Trails and Open Space Intern

City Council
Staff Communications Report

Subject: Wayfinding and Open Space Signage Update
Author: Logan Jones, Julia Collins
Department: Sustainability
Date: February 1, 2018
Type of Item: Informational

In an effort to improve the user experience and continue to strengthen the functionality and usability of the trails and multi-use pathway system, city staff is taking initial steps towards developing and strengthening brand identity and signage consistency and clarity. Wayfinding signage drives travel to local destinations (civic, historic, recreation, and commercial) and also benefits user experience, encouraging more use. Increasing the level of service for non-motorized use will help reduce congestion and provide more multi-modal transportation options for residents and visitors (a critical priority of City Council). Below is a brief update of initial steps started to increase the level of service.

- Development of a new logo to be used by the Trails and Open Space and (Active) Transportation Departments.

Logos derive their meaning from the quality of the thing it symbolizes - In 2012 Park City was named the first IMBA Gold-Level Ride Center in the world, and in 2017 was named a Gold Level Bicycle Friendly Community – staff created the new logo to identify what the city and residents have worked so hard to develop. These logos play off of the original Park City logo, keeping them immediately recognizable, but with the addition of the mountains and recreationalist, will embody Park City's distinct community identity. On the left you will see two different logo variations to be used by the respective department

- Trails, multi-use pathways, and open space signage style guide
  - As city staff continues to upgrade signage, kiosks, expand the trail and pathway system, and purchase open space, signage will be key in controlling use, marking the trail system, and educating users. Having consistency in signage will not only brand the system and enhance the user experience but also deliver a professional looking message and create the identity for the Park City Trail system. A comprehensive signage style guide is being developed as part of the Trails Master Plan.
- New Partnership with Synderville Basin Recreation
  - A new partnership with Synderville Basin Recreation has been developed for a coordinated comprehensive approach to pathway trail maps, pavement markings, urban kiosks, and decision/confirmation signs. The goal for this project is for the user on the pathways to have a seamless experience with wayfinding and signage regardless of jurisdictional boundary lines. A design firm has been contracted to lead the graphic design for the map and signs. Over the next several months, City and Synderville Basin Recreation staff will decide the graphics and coordinate implementation as soon as possible.

DATE: February 1, 2018

TO HONORABLE MAYOR AND COUNCIL

Attached for your approval, please find the minutes for the January 4, 11, and 16, 2018, City Council meetings. Thank you for your consideration.

Respectfully:

Michelle Kellogg, City Recorder

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

January 4, 2018

The Council of Park City, Summit County, Utah, met in open meeting on January 4, 2018, at 2:45 p.m. in the City Council Chambers.

Council Member Joyce moved to close the meeting to discuss property, personnel and litigation at 2:46 p.m. Council Member Gerber seconded the motion.

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

CLOSED SESSION

Council Member Joyce moved to adjourn from Closed Meeting at 4:10 p.m. Council Member Henney seconded the motion.

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

WORK SESSION

Council Questions and Comments:

Council Member Worel thought the Mayor and Council swearing in ceremony was great and that Judge Kerr did a good job. She met with the executive director of Peace House and learned they were on track to be in the new facility by spring of 2019.

Council Member Gerber attended the Park City Area Lodging Association where the Sundance logistics were presented.

Council Member Henney also thought the inauguration was great. He attended Captain Rick Ryan's retirement party and indicated Captain Ryan had served as an officer for 32 years. Council Member Henney thought it was amazing to have an employee who gave service to the community for three decades.

Mayor Beerman agreed that Captain Ryan's party was great. He stated the swearing in ceremony was outstanding and thanked Foster and staff for making it great for the incoming members. He welcomed Council Member Joyce as the newest member of the Council.

Jenny Diersen, Special Events, updated Council on Sundance. She indicated the rates would be changing from the standard paid parking fees, including a $40 flat fee for China Bridge. Also, a first amendment event application had been received, a respect rally to be held in North City Park. Staff had been involved in mitigating the effects of the event as well as outreach efforts to the surrounding area, the Chamber and the Lodging Association. Council Member Gerber asked if there were in and out privileges with the $40 parking fee to which Diersen responded in the negative. Mayor Beerman asked why the changes were being made for the Sundance Festival. Diersen stated the parking garage had been monitored the past two weeks, and it was noted that parking had spiked. Vandalism to the gates had also been a problem. Staff felt the price increase was necessary for the operational plan.

<u>Short Term Rental Market Assessment:</u>

Matt Dias, Beth Bynan, and Bromby McLeod, an expert in the short term rental market field of study, presented this item. Dias stated this was a collaborative effort between the City, the County, and the Chamber in order to get a better idea of the short term rental market in the area. He noted the City had been successful to date in keeping local control over short term rentals.

McLeod reviewed his credentials and explained a study he performed with Park City and nine similar cities. He felt as far as regulating short term rentals, Park City was right in the middle of the study results. Vail was a very complacent city and Steam Boat Springs was very aggressive in regulating the rentals. He stated that since housing was involved, residents, cities, counties, HOAs, and other entities had expressed concern. He noted 68% of housing in the community was owned by second home owners. Only 17% of housing was occupied by primary residents and 15% by long term tenants. He explained the various needs that would be studied, including an assessment of the requirements for operating nightly rentals, a quantitative snapshot of the current housing mix, and a gap analysis. He knew the data existed but indicated it was located with property management companies, nightly rental licenses, within GIS data and from an environmental scan of listings in Summit County. Total nightly rental licenses were 2,099 for Park City and 436 for Summit County. He noted that in scanning AirBnb and HomeAway there were 4,249 units advertised, so there were definitely many units that were not properly licensed.

Mayor Beerman thought this was great information that had been presented tonight. Council Member Worel asked if there would be recommendations forthcoming, including things that other communities had done. McLeod stated he would bring back recommendations after the gap analysis was completed, but indicated bringing these units into compliance with the City was not being heavy handed.

Council Member Gerber thought nightly rentals impacted the lodging industry and asked if McLeod would look at the economic impact, including how nightly rentals affected the workforce. She also asked if long term rentals included seasonal rentals. McLeod stated economic impact would not be included in this part of the study. The definition of long term rental for this study would be 30 days. He indicated some of the units could shift between long and short term rental units. Council Member Gerber asked if there was an impact on long term rentals because of the short term rentals. McLeod had observed the revitalization of communities due to short term rentals as well as the decline of other communities because of short term rentals.

Council Member Joyce asked McLeod to expand on the vacancy rates between the cities studied. McLeod stated vacancy rates varied neighborhood by neighborhood. Some cities wanted to ban short term rentals but other cities thrived on them. Foster stated that in order to be considered a resort town for the resort communities tax, Park City needed to have 67%+ in second homes to qualify. She also indicated the City was paying $8,333 of the $25,000 for the Phase I study, and the funds were paid by the City Manager Contingency Fund.

Council Member Henney thought there was a fairness issue with lodging and also an issue with the community makeup. Council Member Henney indicated there was a great concern over the transformation of neighborhoods. He hoped McLeod could help Council understand those dynamics in Phase II of the study.

Mayor Beerman noted the City had 2,099 rental licenses, but 3,209 rentals were listed on websites, so one third of the rentals were unlicensed. McLeod stated that was a safe number and he would guess the actual number was even higher. Mayor Beerman noted only 3% of the units offered shared space. McLeod stated some shared space was subjective, like an apartment over a garage or in the basement versus an extra bedroom.

Joint Discussion with Planning Commission Members -Treasure Hill Conditional Use Permit: Creole Gulch and Town Lift Mid-Station Sites — PL-08-00370: Mayor Beerman stated the Treasure Hill presentation wasn't as far along as was hoped, but the details would be forthcoming at the next meeting on January 11th.

Craig Call, the applicant's representative, thanked staff for their efforts. They had enlisted GSBS Architects and Parametrix Engineering group that was working on the access road. These groups were assessing the best locations for roads and Option C, defined at the December 21st meeting, was becoming the preferred option.

Anne Laurent, Community Development Manager, noted the focus was on access, and two civil engineering groups were looking at the site. She stated the goal was to look at the balance of the fill and at potential retaining walls in order to reach an optimal access point. Progress had been made on the size and site of the hotel as well as affordable housing for the employees of the hotel. She indicated that more details would be made available at the Planning Commission and Council meetings on January 10th and 11th. Council Member Joyce indicated he did not see the traffic concerns being addressed. Erickson stated all 15 criteria were being evaluated for traffic mitigation. The City Engineer and Transportation Manager were analyzing peak traffic for the 18 single family homes and hotel. Council Member Joyce asked if the list of mitigations ever went through the Planning Commission and if not, would they be addressed now. Erickson indicated the Planning Commission saw the qualifying conditions, but didn't see the other rounds because the process was stopped. Council Member Henney stated he was looking forward to more detail and hoped it would be presented in a clear manner.

Mayor Beerman asked for comments from the Planning Commission

Adam Strachan echoed Council Member Henney's comments, and hoped the details could be sufficiently addressed next week.

John Phillips asked if additional space could be carved out on this site for the City to construct affordable housing.

Laura Suesser indicated she had heard there was a proposal to move some of the development closer to Park City Mountain Resort (PCMR). Erickson stated the applicant and staff met with adjacent property owners and there were some options for moving the site, but the City didn't have regulatory authority and where the site would be located was dependent on the landowner. He noted nothing had been eliminated, but nothing had been chosen either.

Doug Thimm requested a quick review of the conclusions arrived at the Planning Commission meeting.

Mayor Beerman thanked the Planning Commission for their patience in this process. Mayor Beerman opened the meeting for public input.

Niels Vernegaard stated the public thought there would be answers tonight and some in attendance tonight would not be available next week. They would have the attorney for Thinc at next week's meeting to represent them. Mayor Beerman asked when the packet would go out for the January 10th Planning Commission meeting. Erickson stated the packet would go out by Friday, January 5th, and details would be included in the packet, including a conceptual site plan for the homes and hotel. There would also be discussion on affordable housing. Erickson stated they didn't want anyone coming to request a change once the parameters were set for the development agreement.

Kyra Parkhurst indicated they came away from the Planning Commission meeting with unique ideas. She thought somebody needed to step back and evaluate all the proposed changes from Vail and Bamburger, as well as those in the Treasure project, and suggested the projects could coordinate with each other.

Brian Van Heche with Thinc stated they were proponents of linking elements, so if these entities could link to the base it would make sense and would help the City work better. He stated the estimated total density that would all be built out at the base of PCMR was 800,000 square feet. He didn't know how that would work since congestion was at a breaking point now. He thanked the City officials and staff for meeting with them. He noted Option C seemed to be the preferred option. His concern with that option was that the hotel was currently plotted above the North Star Subdivision. Also, the current plan for single family homes would be approximately 5,300 square feet, not including basements, which was big. He noted he looked forward to learning more details.

Rich Wyman commented that he wanted the vote to take place at the Planning Commission level, but things changed and now there was a new process. He thought the Sweeney family should do the right thing without being paid $30 million, so he didn't know if the public would support the bond. Also, Vail now had grand plans for expansion, so he was interested in seeing how this would all play out.

John Stafsholdt echoed everything said so far. He thanked Call as well as the City officials and staff for meeting with Thinc. He thought Option C would expedite synergy with the CRH property and would tie into the base a lot easier.

Mayor Beerman clarified that Council did not take away the Planning Commission’s vote. The Planning Commission had the opportunity to accept or reject the settlement proposal and they chose to go with the proposal.

Steve Swanson stated a gulch was a steep mountain and hiding things there would be impossible. He thought the City had a new partnership with the developer and he hoped to hear the vision of Ms. Radd at a future meeting. He felt the public process needed to be clear and open. He gave the example of the School District's bond proposal that failed with the voters. He indicated the residents were the City's partners and they sometimes asked for a lot. Since the project was not going away, the citizens would have the final decision.

Mayor Beerman closed the public input portion of the meeting. He addressed some housekeeping items with the Council before the commencement of the regular meeting. He explained he requested a large monitor that would attach to the ceiling and asked Council if they wanted their monitors removed from the dias. Council agreed to have the large monitor installed and keep the side monitors on the dias until an assessment could be made.

Mayor Beerman also explained that he asked that staff limit their staff reports for Council packets to three pages and include hyperlinks instead of attachments. He asked Council to think about how they could make resolutions more meaningful. Mayor Beerman indicated that typically the Mayor and City Manager gave a presentation to the Leadership 101class each year, and he suggested that the presentation format be changed so that each Council member could take a critical priority and explain it to the group. He indicated the Council retreat was moved to March 1 and 2 to give more time for the new Council member to adjust. He also requested changing some regular meeting dates. Council agreed to move the June 28th meeting to June 26th, and to add a meeting on December 13th.

Mayor Beerman also requested office space for the Council, where personal items could be stowed or phone calls could be made, and noted there would be one space for all five Council members. In addition, he proposed that Council take a fieldtrip February 8-9 to Moab to see a facility that served the underserved in that community. Council agreed to those meeting changes and the fieldtrip.

Council Member Henney stated he would miss the September 27th Council meeting, but did not request that the meeting be changed.

REGULAR MEETING

I. ROLL CALL

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

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Member Joyce disclosed that he was a member of the Planning Commission when the Goldener Hirsch and Central Park City Condo Plats received positive recommendations, and therefore would recuse himself from those items tonight. Council Member Henney disclosed he had a relationship with a lottery winner for the Central Park City Condo project.

Staff Communications Report:

- Reading to End Racism

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

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

IV. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from December 7, 9, and 11, 2017:

Council Member Gerber moved to approve the City Council meeting minutes from December 7, 9, and 11, 2017. Council Member Worel seconded the motion.

RESULT: APPROVED
AYES: Council Members Gerber, Henney and Worel
ABSTAIN: Council Member Joyce

V. CONSENT AGENDA

1. Request to Authorize the City Manager to Enter into a Service Agreement, in a Form Approved by the City Attorney with Summit County, Adding Summit County to Park City's Existing Contract for Emergency Mass Notification System (EMNS) Services and to Amend the Everbridge Agreement to Include Summit County Services:
Council Member Worel moved to remove Item One from the Consent Agenda. Council Member Henney seconded the motion.

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

2. Request to Approve an Amendment to the Contract for Software Maintenance with Neubrain Development in a Form Approved by the City Attorney in the Amount of $19,423.00:

3. Request to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with AECOM for the Unidirectional Flushing Program Update Project in an Amount of $65,094.00:

4. Request to Authorize the City Manager to Execute Amendment No. 1, Interlocal Agreement Regarding Bus Service Between Park City Municipal, Summit County and the Utah Transit Authority, in a Form Approved by the City Attorney, for a Change in Service Levels and an Increase to the Current Contract Amount of $240,000.00:

5. Request to Approve the Special Event Temporary Alcoholic Beverage License Applications for Operation During the 2018 Sundance Film Festival (as shown on the agenda):

6. Consideration to Approve the Following Type 2 Convention Sales License (CSL) Applications for Operation During the 2018 Sundance Film Festival (as shown on the agenda):

Council Member Gerber moved to approve Items Two through Six on the Consent Agenda. Council Member Joyce seconded the motion.

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

1. Request to Authorize the City Manager to Enter into a Service Agreement, in a Form Approved by the City Attorney with Summit County, Adding Summit County to Park City's Existing Contract for Emergency Mass Notification System (EMNS) Services and to Amend the Everbridge Agreement to Include Summit County Services:

Chris Crowley, Summit County Emergency Manager, and Hugh Daniels, Emergency Manager were present for questions. Council Member Worel stated a significant part of the community didn't speak English as their first language and asked if notifications could be sent out in Spanish. Daniels stated when an individual signed up on the alert system, an option for Spanish could be selected and a separate notification would be sent in Spanish to those who selected it.

Council Member Worel moved to authorize the City Manager to enter into a service agreement, in a form approved by the City Attorney with Summit County, adding Summit County to Park City's existing contract for Emergency Mass Notification System (EMNS) Services and to amend the Everbridge Agreement to include Summit County Services. Council Member Joyce seconded the motion.

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

VI. OLD BUSINESS

1. Consideration to Approve Resolution 01-2018, a Resolution Adopting a Citywide Complete Streets Policy for Park City Municipal Corporation of Summit County, Utah:

Julia Collins, Alfred Knotts, and Bruce Fonnesbeck, Transportation, presented this item. Collins stated there was a transportation plan in place and this Complete Streets Policy would be an additional tool to help Transportation continue to move forward. Multi-modal transportation included pedestrians, bikes, cars, buses, etc. This policy would help accomplish the goals in the Transportation Master Plan. She indicated future uses were taken into consideration when planning streets. Green streets were also promoted in this policy and they would look at incorporating those features into the design of the streets. Arts and Culture would also be considered in the street planning process. Knotts stated they wanted to establish this tool early so projects wouldn't be missed. He noted budgets could be set that would include the tools in this policy.

Council Member Joyce stated the City was fairly built out and there was not a lot of room to expand. Many streets didn't have sidewalks. He asked if there was a plan to include sidewalks to make subdivisions more walkable. Knotts stated some neighborhoods would be retrofitted with sidewalks. He noted the Complete Streets Policy would help with retrofitting areas in the City. Council Member Joyce asked if staff was limited because of space constraints. Knotts stated there could be art restrictions, but there would not be mobility restrictions in the transportation network. Fonnesbeck stated this policy would help them break out of the status quo when constructing transportation corridors.

Council Member Gerber asked if the policy could help with the traffic calming needs. Collins stated this would definitely help. They were also starting to amend the Transportation Master Plan and that was one facet that would be considered. Council Member Henney stated the result of not having this policy for the last 30 years was not having sidewalks, bike paths, etc. Knotts stated this policy would affect wayfinding, transition between vehicles and pedestrian areas, and other factors. Collins welcomed suggestions on how to further promote the policy.

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

Council Member Worel indicated she really liked this policy.

Mayor Beerman thanked staff for this policy. He stated this summer the City made a mode shift to ebikes, but it was dangerous. This policy would help make the community safer.

Council Member Henney moved to approve Resolution 01-2018, a resolution adopting a Citywide Complete Streets Policy for Park City Municipal Corporation of Summit County, Utah. Council Member Gerber seconded the motion.

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

2. Consideration to Approve Ordinance 2018-01, an Ordinance Approving the Goldener Hirsch Condominiums Plat Located at 7520 Royal Street East:
Kirsten Whetstone, Senior Planner, presented this item. Council Member Worel asked why the developer planned for more parking than was required. It was indicated there was conference space and retail behind the development so the extra spaces were included and open to the public.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing portion of the meeting.

Council Member Henney moved to approve Ordinance 2018-01, an ordinance approving the Goldener Hirsch Condominiums Plat located at 7520 Royal Street East. Council Member Gerber seconded the motion.

RESULT: APPROVED
AYES: Council Members Gerber, Henney and Worel
ABSTAIN: Council Member Joyce

VII. NEW BUSINESS

1. Consideration to Approve Resolution 02-2018, a Resolution Declaring February 2018 as Children's Dental Health Month:
Aimee Armer and Meaghan Miller-Gitlin from the Peoples Health Clinic were present. Armer stated Peoples Health Clinic provided medical and dental services for the underserved in Wasatch and Summit Counties. The proclamation would help them in their goal to promote children's dental health education. There would be a free clinic day on February 20.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing portion of the meeting.

After reading the resolution aloud, Council Member Worel moved to approve Resolution 02-2018, a resolution declaring February 2018 as Children's Dental Health Month. Council Member Gerber seconded the motion.

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

<u>2. Consideration to Approve Ordinance 2018-02, an Ordinance Approving the 2018 Meeting Schedule for City Council:</u>
Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing portion of the meeting.

Council Member Worel moved to approve Ordinance 2018-02, an ordinance approving the 2018 Meeting Schedule for City Council, with a meeting on June 26 replacing the June 28 meeting and the addition of a meeting on December 13. Council Member Henney seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Gerber, Henney, Joyce, and Worel

<u>3. Consideration to Approve Ordinance 2018-03, an Ordinance Approving the Central Park City Condominiums Plat Located at 1893 Prospector Avenue:</u>
Kirsten Whetstone, Senior Planner, and Jason Glidden, Affordable Housing Manager, presented this item. Whetstone noted there was one clarification to the staff report, Page 209 in the packet, where the last sentence of Paragraph One stated, "On the ground level, each unit has a storage area and one parking space." It should be changed to "parking is shared." This change had already been made in the ordinance.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing portion of the meeting.

Council Member Gerber moved to approve Ordinance 2018-03, an ordinance approving the Central Park City Condominiums Plat located at 1893 Prospector Avenue. Council Member Worel seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Gerber, Henney and Worel
ABSTAIN:	Council Member Joyce

<u>4. Consideration to Approve the Second Addendum to the Construction Manager at Risk (CMAR) Agreement with New Star Construction, Inc. in an Amount Not to Exceed $4,923,910.55:</u>
Jason Glidden, Affordable Housing Manager, stated the second addendum was an effort to keep things moving. Addendum One was for demolition and this was for construction. He identified some possible cuts to the project to lower the cost, including removing the carports and green roofs. The solar panels would be moved from the carport to the roof. The impact would be minimal, but it would reduce the budget by 300,000.

Council Member Worel was pleased the price was reduced. She asked if carports could be constructed at a future date, if so desired. Glidden stated that was a possibility and another option would be to expand the project into the parking area for future housing.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing portion of the meeting.

Council Member Joyce asked how the budget increase would impact the affordable housing funds and what the City would do to compensate for the increased budget. He asked if there was a threshold set, that if reached, would delay a project until it became more affordable. Council Member Henney stated adjustments would be made, but this was a policy discussion. Council could increase the AMI or increase the subsidy. Council knew the $40 million appropriated for affordable housing would not be sufficient for the need in the City. He felt there should be a future discussion on whether to wait for the construction boom to subside for some projects.

Council Member Joyce thought future projects could go over budget as well. Council Member Henney stated Council was told to expect budget overruns because of the building boom.

Council Member Gerber stated because housing prices were increasing, the City was losing its workforce and the goal was to get as much done as possible to help with affordability in the community. She knew the goal wouldn't be reached with $40 million so other options would need to be discussed.

Mayor Beerman stated the boom periods helped with RDA revenues, which should be taken into consideration as well. He observed that in recessions, prices on materials didn't seem to be reduced, but timeframes were shortened because contractors were less busy.

Glidden stated the goal was to build a unit where staff and Council would be proud to live. Nate Rockwood explained the process for evaluating projects to determine if they were viable.

Council Member Joyce asked for help understanding the decision making process with all projects. The Council members indicated they would brief him on the projects to help him understand the process. Council Member Henney indicated the Main Street Plaza project exceeded the threshold that Council felt comfortable with, and the decision was made to put that project on hold, not taking into consideration the Treasure Hill settlement.

Glidden indicated staff recommended that Council approve Option Two in the staff report which totaled $4,347,802.96.

Council Member Gerber moved to approve the Second Addendum to the Construction Manager at Risk (CMAR) Agreement with New Star Construction, Inc. in an amount not to exceed $4,347,802.96. Council Member Joyce seconded the motion.

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

VIII. ADJOURNMENT

IX. PARK CITY REDEVELOPMENT AGENCY MEETING

I. ROLL CALL

Attendee Name	Title	Status
Andy Beerman	Chairman	Present
Becca Gerber	Committee Member	Present
Tim Henney	Committee Member	Present
Steve Joyce	Committee Member	Present
Nann Worel	Committee Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	Secretary	Present

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

Chairman Beerman opened the meeting for public input. No comments were given. Chairman Beerman closed the public input portion of the meeting.

III. NEW BUSINESS

1. Consideration to Approve the 2018 Meeting Schedule for Redevelopment Agency:

Chairman Beerman asked if there was public input on this item. No comments were given.

Committee Member Worel moved to approve the 2018 Meeting Schedule for the Redevelopment Agency to mirror the approved City Council regular meeting schedule. Committee Member Joyce seconded the motion.

RESULT: APPROVED
AYES: Committee Members Gerber, Henney, Joyce, and Worel

IV. ADJOURNMENT

X. PARK CITY MUNICIPAL BUILDING AUTHORITY MEETING

I. ROLL CALL

Attendee Name	Title	Status
Andy Beerman	Chairman	Present
Becca Gerber	Committee Member	Present
Tim Henney	Committee Member	Present
Steve Joyce	Committee Member	Present
Nann Worel	Committee Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	Secretary	Present

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

Chairman Beerman opened the meeting for public input. No comments were given. Chairman Beerman closed the public input portion of the meeting.

III. NEW BUSINESS

<u>1. Consideration to Approve the 2018 Meeting Schedule for Municipal Building Authority:</u>

Chairman Beerman asked if there was public input on this item. No comments were given.

Committee Member Joyce moved to approve the 2018 Meeting Schedule for the Municipal Building Authority to mirror the approved City Council regular meeting schedule. Council Member Worel seconded the motion.

RESULT: APPROVED
AYES: Committee Members Gerber, Henney, Joyce, and Worel

IV. ADJOURNMENT

XI. PARK CITY WATER SERVICE DISTRICT MEETING

I. ROLL CALL

Attendee Name	Title	Status
Andy Beerman	Chairman	Present
Becca Gerber	Committee Member	Present
Tim Henney	Committee Member	Present
Steve Joyce	Committee Member	Present
Nann Worel	Committee Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	Secretary	Present

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

Chairman Beerman opened the meeting for public input. No comments were given. Chairman Beerman closed the public input portion of the meeting.

III. NEW BUSINESS

1. Consideration to Approve the 2018 Meeting Schedule for Water Service District:

Chairman Beerman asked if there was public input on this item. No comments were given.

Committee Member Worel moved to approve the 2018 Meeting Schedule for the Water Service District to mirror the approved City Council regular meeting schedule. Committee Member Gerber seconded the motion.

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

IV. ADJOURNMENT

XII. PARK CITY HOUSING AUTHORITY MEETING

I. ROLL CALL

Attendee Name	Title	Status
Andy Beerman	Chairman	Present

Becca Gerber	Committee Member	Present
Tim Henney	Committee Member	Present
Steve Joyce	Committee Member	Present
Nann Worel	Committee Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	Secretary	Present

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

Chairman Beerman opened the meeting for public input. No comments were given. Chairman Beerman closed the public input portion of the meeting.

III. NEW BUSINESS

1. Consideration to Approve the 2018 Meeting Schedule for the Park City Housing Authority:

Chairman Beerman asked if there was public input on this item. No comments were given.

Committee Member Worel moved to approve the 2018 Meeting Schedule for the Park City Housing Authority to mirror the approved City Council regular meeting schedule. Committee Member Joyce seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Gerber, Henney, Joyce, and Worel

XIII. ADJOURNMENT

With no further business, the meeting was adjourned.

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Michelle Kellogg, City Recorder

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

January 11, 2018

The Council of Park City, Summit County, Utah, met in open meeting on January 11, 2018, at 1:30 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 1:36 p.m. Council Member Henney seconded the motion.

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

CLOSED SESSION[1]

Council Member Gerber moved to adjourn from Closed Meeting at 2:45 p.m. Council Member Worel seconded the motion.

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

WORK SESSION

Interviews to Fill Mayor Andy Beerman's Vacant City Council Seat:
Mayor Beerman and the Council interviewed seven candidates that applied to fill the vacancy on the Council, left by Council Member Beerman, who resigned after being elected as mayor. The candidates interviewed included Alex Butwinski, Ronald Butkovich, Eric Hermann, Diane Bernhardt, Michael Kaplan, Barbara Maw, and Jennifer Malherbe. They were informed that the remaining interviews would be held on January 16th and the new Council Member would be appointed at the January 23rd meeting.

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[1] A portion of the closed session was a discussion of candidates for a midterm City Council vacancy contrary to the Utah Open and Public Meetings Act. The audio recording is available to the public for listening. The Council conducted their deliberation in an open and public meeting as originally noticed at a special meeting held January 23, 2018. Please refer to the Park City website for audio of both meetings at http://parkcityut.iqm2.com/Citizens/Default.aspx.

Council Questions and Comments:

Council Member Joyce attended the Utah League of Cities and Towns (ULCT) selection education session and noted it was unfortunate that the new Council member won't be able to receive that training.

Council Member Gerber attended a Friends of the Farm meeting and indicated this board was looking for additional board members. She met with PandoLabs where they talked about the incubator services that they provided to the community. She also talked about the increasing home values in the City which concerned her and she stressed the ever increasing need for affordable housing.

Council Member Worel attended the Health Board meeting where they approved the fee schedule changes for their environmental health program. She attended the Peace House annual meeting as well as an open house for alternative modes of transportation.

Council Member Henney attended the Mountainlands Community Housing Trust and indicated they were well funded and were busy doing great things.

Mayor Beerman met with Rocky Mountain Power (RMP) where negotiations continued on having a renewable utility. He attended the Olympic Exploratory meeting, and things were looking positive for a bid for 2030. After the state weighed in on the favorability of a bid, then it would be presented to the community. He attended a Fire board meeting and also met with Representative Tim Quinn on issues in the upcoming legislative session. He attended the Planning Commission meeting, and indicated the response had been positive on the Treasure Hill discussion. Mayor Beerman also reviewed the planned trip to Moab for the Council and community stakeholders to visit the multicultural center on February 8-9, 2018. He announced there would be a special Council meeting on January 16 to approve late CSL applications and to interview more Council candidates. There would also be a regular Council meeting on January 23rd.

Parking Technology Launch Update

Kenzie Coulson and Blake Fonnesbeck were present for this item. Coulson stated the Transportation team was working hard on the implementation and the launch was a very smooth transition. Parking was available even during the holiday week. The greatest success was the Homestake Lot for employees in Park City. She felt this was solid performance for a new program. The data was being analyzed and she would report back with numbers in the future. Vandalism was a problem so cameras were being installed so the vandals could be prosecuted. Fonnesbeck stated people were responding positively to the program. Employee parking during the Sundance Festival was discussed and it was noted that Richardson Flat would be overflow parking for employees. Mayor Beerman stated some had expressed concern for safety in the Homestake Lot at night. Coulson stated the lot was lit and the driver would drive patrons to their cars and wait for them to enter their cars before leaving.

Discuss Community Survey on Special Events:
Jonathan Weidenhamer and Jenny Diersen presented this item. Weidenhamer stated performing a study was expensive and so he recommended using "Engage Park City" on the City website, which could be looked at as a qualitative survey.

Council Member Worel expressed interest in the option to have a one-time survey with 50 interviewees and asked how those 50 would be chosen. Wiedenhamer stated voter registration records would be analyzed for a statistically relevant group and a survey would be sent to 800-900 people with the hope of receiving 400 back in order to be relevant. Council Member Gerber stated surveys were performed by Friends of Farm, the MARC, and SEAC, and she asked if they were statistically relevant. She thought a survey should be sent out to the community to get a general sense for community sentiment. Foster explained the difference between a statistically relevant and a general survey on Facebook which were not statistically relevant.

Council Member Joyce favored a formal survey and his concern was that the responses wouldn't be informed. Weidenhamer indicated that the survey would not be geared to how residents feel about the events, but rather was the tradeoff worth having the event. Council Member Joyce didn't know had sufficient information to make an educated response. Weidenhamer stated he was working to update the 2009 study so the value of events would be quantified.

Council Member Gerber requested a question to find out how events impacted the quality of life of the residents. Council Member Worel stated there hadn't been a tool to consistently measure the economic impact of the events in the community. Council Member Joyce stated the businesses would say more was better, but he felt the residents would all say less was better. Council Member Henney noted members of SEAC had event fatigue until they got on the board and now they were educated and it was difficult for them to make decisions on which events should and shouldn't come to town. He felt the creation of SEAC was a data point and asked how many data points the City wanted to create. He also asked if it was SEAC or the City that wanted a survey.

Council Member Gerber referred to the MARC survey and felt it was a good baseline for judging how the MARC was perceived. She suggested questions that could be used by the committee. Council Member Henney stated if the survey was for SEAC, then the process should start with "Engage Park City." Mayor Beerman indicated he heard mixed messages from the community and businesses, and he felt a formal survey should be performed along with the informal survey and the two could be compared. In the past, there had been discussion on using part of the event impact fee to perform an economic impact study for that event so events could be compared that way. Weidenhamer stated the City negotiated with the Chamber for a joint venture with them, but a final methodology wasn't agreed to. Weidenhamer noted there were different approaches for different situations. He would present more on this study after Sundance. The Council approved having both a formal and informal survey being performed parallel.

REGULAR MEETING

I. ROLL CALL

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

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Member Henney commented on the presentation on the paid parking program and indicated he felt it was an amazing success considering the size of this program. There was a great effort from staff and thanked all parties for a job well done.

Staff Communications Report:

- Sundance Parking and Operation Change Update

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

Mayor Beerman opened the meeting for those who wished to address the Council on items not listed on the agenda.

Jennifer Gardner stated her pet peeve was idling vehicles. She hoped that when taxis applied for a Sundance license, there was a clause about idling. Beth Bynan stated that drivers were given a copy of the City's no idling ordinance. Diersen stated Lyft and Uber had the no idling information as well and signage would be posted Citywide.

Mayor Beerman closed the public input portion of the meeting.

IV. APPOINTMENTS

Consideration to Appoint a Mayor Pro Tem and Alternate for Calendar Year 2018:

Council Member Henney moved to appoint Council Member Worel as Mayor Pro Tem for 2018. Council Member Joyce seconded the motion.

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

Council Member Joyce moved to appoint Council Member Henney as the alternate Mayor Pro Tem for 2018. Council Member Worel seconded the motion.

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

V. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from December 14 and 21, 2017:

Council Member Worel noted that the December 14th minutes reflected that Council member Beerman moved to adjourn from Closed Session and he also seconded the motion. Kellogg indicated she would correct that to reflect the appropriate Council Member who made the second. Council Member Henney requested that the December 21st minutes, Page 5 Line 18 reflect the addition to the proposed "Let it Snow Resolution" of "Then it snowed."

Council Member Gerber moved to approve the City Council Meeting minutes from December 14 and 21, 2017 as amended. Council Member Henney seconded the motion.

RESULT: APPROVED
AYES: Council Members Gerber, Henney and Worel
ABSTAIN: Council Member Joyce

VI. CONSENT AGENDA

1. Request to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with Water Quality & Treatment Solutions, Inc. (WQTS), for Water Quality Advisory and Assistance Services in an Amount Not to Exceed $98,460.00:

2. Request to Authorize the City Manager to Sign a UDOT Consultant Services Agreement with AECOM to Provide Public Information Services During the

Construction Phase of Prospector Avenue in a Form Approved by the City Attorney and for an Amount of $41,254:

3. Request to Authorize the City Manager to Enter into a Professional Services Agreement Between Park City Municipal Corporation and Avi-On Labs for Lighting Controls at the MARC in an Amount Not to Exceed $30,000 In a Form Approved by the City Attorney:

4. Request to Approve the Following Special Event Temporary Alcoholic Beverage License Applications for Operation During the 2018 Sundance Film Festival:

5. Request to Approve the Following Type 2 Convention Sales License (CSL) Applications for Operation During the 2018 Sundance Film Festival:

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

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

VII. OLD BUSINESS

1. Park City Youth Council Update:
The Youth Council (YCC) members took their places at the dias. Meg Ryan thanked Council for their support of the youth. Youth Mayor Mia Levine thanked Council for having them tonight. She indicated a survey was sent out last month with regard to having a teen center and results showed that most teens requested multiple centers that would accommodate congregating teens. The teens requested student discounts at different locations, and also places that would be safe for LGBT+ students as well as students dealing with mental health issues. Some responses requested nicer police so she indicated there were plans for workshops in conjunction with the Police Department. YCC member Alec Padan said some responses indicated that some clubs could not meet on campus and they would like a set place to meet.

Council Member Gerber asked what made a place affordable. YCC member Louisa Keating answered that $15 or under was considered affordable by students. Council Member Henney asked what made a certain place appealing. Youth Mayor Levine stated getting the word out on events through social media was the main tool used. Also, the places most visited by teens included the MARC, library, outlet mall, and Jupiter Theatre. One suggestion from the survey was opening a time slot at the ice rink for teens. Padan indicated he worked at Ice and he explained the open skate hours were during school hours.

Ryan reported that this fall, the YCC researched the County services and City services. The survey was created by the students and 144 responses were received. The YCC requested feedback from Council. Mayor Beerman stated that when a gap like this was found, a strategic plan would be put into place. He asked if the YCC would move forward in creating a plan. Youth Mayor Levine stated that could be the project for this semester. She noted that places outside of the City limits were looked at and they discovered that the PC Connect bus could take students to Salt Lake City, but she requested a discount for UTA fares. Council Member Gerber asked if YCC could make a presentation to the County Council. The YYC was favorable to that suggestion. Council Member Worel asked what hours the teens would like to have made available to them at the ice rink. The YCC members indicated they would discuss potential times.

Foster stated the accommodations for teens could be part of Social Equity. She asked if the YCC could look at preferences for the LGBT and Latinos in Action (LIA) groups, and any student that wanted to talk peer to peer. Youth Mayor Levine stated there was a Communities that Care (CTC) Youth Council as well and they dealt with mental health issues such as how to deal with conflict, and noted they had just set up Instagram and Twitter accounts.

2. Joint Discussion with Planning Commission Members -Treasure Hill Conditional Use Permit: Creole Gulch and Town Lift Mid-Station Sites — PL-08-00370:

Anne Laurent, Bruce Erickson, and Craig Call, and Planning Commissioners Suesser, Phillips and Campbell were present for this item. Laurent indicated the access road was an issue with this development. At this time, the development was being lowered and they were utilizing the flatter grade at the bottom. Environmental and soil regulations were addressed. They knew there was mine waste material in the area and there was a process in place on how it would be dealt with. She didn't believe that excavation would increase the waste or affect the Spiro drinking water source. Laurent indicated the project was being reduced from a total square footage of 948,730 to a total of 383,200 square feet for the hotel, meeting space, commercial support, and residential units.

Craig Call, representing the applicant, stated there was a mid-station being planned for the project to support the skiing. This was a support facility and not a facility that would draw people to the space. She stated the hotel would be similar in size to the Yarrow. Council Member Henney asked how the excavated material compared to the previous numbers. Laurent stated a number had not been determined yet. Council Member Joyce explained the City code for hotel square footage to the attendees.

Laurent discussed construction impacts and indicated there would be limits of disturbance, a time limit for construction once the groundbreaking was completed, and the soil would not be exported off the mountain. She indicated the future planning reviews would include re-zoning, subdivisions, design review and the administrative

CUP. Next week the Planning Commission would determine whether to move forward with this settlement agreement. Council would have to pass a resolution supporting the project 75 days prior to the bond election in November.

Call stated there were architects and engineering firms involved with this project and he was optimistic for an agreeable resolution.

Mayor Beerman answered some questions from last night's Planning Commission meeting. He asked Nate Rockwood, Debt Manager, how many outstanding bonds the City had. Rockwood stated there were seven General Obligation bonds that dated back several years. The debt payment for two this year would be $6.4 million, but those would be retired within the next two years. Of the remaining five bonds, three would retire in the next five years. The one remaining large bond, issued for Bonanza Flat, was just approved and had 14 years left. He indicated the bonds were issued for walkability and open space purchases.

Another question from the Planning Commission meeting was on how the development agreement would be addressed. Mark Harrington stated this was the last phase of a multi-phase project. There would be a transactional component between the two developers-Sweeney Land Company and Park City II, LLC. The settlement agreement would involve the two developers and the City, and would include the development agreement with the planning document attached. The Council would approve the settlement agreement then the Planning Commission would ratify or reject the development agreement. The road was the next big milestone that needed to be figured out before the documents would be drafted.

Mayor Beerman stated massing visuals would be presented at the next Planning Commission and Council meetings. The excavation would be determined when the road issue was resolved. They did not expect staging zones on Lowell or Empire. There were discussions on having the road gated and the owner was amenable to that suggestion. Mayor Beerman indicated that the deadline for the settlement details was mid-January so things were moving rapidly. Call indicated that extra time could be given if all the details weren't finalized by January 17th.

Mayor Beerman opened the meeting for public input.

Kyra Parkhurst, member of Thinc, thought great work had been done, but she didn't want to see walkers along the roads put at risk. She asked about blasting in the road construction. She also asked if the $6 million deposit could be given to the Sweeneys, but then allow more time for a deliberation so things weren't rushed. She hoped that coordination could take place with Bamburger, Vail and Treasure. She also Googled a definition of a boutique hotel and hoped the proposed hotel would meet the definition. She also thought that the information about the current bonds would be great to include for the public who would be voting on the bond.

Tom Fey noticed the debt service plan was $13 million and the borrowing was over $100 million, between Bonanza Flat and work on the water system, which was $65 million. He asked for the total bonding obligations at next week's meeting and noted the school system was in dire straits and would probably be bonding as well. He felt the people of Park City needed to know what the financial obligation would be in the future and knew that would happen closer to the election. He didn't think the $6 million was fiscally responsible and thought the money should be paid only if the bond passed. Also, he thought the public should know who did the appraisal on this parcel.

Rich Wyman thanked Rockwell for answering questions on the outstanding bonds. He felt like the process was very rushed and he hoped the Planning Commission could finish their jobs. He asked if the roads and issues would be vetted after the vote at the next Planning Commission meeting. He read a prepared statement and expressed concern over the cost of developing this complicated area.

Mayor Beerman closed the public input portion of the meeting.

Mayor Beerman addressed the questions posed by the public input. He explained that the debt was different than the outstanding bonds because payment for the Water bonds was through the water bills and other revenue sources. Also, the City would not be a partner with the developer. Harrington stated the timing for review was that the rezone process would happen in the spring, but the other reviews would happen after the passage of the bond. The development agreement would be very binding.

Council Member Henney asked what liability the City would be exposed to after the development agreement and the bond, and the answer was that the City would have no liability. If the developer went bankrupt on the project, it would be sold cheaply and another developer would take over. Council Member Joyce stated other resorts were a lot bigger than this project and the development was not too difficult. He indicated this project would be easier than those projects. He stated the meetings over the last 4.5 years had been well documented and it would be easy to pick up where it was left.

Council Member Gerber explained the City was buying down the project's density and the project would be 44% of the original planned density with much of it in single family homes. She was excited to see the numbers tonight and wanted to keep moving forward with this process.

Mayor Beerman asked for comments from the Planning Commission.

John Phillips said the big take away from the meeting last night was that the 50% density reduction would result in a greater reduction in traffic, density and use. He favored breaking down the project into a residential piece. He questioned a rezoning of the parcel. Harrington stated the rezone would be contingent on the passage of the

bond. Phillips talked about the mid-station and suggested a gondola where people could jump in instead of people getting on and off multiple times to get to the top of the mountain to begin skiing. He thought this was going well and was better than he expected.
Mayor Beerman thought the parking number difference with the settlement was a wonderful change.

Bruce Erickson stated constructing the road onsite was a great benefit. The mid-station could also be used to load/unload as well. The proposed road could be constructed in less than three years versus the 10 year plan with the previous project. Also, the question of ski access came up and he confirmed that ski access would not change up there.

Council Member Henney moved to continue the joint discussion with the Planning Commission members on the Treasure Hill Conditional Use Permit: Creole Gulch and Town Lift Mid-Station Sites — PL-08-00370 to January 23, 2018. Council Member Gerber seconded the motion.

RESULT: CONTINUED TO JANUARY 23, 2018
AYES: Council Members Gerber, Henney, Joyce, and Worel

3. Consideration to Approve Resolution 03-2018, a Resolution Declaring January 13, 2018 as the George S. and Dolores Doré Eccles Center for the Performing Arts Day:
Mayor Beerman indicated he was excited to celebrate this milestone of the Park City Institute at the Eccles Center. He stated having the performing arts center at the high school over the past 20 years was amazing for the public and the high school students. Three students from the high school read the resolution.

Mayor Beerman opened the meeting for public input.

Teri Orr stated Ann McCoid was in the audience. This was her dream and Orr was able to see this project happen. Mayor Beerman thanked Orr for her role in the Treasure Hill negotiation, using her unique skills to bring all parties together to come to a resolution.

Kyra Parkhurst with Thinc thanked Orr for all her work and for bringing us all together.

Mayor Beerman closed the public input portion of the meeting.

Council Member Worel moved to approve Resolution 03-2018, a resolution declaring January 13, 2018 as the George S. and Dolores Doré Eccles Center for the Performing Arts Day. Council Member Gerber seconded the motion.

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

4. Consideration to Approve Ordinance 2018-04, an Ordinance Approving the Lilac Hill Subdivision-First Amended Located at 632 Deer Valley Loop, Park City, UT Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Anya Grahn, Planner II, Frank Watanabe, Developer, and Brian Markkanen from Elliott Workgroup, presented this item. Grahn reviewed four items the Council wanted the developer to address: creating walkability for residents, erecting No Parking signs to the elbow of Rossie Hills Drive, an extended driveway length for clear sight lines, and no parking garage. Additional conditions of approval were included in the ordinance today, including Lots 1A and B would not be divided in the future and the developer would finance a stairway on the Bureau of Land Management (BLM) property. She also indicated that public comments were emailed to Council today.

Council Member Worel asked if there was a duplex added to the historic structure. Grahn stated the historic home had an addition and the connecting wall was underground so the structures would appear visually separated.

Mayor Beerman opened the public hearing.

Diane Bernhardt with "Save Rossi Hill," thanked the applicant and City staff for their work on the redesign and the extra conditions of approval. Her group agreed to the new mitigations, but felt the mitigations could be further strengthened. She sent the recommendations to Grahn who related them to the developer and the City Engineer, and some of them were included with the conditions. One was including the stairway to get pedestrians off the street. Now, the developer agreed to pay for that stairway. She indicated the process should begin with a request to the BLM for the easement. The next request from her group was the parking requirement to exit onto Rossi Hill front facing. She also requested "No Parking At Any Time" signage on a stretch of Rossi Hill. The last request was to mitigate construction impacts above the hairpin turn by putting staging equipment on Deer Valley Drive. Grahn stated this last request was covered in the construction mitigation plan. Grahn said staff didn't have direction on requesting an easement from the BLM and noted staff could not enforce the requests for the no parking signs and the front facing egress from the driveway.

Council Member Joyce commented that there were no other City conditions where a resident was required to exit their driveway front facing, so he couldn't support that request. The developer noted in the agreement that he would pay $75,000 to build a staircase and would do so within three years of receiving the Certificate of Occupancy, if the City could get the easement. Harrington suggested including direction to petition an easement from BLM in the motion.

Bernhardt asked what the process was to start the request for no parking signage on Rossi Hill. Mayor Beerman stated that would go through the Neighborhood Transportation Management Program (NTMP) process. Matt Cassel, City Engineer, stated the neighborhood was in the NTMP program with various requests for parking modifications. Foster asked if an additional request needed to be made for signage. Cassel indicated a request could be submitted to eliminate parking for the whole section. As part of Rossie Hill, the plan was to have parking on one side of the lower part and then switch sides for the upper part of the hill. He favored cars on the street as a tool to slow down traffic.

Allison Kitching felt this development was a best case scenario and she thanked staff for caring. She was excited for the stairway and thought it would increase safety.

Mayor Beerman closed the public hearing.

Mayor Beerman thanked Watanabe for working with the neighbors to come to a resolution. Council Member Gerber thought the stairway would be a nice addition to the project and thanked all for their efforts. Council Member Henney stated this process was a lot of work, but he felt this proposal was a better outcome.

Council directed staff to request an easement from the BLM for a stairway.

Council Member Joyce moved to approve Ordinance 2018-04, an ordinance approving the Lilac Hill Subdivision-First Amended located at 632 Deer Valley Loop, Park City, UT pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney as amended. Council Member Gerber seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Gerber, Henney, Joyce, and Worel

VIII. NEW BUSINESS

1. Consideration to Continue an Ordinance Approving the Kings Crown Re-Subdivision, Located at 1201-1299 Lowell Avenue:

Mayor Beerman opened the public hearing. No comments were received. Mayor Beerman closed the public hearing.

Council Member Joyce moved to continue an ordinance approving the Kings Crown Re-Subdivision, located at 1201-1299 Lowell Avenue until February 1, 2018. Council Member Henney seconded the motion.

RESULT: CONTINUED TO FEBRUARY 1, 2018
AYES: Council Members Gerber, Henney, Joyce, and Worel

2. Consideration to Approve the Level Three First Amendment Event, Respect Rally, to be Held at North City Park on Saturday, January 20, 2018, from 10:00 A.M. to 11:30 A.M. in a Form Approved by the City Attorney:

Jenny Diersen, Special Events, presented this item and noted Cindy Levine, the applicant was in attendance. Diersen indicated the date for this event would be the first Saturday of the Sundance Festival. She explained the load in/out details and stated the event would be at North City Park. Levine agreed to have the event live streamed for those not attending. Diersen reviewed the transportation plan. Eight buses had been hired to bus people from Richardson Flat to the event space. There would also be a drop-off at Iron Horse Drive. There was planned residential parking to get people out of their homes as well. She reviewed outreach efforts. Staff increased security to be prepared for a large attendance and she noted Park Avenue might be closed to all traffic except transit. Diersen explained there was a fee reduction request of $28,000.

Council Member Gerber asked about Park Avenue being closed. Diersen stated it would be a soft closure in the beginning, but if there were more than 5,000 in attendance then a hard closure of Park Avenue would go into effect.

Council Member Joyce asked how the transportation plan would be communicated. Diersen stated Levine was posting it on Facebook. Council Member Worel asked what the attendance projections were at this point. Diersen stated 3,000-5,000 people were expected to attend, and maybe more. It was indicated Levine would pay the port-o-potty and bathroom costs.

Mayor Beerman opened the public hearing.

Betsy Wallace, Executive Director for Sundance, stated the primary focus of Sundance was to showcase artists, but she supported free speech events. They were working with the organizers of this event and supported this rally.

Mayor Beerman closed the public hearing.

Levine thanked Diersen and stated this was a lot of work, but it came together and she was excited for this impactful event.

Council Member Gerber stated last year the City paid for security costs and she asked if Levine felt this would become a yearly event because Council Member Gerber didn't know if the City could continue paying for these expenses. Levine indicated she didn't expect another rally.

Council Member Worel moved to approve the Level Three First Amendment Event, Respect Rally, to be held at North City Park on Saturday, January 20, 2018, from 10:00 a.m. to 11:30 a.m. in a form approved by the City Attorney. Council Member Gerber seconded the motion.

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

3. Request to Authorize the City Manager to Approve a Professional Service Agreement with Horrocks Engineers for Engineering Design and Construction Services for SR-248 Pedestrian Access Improvements in a Form Approved by the City Attorney in an Amount Not to Exceed $341,423:
Alfred Knotts and Julia Collins, Transportation Planning, presented this item. Collins stated alternatives were being considered for the HAWK on SR 248 to reduce traffic congestion. The project timeline was reviewed and Knotts stated this project did not have to go through an environmental study so the project could happen next summer. This expenditure would provide for design all the way through completion. The total cost of the project would be $3 million-$4 million, of which the City portion would be 10%.

Council Member Worel asked if there was discussion with the LDS church because their building caused a lot of the foot traffic across the street. Knotts stated there had been dialogue with LDS officials, but he was waiting until he had more details to present to them. Council Member Joyce indicated he saw a lot of people crossing Kearns Boulevard above the Comstock tunnel and asked if the tunnel was being used. Collins stated the HAWK had three times the traffic as the tunnel, but she indicated the tunnel was effective. Council Member Joyce asked about the funding from the State and Federal governments. Knotts stated the State funding was confirmed and a funding agreement would need to be in place before construction could begin. Council Member Joyce asked about the construction costs and expressed concern for staying within budget. Knotts indicated that would be evaluated.

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

Council Member Gerber moved to authorize the City Manager to approve a professional service agreement with Horrocks Engineers for engineering design and construction services for SR-248 Pedestrian Access Improvements in a form approved by the City

Attorney in an amount not to exceed $341,423. Council Member Henney seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Gerber, Henney, Joyce, and Worel

IX. ADJOURNMENT

With no further business, the meeting was adjourned.

____
Michelle Kellogg, City Recorder

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

January 16, 2018

The Council of Park City, Summit County, Utah, met in open meeting on January 16, 2018, at 3:00 p.m. in the City Council Chambers.

REGULAR MEETING

I. ROLL CALL

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

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

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

IV. NEW BUSINESS

1. Request to Approve the Following Type 2 Convention Sales License (CSL) Applications for Operation During the 2018 Sundance Film Festival:

Beth Bynan, Finance Department, stated all the applicants requesting approval submitted their applications after the deadline and they paid the late fee. She noted

Dreamland had withdrawn its application. Council Member Worel asked why Don Julio didn't have to have a liquor license. Bynan stated Don Julio pulled a temporary liquor license at The Yard and this CSL was for Don Julio to present as a sponsor.

Mayor Beerman disclosed some of the applicants were located at Treasure Mountain Inn but he didn't think they were on his properties.

Council Member Gerber stated Homestake residents had complained about the noise from sound checks. She requested monitoring in that neighborhood.

Council Member Gerber moved to approve the Type 2 Convention Sales License (CSL) Applications for operation during the 2018 Sundance Film Festival as listed on the agenda and as amended. Council Member Joyce seconded the motion.

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

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 3:10 p.m. Council Member Joyce seconded the motion.

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

CLOSED SESSION

Council Member Joyce moved to adjourn from Closed Meeting at 3:20 p.m. Council Member Gerber seconded the motion.

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

2. Interviews to Fill Mayor Andy Beerman's Vacant City Council Seat:
Mayor Beerman and the Council interviewed six candidates that applied to fill the vacancy on the Council, left by Council Member Beerman, who resigned after being elected as mayor. The candidates interviewed included Lynn Ware-Peek, Sebastian Ziesler, Fern Baird, Josh Hobson, Ed Parigian, and Abby McNulty. Roger Jorgensen and Chadwick Fairbanks were not interviewed. The candidates were informed that they would be considered along with the candidates interviewed at the January 11th meeting and the new Council Member would be appointed at the January 23rd meeting.

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 6:30 p.m. Council Member Henney seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Gerber, Henney, Joyce, and Worel

CLOSED SESSION[1]

Council Member Gerber moved to adjourn from Closed Meeting at 9:10 p.m. Council Member Worel seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Gerber, Henney, Joyce, and Worel

V. ADJOURNMENT

With no further business, the meeting was adjourned.

____
Michelle Kellogg, City Recorder

[1] A portion of the closed session was a discussion of candidates for a midterm City Council vacancy contrary to the Utah Open and Public Meetings Act. The audio recording is available to the public for listening. The Council conducted their deliberation in an open and public meeting as originally noticed at a special meeting held January 23, 2018. Please refer to the Park City website for audio of both meetings at http://parkcityut.iqm2.com/Citizens/Default.aspx.

DATE: February 1, 2018

TO HONORABLE MAYOR AND COUNCIL

An agreement has been reached to purchase the entire Treasure Hill parcel from Sweeney Land Company, LLC and Park City II, LLC.

Respectfully:

Michelle Kellogg, City Recorder

City Council
Mayor/Staff Report

Author:	**Mayor Andy Beerman**
	Matt Dias, Asst. City Manager
	Mark Harrington, City Attorney
	Nate Rockwood, Capital Budget, Debt, & Grants Manager
Subject:	**Treasure Hill Purchase and Sale/Settlement Agreements**
Date:	**January 29, 2018**
Type of Item:	**Property Acquisition and Settlement**

Summary Recommendations

The Mayor and staff recommend that the City Council: a) evaluate the proposed terms of the potential 100% property acquisition and settlement of the Treasure Hill/Sweeney Master Plan Creole Gulch and Mid-Station parcels; b) discuss bond funding parameters and timing; c) conduct a public hearing; and d) continue to February 15, 2018.

Background

A visual of the massing of the current Creole Gulch and Mid-Station 17.2 proposal, which exceeds over 900k of gross building area, is below:

The Sweeney Properties Master Plan (SPMP) was approved in 1986. The first phases of the project are approved and nearly built out. The final phase is the Creole Gulch and Mid-Station parcels. The Conditional Use Permit application for the Treasure Hill/SPMP Creole Gulch and Mid-Station parcels has been pending since 2004.

Within the current approved Sweeney Properties Master Plan, the maximum allowed unit equivalents (UE) for Creole Gulch and Mid-Station parcels included residential 197 UEs (1 residential UE = 2,000 square feet) and 19 commercial UEs at 1,000 square feet per UE, for a total of 216 UE's. All parking, affordable housing, accessory, meeting, or mechanical/gross square feet is additional and would have to be evaluated under the SMP and other applicable Land Management Code criteria. As summarized by staff analysis in the June 6, 2016 staff report linked below, the CUP proposal evolved and upon re-start of the review consisted of the following:

Hotel/Residential (net): 393,911 square feet
Commons space & circulation (gross) 145,655 square feet
Allotted Commercial (MPD UE's, gross) 18,863 square feet
Support Commercial (gross) 33,412 square feet
Meeting Space (gross) 16,127 square feet
Accessory Space (gross) 70,372 square feet
Parking (gross) 3,661 square feet
Subtotal 682,001 square feet

Underground/basement areas:
Parking (gross) 241,402 square feet
Common Space & Circulation (gross) 27,555 square feet
Accessory Space (gross) 65,929 square feet
Subtotal 334,886 square feet
Total 1,016,887 square feet

The proposal included approximately 424 parking spaces.

2010-2014: Prior Negotiations- Pending Conditional Use Permit (CUP) Application

On April 22, 2010, the City Council elected to appoint a hearing appeal panel as the appeal body for the pending Treasure Hill CUP application. This enabled the Council to explore other roles beyond the traditional regulatory/appeal role, including negotiating project goals beyond the framework of regulatory criteria, consideration and negotiation of sale and the purchase and/or transfer of density rights. Several public open houses and Planning Commission progress meetings were held as the City negotiated project alternatives, led by the Mayor and a Councilmember.

No agreement was reached and the owners re-initiated the review of their application. The Planning Commission began their most recent review of the project proposal in June 2016.

Staff Report June 8, 2016

The history, presentations and all documents regarding the pending CUP application may be found on the City website:

The City's Treasure Conditional Use Project Webpage

After over 18 months of revisions, the applicants submitted their final plan revisions (link below) which was nearing final review and action by the Planning Commission. The project gross total was reduced by applicant revisions but still exceeded 900k square feet.

Treasure Final 17.2 Proposal

December 2017: Mayors' Request to Consider 50% Option Project Alternative

In December 2017, at the request of Mayor Jack Thomas and Mayor-Elect Andy Beerman, the Planning Commission voted to postpone final deliberations and a vote on the pending Conditional Use Permit for the final phase of the Sweeney Master Plan Creole Gulch and Mid-Station parcels in order to again allow the City Council and owners an opportunity to explore a project alternative.

Several meetings were held to evaluate the possibility of a re-designed project with 18 single family lots and a hotel utilizing 50% of the approved SPMP density and the City acquiring the other 50% of the density for $30 Million. The purchase would be made with two payments: $6M and $24M, with the $24M being subject to voter approval of a general obligation bond in November 2018. A deadline in mid-January was agreed to, but road re-design proved challenging and a new timeline for final action on a settlement proposal for the end of January was identified.

For the last staff analysis of the 50% option, see the staff presentation for January 24, 2018 by following the link below and click the first document titled "2018.01.24 PC Staff Presentation":

1/24/18 Staff Report for 50% Option- Alternative C

January 2018: 100% Buy-Out Break Through

Last Wednesday, Mayor Andy Beerman and the owners of the "Treasure Hill Properties" discussed the status and timing deadline of the 50% option, as recently modified by final road alignment proposal. The parties acknowledged that while great progress had been accomplished, the re-design was not going to be completed within the timeline established to enable the 50% buyout and settlement to proceed.

Using the information obtained in the course of the prior negotiations and the 14 years of project review, the parties engaged in substantive discussion regarding a 100% buyout. As stated in last week's press release dated 1/14/18, this change is attributed to a dramatic shift in the willingness of the Sweeneys and their partner:

"Despite the best efforts of City staff, Planning Commission, and our technical experts, we were unable to meet the specificity and certainty that the public and City were requesting of our partnership," said property owner Elizabeth Rad. "Though we remain committed to returning to our project proposal if this 100-percent buyout attempt fails, we have reluctantly come to the table with something the community has long sought and, to be fair, we have resisted – a full buyout of our development."

Analysis

Purchase Price

Total Purchase and Settlement price: **$64 Million Dollars**

Payment Terms: $6 million non-refundable earnest money deposit/settlement payment upon execution of the Purchase and Settlement Agreements. $58 million would be payable no later than April 1, 2019, contingent upon bond approval and issuance. If the general obligation bond is not issued and sold, the Settlement Agreement would govern and provide for City acquisition of 10% of the project density.

Town Lift/Tram Agreements; PCMR & Sweeney Agreements

The parties have certain confidential agreements stemming back to the early 1980's which at a high level include commitments of linking Main Street to the PCMR resort base. The agreements address the cost-sharing of providing continued direct lift access to on-mountain bed base resulting from the Treasure Hill potential build-out; and relate back to ski improvements such as the Town Lift and Town Bridge. The City is proposing to limit the assignment of those agreements narrowly to the ski access, PCMR ski run easements, and related changes Vail may elect to make on the Town Lift.

Easements

Secondary access easements for the benefit of Lots 3 and 4, Treasure Hill Subdivision Phase 1, and Lot 8, Treasure Hill Subdivision Phase 3 are proposed for the purpose of allowing limited construction and maintenance access. The impact of the new easements should be minimal but is still being reviewed. Such limited, seasonal use in conjunction with otherwise permitted construction allows deliveries in a manner that minimizes impacts on other old town streets.

Settlement of All Claims

Both the Purchase Agreement and the Settlement Agreement include a release of all claims between the parties related to the Treasure Hill Properties and the pending CUP application. The release terms are in the draft Purchase Agreement and Settlement Agreement- the latter of which becomes operative only if the bond is not issued or sold.

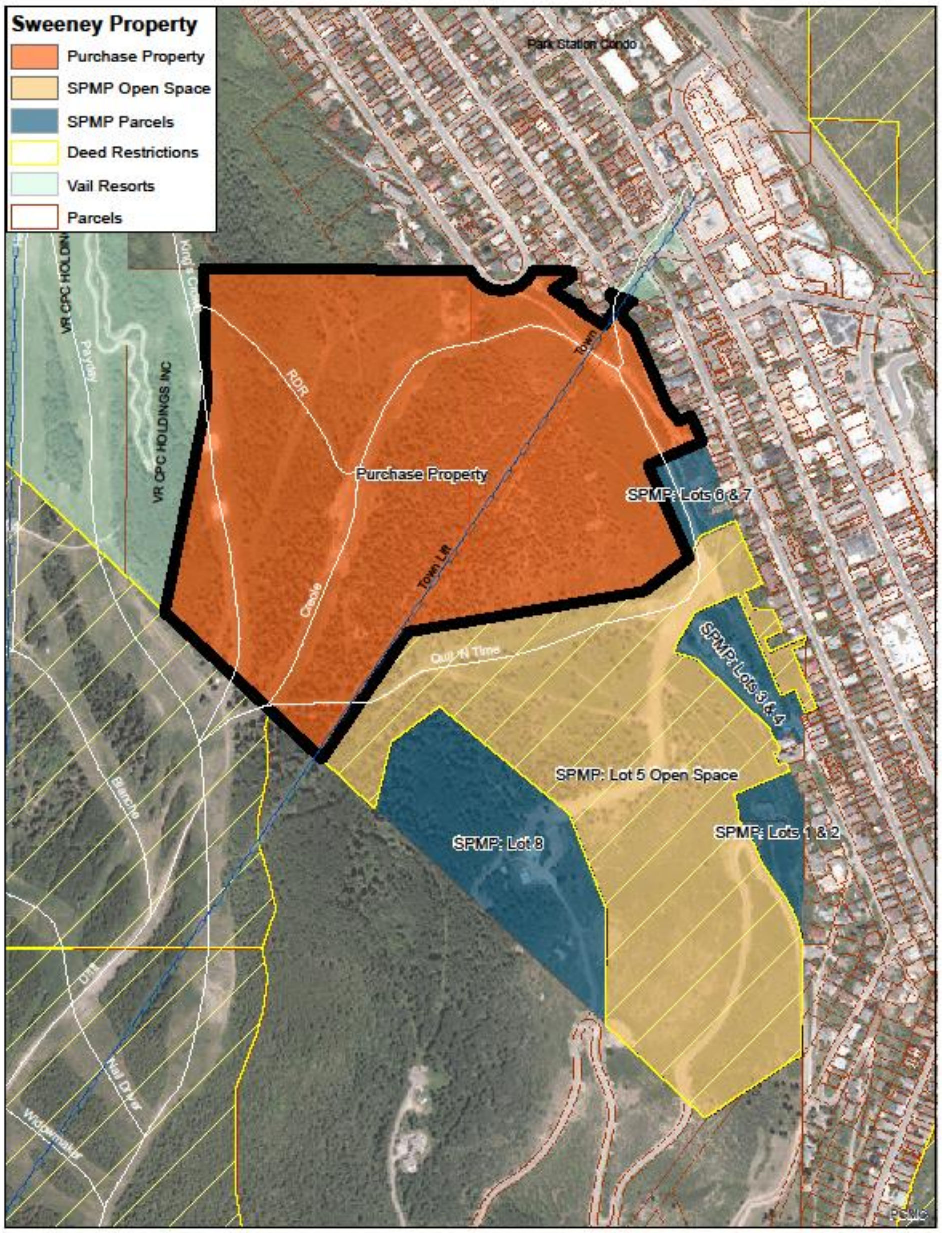
Transfer of Density Rights (TDR)

No TDR has been considered in conjunction with this purchase. The City reserves the right to sell or transfer the density in accordance with existing provisions and public processes as required by the Land Management Code.

Drafts of the Purchase and Sale Agreement, including the Settlement Agreement, will be made available under separate cover as soon as possible prior to the February 15, 2018 meeting. No changes to the SPMP are proposed and all conditions of approval from previous approved CUP and subdivisions remain in effect.

Property

The Treasure Hill Properties, inclusive the remaining Phase 4 SPMP development parcel (@11acres) and hillside open space parcel (@52 acres), proposed for acquisition by the City are as shown below:



Current City General Obligation (GO) Bonds – (Voter Approved Property Tax Initiatives)

The City currently has seven bond issuances outstanding (see table below). All bonds have been issued for 15-year terms and have differing expiration dates. The 2013 and 2014 GO Bonds are refunding bonds (refinanced) from 2003 and 2004 open space bonds. The 2013 bonds will be retired (paid off) in 2018 and the 2014 bond will be retired in 2019.

The total principal and interest outstanding on all City GO bonds is approximately $59 million. The full amount will be retired in 2032 with the last payment of the Bonanza Flat Bonds. Based on the current debt schedule, approximately half of the City's GO debt ($28 million) will be retired in the next 5 years.

The total principal and interest payment due in 2018, which will be included on the 2018 property tax notice, is $6.4 million. Based on the 2017 City wide Taxable Value the cumulative payment would be estimated at $82.15 per $100,000 of Taxable Value.

Taxable Value is 55% of the Assessed Value for a primary residence and 100% of the Assessed Value for a second home or business. For example, the Taxable Value for a primary resident with an Assessed Value of $800,000 would be $440,000. The Taxable Value for a second home or a business with an Assessed Value of $800,000 would be $800,000.

The City's 2017 Taxable Value is approximately $7.8 billion. Primary residential taxable value makes up just over 15 percent of the total taxable value. This means that primary residents are responsible for about $8.8 million of the total $59 million in outstanding debt. This will equate to about $950,000 of the $6.4 million debt service payment in 2018.

The State of Utah sets the maximum allowable debt limit for a city at 4% of the total taxable value in any one year. Based on the 2017 Taxable Value the State limit for Park City debt is $312 million, and deleting $59M leaves $253 million in remaining debt capacity.

The adopted City Council Debt Management policy further limits the total maximum allowable debt to 2 percent of the total taxable value (half of the 4% state limit). This puts the total maximum debt for the City at $156 million or $97 million in remaining debt capacity ($156 million subtracting current debt of $59 million).

Park City Municipal Corporation - General Obligation Debt Service (Voter Approved Property Tax Bonds)								
Year	Series							Grand Total
	GO 2008 Open Space	GO 2009 Open Space/Walkability	GO 2010 Open Space	GO 2013 Open Space (Refunding 2003 Bonds)	GO 2013 Walkability	GO 2014 Open Space (Refunding 2004 Bonds)	GO 2017 Bonanza Flat Open Space	Total GO Debt Payment Per Year
'18	$ 894,200	$ 1,021,810	$ 554,735	$ 408,000	$ 576,813	$ 723,400	$ 2,223,326	$ 6,402,284
'19	892,400	1,020,576	549,135		578,213	732,250	2,241,550	6,014,124
'20	894,600	1,023,516	541,335		584,413		2,245,350	5,289,214
'21	900,600	1,023,340	537,475		585,313		2,228,600	5,275,328
'22	904,250	1,026,220	527,288		589,850		2,214,350	5,261,958
'23	905,463	1,026,450	521,190		597,850		2,202,350	5,253,303
'24	909,150	1,024,400	513,915		599,100		2,187,350	5,233,915
'25			505,200		599,938		2,174,350	3,279,488
'26					604,038		2,153,100	2,757,138
'27					602,538		2,138,850	2,741,388
'28					609,175		2,121,100	2,730,275
'29							2,141,350	2,141,350
'30							2,159,350	2,159,350
'31							2,180,100	2,180,100
'32							2,178,450	2,178,450
Total Debt (P&I)	$6,300,663	$ 7,166,312	$ 4,250,273	$ 408,000	$6,527,241	$ 1,455,650	$32,789,526	$ 58,897,665

Election Timing of GO Bond Initiatives

On or before Aug. 30, 2018 - 75 days prior to election date – City Council must approve a resolution submitting the question of the issuance of the bonds to the voters. The resolution must include the ballot proposition language, dollar amount (sizing) of the bonds and the maximum maturity of the bonds.

September - The resolution would be followed by a series of public hearings and notices of the bonds in September.

Between September 24 - October 24 - A voter information pamphlet must be mailed to all city addresses. The voter information would also include the ballot proposition language, dollar amount of the bonds and the maximum maturity of the bonds, as well as the estimated annual property tax impact on a primary, secondary and business property related to the bonds.

November 6, 2018 - GO Bond Election – Special Election on November 6, 2018 question of the issuance of the bonds to the voters. Bond will need to pass by a simple majority..

November - March – **If the bond passes,** proceed with issuance and sale of bonds. Closing by April 1, 2019.

Recommendation

The Mayor and staff recommend that the City Council: a) evaluate the proposed terms of the potential 100% property acquisition and settlement of the Treasure Hill/Sweeney Master Plan Creole Gulch and Mid-Station parcels; b) discuss bond funding parameters and timing; c) conduct a public hearing; and d) continue to February 15, 2018.

Exhibits

Exhibit A – January 2018 MOU

Exhibit B – Treasure Hill Properties Map

PROPOSED PLAN FOR TREASURE

This proposal is provided to Park City Municipal Corporation ("Park City") and sets forth the essential terms of a plan of action related to the acquisition of the Treasure Hill Project owned by MPE Corporation ("MPE"), Sweeney Land Company ("SLC") (collectively, the "Sweeney Parties"), on the one hand, and Park City II, LLC ("PC II") and Elizabeth Rad (collectively, the "PC II Parties") on the other hand. Together MPE, SLC, and PCII are hereinafter referred to as the "Owners". The parties ("Parties") anticipate that the terms herein will be included within a definitive contingent purchase agreement ("Purchase Agreement") that will be drafted by their respective counsel subsequent to the execution of this Proposed Plan.

1. The Parties agree that at closing ("Closing") with Park City (anticipated to occur as will be provided in the Purchase Agreement) it is anticipated that Park City will pay MPE/SLC $5,000,000 and PC II, $1,000,000.

2. This amount shall secure a 10% acquisition of the density of the proposed Treasure Hill Project in the event of the failure of the contingent bond, the exact timing of which are to be negotiated in the Purchase Agreement.

3. The Parties anticipate that in connection with the Purchase Agreement, Park City will also promise to pay an additional $58,000,000 to the Owners before March 1, 2019.

4. The Parties agree that these funds shall be payable to the Owners, in return for which the Owners shall sell to Park City all development rights and entitlements to future use of the Treasure Hill Parcels. The Parties will work in good faith to negotiate the Purchase Agreement, which must be mutually acceptable by all Parties on or before February 15, 2018.

5. The Parties will acknowledge that Park City shall be free to sell the density acquired from the Owners on such terms as Park City determines.

DATED this 24TH of January, 2018:

MPE INCORPORATED

Pat Sweeney

By Pat Sweeney

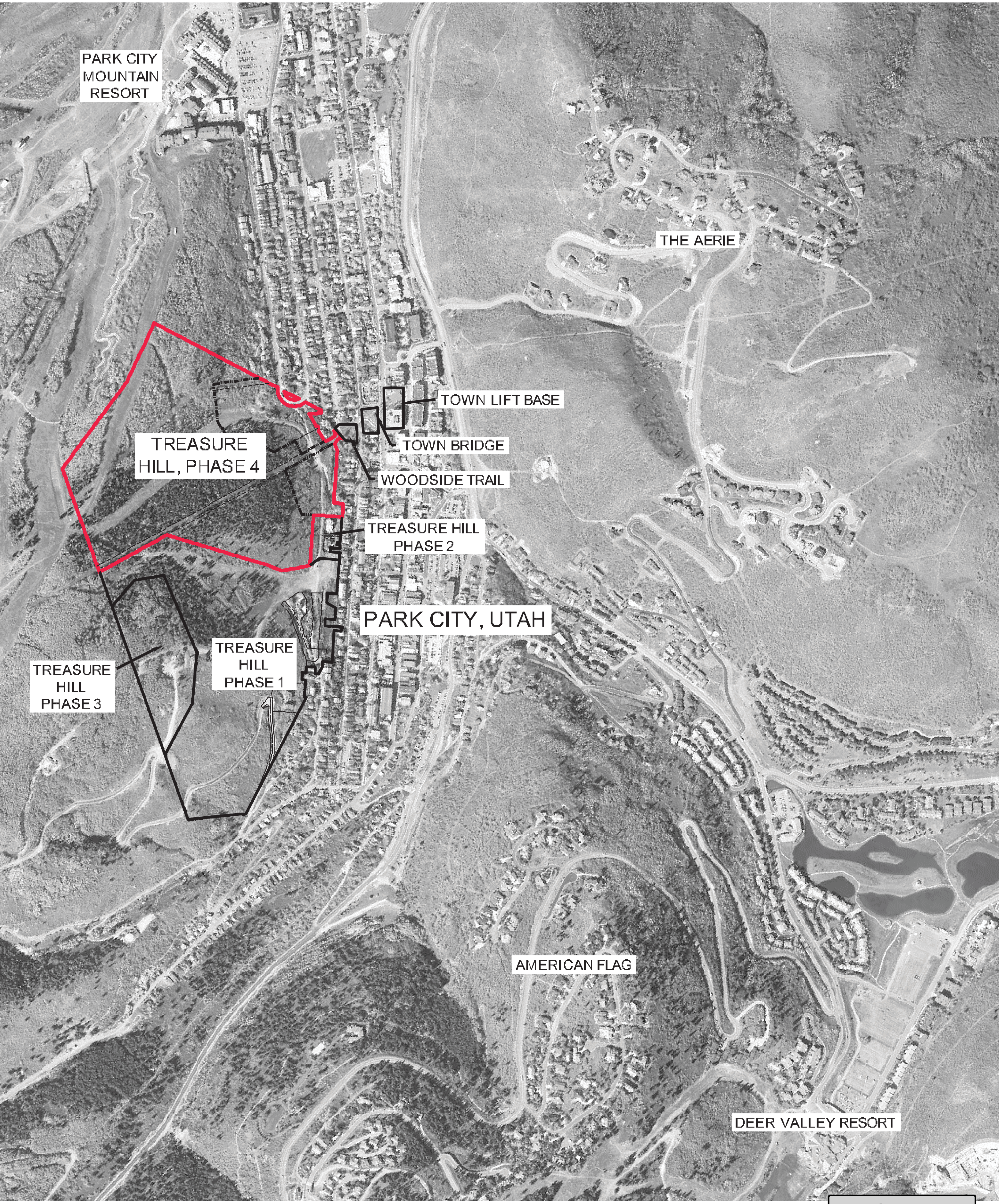
SWEENEY LAND COMPANY

Pat Sweeney

By Pat Sweeney

Park City II LLC

By Elizabeth Rad, Managing Partner



PARK CITY MOUNTAIN RESORT
THE AERIE
TOWN LIFT BASE
TOWN BRIDGE
TREASURE HILL, PHASE 4
WOODSIDE TRAIL
TREASURE HILL PHASE 2
PARK CITY, UTAH
TREASURE HILL PHASE 1
TREASURE HILL PHASE 3
AMERICAN FLAG
DEER VALLEY RESORT

DATE: February 1, 2018

TO HONORABLE MAYOR AND COUNCIL

The reconfiguring of the proposed lots require final action of a Re-Subdivision by the City Council. The site is within the Snyder's Addition to the Park City Survey which requires the reconfiguring the entire site, 653,860 sf. (15.01 acres), into the proposed 32 lots. The applicant proposes the following lots:

- Three (3) lots to accommodate the four (4) Multi-Unit Dwelling buildings: proposed Lots 1, 2, and 30.
- Twenty-seven (27) single-family dwelling lots: proposed Lot 3 - 29.
- Two (2) open space lots: proposed Lot 31 - 32.

The three (3) proposed multi-family lots would in the future platted with a Condominium Plat into their individual units, allowing the property owner the ability to sell each unit individually. The development proposes the re-configuring of 27 single-family lots to house one single-family dwelling each. The development also proposes the re-configuring of two (2) open space lots that would be owned and maintained by the development homeowner's association (HOA).

The Planning Commission held a public hearing, reviewed, and approved the MPD and CUP during their January 10, 2018 meeting. The approving vote was 3-1. One Commissioner was absent from the meeting, while another Commissioner was recused from the item.

Respectfully:

Francisco Astorga, Senior Planner

City Council
Staff Report

Subject: King's Crown
Author: Francisco Astorga, AICP, Senior Planner
Project #: PL-17-03567
Date: 01 February 2018
Type of Item: Legislative – Re-Subdivision

PLANNING DEPARTMENT

Summary Recommendations
Staff recommends that the City Council hold a public hearing and review the submitted Re-Subdivision application. Staff recommends that the City Council approve the Re-Subdivision as conditioned based on the listed Findings of Facts, Conclusions of Law, and Conditions of Approval in the draft ordinance.

Description

Applicant:	CRH Partners, LLC represented by Rory Murphy, Hans Fuegi, and Chuck Heath Evergreen Engineering represented by Andrew Moran WOW Atelier represented by Chimso Onwuegbu
Location:	1201-1299 Lowell Avenue, Park City, Utah 84060
Zoning:	Recreation Commercial (RC) District, Recreation And Open Space (ROS) District, and Sensitive Land Overlay (SLO) Zone
Adjacent Land Uses:	Trails, skiing, open space, and residential.
Reason for Review:	MPDs and CUPs applications require Planning Commission public hearing / review / final action. Re-Subdivisions applications require Planning Commission public hearing / review / recommendation to the City Council, and City Council public hearing / review / final action.

Acronym's in this Staff Report

LMC	Land Management Code
RC	Recreation Commercial
ROS	Recreation and Open Space
SLO	Sensitive Lands Overlay
MPD	Master Planned Development
CUP	Conditional Use Permit
SFD	Single Family Dwelling

Background
MPD application - Any residential project with ten (10) or more lots or ten or more residential unit equivalents (20,000 square feet) requires an MPD. The applicant proposes the construction of thirty (30) units totaling 80,963 square feet within three

(3) separate multi-unit dwellings, fifteen (15) deed-restricted affordable housing units totaling 16,520 square feet in a separate multi-unit dwelling, and twenty-seven (27) single-family dwelling lots equating to approximately 71,880 square feet. The applicant requests a total of 57 residential units (condos/townhouses/houses) totaling approximately 152,843 square feet.

CUP application - Multi-unit dwellings are listed as a conditional use in the RC District. The applicant proposes the construction of four (4) multi-unit dwelling buildings which includes one (1) building housing the affordable housing units that exceeds the required affordable housing requirements. MPDs are also listed as conditional uses within the RC District.

Re-Subdivision application - The reconfiguring of the proposed lots require final action of a Re-Subdivision by the City Council. The applicant proposes a total of 32 lots of record from the existing 247 lots platted Old Town lots, within Snyder's Addition to the Park City Survey. **Applicant proposes the following:**

- **Three (3) lots to accommodate the four (4) Multi-Unit Dwelling buildings (to be later re-plated via Condominium Plat): proposed Lot 1, 2, and 30.**
- **Twenty-seven (27) single-family dwelling lots: proposed Lot 3 - 29.**
- **Two (2) open space lots: proposed Lot 31 - 32.**

The Planning Commission had an initial discussion with the applicant during the July 26, 2017 Planning Commission meeting, the staff report is found here and the adopted meeting minutes are found here. Staff met with the applicant several times after this Planning Commission meeting and plans were updated and submitted on September 29, 2017. On October 13, 2017, staff requested clarification regarding the preliminary site plan, preliminary utility plan, preliminary grading plan, construction mitigation, and snow storage. On October 27, 2017 plans were updated and an electronic model was submitted to staff which included the massing of the potential 27 single-family dwellings in addition to the massing of the multi-unit dwellings.

The Planning Commission held a public hearing and reviewed the updated submittals during the November 29, 2017 Planning Commission meeting, the staff report is found here and the adopted meeting minutes are found here. During this meeting staff requested direction from the Planning Commission regarding the proposed density, setback reduction, type of open space, and preliminary/final Subdivision Plat approval. On December 6, 2017 the following exhibits were submitted to the City for the Planning Commission work session addressing the issues raised at the November 29, 2017 meeting:

- Letter from the Applicant dated December 1, 2017 received on December 6, 2017
- Potential fill location aerial photograph
- Proposed export fill placement
- Existing conditions survey

- Proposed Plat (updated)

A work session discussion with the Planning Commission took place on December 13, 2017 which was limited to the construction mitigation aspects of the proposal. This staff report is found here and the meeting minutes are found here.

The Planning Commission held a public hearing, reviewed, and approved the MPD and CUP during their January 10, 2018 meeting. This staff report is found here and the drafted meeting minutes are found here. The approving vote was 3-1. One Commissioner was absent from the meeting, while another Commissioner was recused from the item.

Proposal

The subject site is located at 1201 – 1299 Lowell Avenue. The subject site is within the RC, ROS, and SLO District. The proposed development takes place roughly over 30% of the property, all contained within the RC District located adjacent to Lowell Avenue towards the northeast of the subject site. No units are proposed within the ROS District or within the SLO.

The applicant proposes to build three (3) multi-unit buildings with access off Lowell Avenue, a private road/drive to be known as Rothwell Road, and a townhouse building with access off Rothwell Road. The proposed private road/drive begins at the 12th Street / Lowell Avenue intersection which then curbs up to a hammer-head turn around located near the northwest corner of the property. Rothwell Road climbs up approximately sixty feet (60') and is approximately 548 feet long.

The applicant also proposes to develop 27 single-family lots, 4 of which would be accessed off Lowell Avenue, and the remaining 24 would be accessed off Rothwell Road (15 on the west side of the private road and 8 on the east side of the private road). The applicant does not plan on building the 27 houses, but to develop the lots to be able to sell them individually.

The MPD includes the following:

- A total of 32 lots.
- Seven (7) deed restricted affordable housing condominium units (8.55 affordable unit equivalents).
- Eight (8) additional non-required deed restricted affordable housing condominium units (9.07 affordable unit equivalents).
- 11.2 acres of platted open space in the form of large tracts of contiguous natural open space that does not include open space area around the units, equating to 74.6%. The total open space percentage is 83.9.
- Market rate units
    - 23 condominiums
    - 7 townhomes
    - 27 single-family lots (detached houses)

Building A - Affordable Housing

- Multi-unit dwelling, conditional use
- 15 residential affordable housing units
- Square footage
    - Residential: 16,520
    - Mechanical: 256
    - Internal circulation (hallways and stairs): 1,833
    - Parking and vehicular circulation: 5,571
    - Overall: 24,180
- 18 parking spaces located in an enclosed underground parking garage
- Vehicular access off Lowell Avenue through one (1) driveway
- 5 stories above the parking garage
- Located on proposed Lot 1
- Affordable housing residential units do not count towards residential Unit Equivalents

Building B/C

- Multi-unit dwelling, conditional use
- 12 residential units
- Square footage
    - Residential: 28,253 (14.13 residential Unit Equivalents)
    - Mechanical: 375
    - Internal circulation (hallways, stairs, and elevator): 1,133
    - Parking and vehicular circulation: 9,305
    - Overall: 39,066
- 21 parking spaces located in enclosed underground parking garages
- Vehicular access off Lowell Avenue through two (2) separate driveways
- 4 stories above the parking garage
- Located on proposed Lot 2

Building D

- Multi-unit dwelling, conditional use
- 11 residential units
- Square footage
    - Residential: 24,590 (12.30 residential Unit Equivalents)
    - Mechanical: 166
    - Internal circulation (hallways, stairs, and elevator): 1,827
    - Parking and vehicular circulation: 8,313
    - Overall: 34,896
- 22 parking spaces located in an enclosed underground parking garage
- Vehicular access off Lowell Avenue through one (1) driveway
- 4 stories above the parking garage
- Located on proposed Lot 2

Townhomes Building

- Multi-unit dwelling, conditional use
- 7 residential units
- Residential square footage: 29,005 (14.50 residential Unit Equivalents)
- 14 parking spaces, 2 within each parking garage
- Vehicular access off proposed private drive through individual driveways
- 3 stories above the garage level
- Located on proposed Lot 30

<u>Single-Family Residential Lots</u>

- Single-family dwellings, allowed use
- 27 lots accommodate one (1) single-family dwelling on each lot
- Approximate buildable square footage: 71,880 (35.94 residential Unit Equivalents)
- 54 parking spaces, 2 within each lot as required
- Vehicular access off proposed private drive through individual driveways
- Located on proposed Lots 3-29

<u>Open Space Lots</u>

- 2 lots to be re-platted as open space
- Proposed open space lot 31:
  - Square footage: 2,106.4
  - Proposed retaining walls and stair access to adjacent property to the south
- Proposed open space Lot 32:
  - Square footage: 487,798.29 (11.2 acres)
  - No improvements on this lot
  - Proposed accessory building, 750 square feet, consisting of restroom and lockers for the exclusive use of property owners. Accessory buildings are an allowed use with the RC District. Restrooms/lockers are considered residential accessory space and do not count towards Unit Equivalents.
  - Contains an existing pedestrian access easement for Nastar, LLC.

In addition to plans showing existing conditions and proposed plans (General Drawings, Civil Drawings (ALTA & Slope), Proposed Plat (updated), Survey, Civil Drawings, Landscape Drawings, Architectural Site Drawings, Site Compliance Drawings, Architectural Graphics Drawings, Architectural Drawings, Material Board, Townhome Rendering), the applicant submitted the following letters and reports:

- Exhibit A - Applicant's MPD Letter
- Exhibit B - Applicant's General Plan Letter
- Exhibit C - Prior Agreements
- Exhibit D - Applicant's CUP Letter
- Exhibit E - Applicant's Re-Subdivision Letter
- Exhibit F - Construction Mitigation Plan
- Exhibit G – Affordable Housing Letter

- Exhibit H – 2017.08.03 Planning Commission and Staff Questions and Concerns Letter
- Exhibit I – 2017.12.01 Planning Commission Response Letter (submitted on 2017.12.06)
- Exhibit J - Applicant's Traffic Studies and Transportation Master Plan
- Exhibit K - Vegetation Study
- Exhibit L - Geotechnical Investigation
- Exhibit M - City Traffic Study
- Exhibit N - King's Crown Traffic Study
- Exhibit O - Cultural Survey
- Exhibit P - Environmental Survey
- Exhibit Q - Mine Site Studies
- Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations
- Exhibit S - SFD Approximate Excavation Quantities

Analysis

The site is within the Snyder's Addition to the Park City Survey which requires the reconfiguring the entire site, 653,860 sf. (15.01 acres), into the proposed 32 lots. The applicant proposes the following lots:

- **Three (3) lots to accommodate the four (4) Multi-Unit Dwelling buildings: proposed Lots 1, 2, and 30.**
- **Twenty-seven (27) single-family dwelling lots: proposed Lot 3 - 29.**
- **Two (2) open space lots: proposed Lot 31 - 32.**

The three (3) proposed multi-family lots would in the future platted with a Condominium Plat into their individual units, allowing the property owner the ability to sell each unit individually. The development proposes the re-configuring of 27 single-family lots to house one single-family dwelling each. The development also proposes the re-configuring of two (2) open space lots that would be owned and maintained by the development homeowner's association.

The site contains a total of 653,860 sf. (15.01 acres) broken down in the following manner:

- RC District: 199,867 sf. (4.59 acres)
- RC District within the SLO Zone: 78,654 sf. (1.81 acres)
- ROS District: 84,194 sf. (1.93 acres)
- ROS District within the SLO Zone: 291,145 sf. (6.68 acres)

The applicant proposes to build solely within the zoning boundaries of the RC District (4.59 acres). The applicant does not request to build within the boundary of the RC District/SLO, or within the ROS District, and these areas would be dedicated as open space.

Within the RC District, sites with multi-unit dwellings receive a maximum floor area ratio (FAR) of 1.0. The portion of the site in the RC District has a maximum floor area of 199,867 sf. for multi-unit dwellings. The RC District does not provide a FAR standard for single-family dwelling lots, but rather, a minimum lot area requirement of 1,875 sf. The proposal contains a total FAR of 0.41 (80,963 ÷ 199,867) for multi-unit dwellings. In applying the FAR at its maximum, the site would have a remaining 118,904 sf. in density (199,867 - 80,963). In applying the floor area not used for multi-unit dwelling for single-family dwellings, this would create approximately 63 residential lots (applying the minimum lot area of 1,875 square feet) without any sort of internal road layout/access. The applicant requests to re-subdivide 27 single-family lots in conjunction with their 80,963 sf. of multi-unit dwellings.

A residential Unit Equivalent is 2,000 square feet. The applicant proposes the construction of the following 30 residential units and the allotment of 27 lots:

- 12 units (flats) within multi-unit Building B/C totaling 27,683 square feet (13.84 residential Unit Equivalents)
- 11 units (flats) within multi-unit Building D totaling 24,255 square feet (12.13 residential Unit Equivalents)
- 7 townhouses within the Townhome Building totaling 29,005 square feet (14.50 residential Unit Equivalents)
- 27 lots to accommodate one (1) future single-family dwelling on each lot which would be approximately 71,880 square feet (35.94 residential Unit Equivalents)

The City vacated internal Rights-of-Way (ROW) in 1966. See Exhibit C - Prior Agreements - 1966 Ordinance. This Re-Subdivision in conjunction with this MPD request removes all platted lots within the development.

Land Management Code Section 15-7.1-5 Preliminary Subdivision Plat, specifically sub-section D and E indicates the following:

> ***D. Planning Commission Review of Preliminary Plat.*** *The Planning Commission shall study the Preliminary Plat and the report of the Staff, taking into consideration requirements of Land Management Code, any Master Plan, site plan, or Sensitive Land Analysis approved or pending approval on the subject Property. Particular attention will be given to the arrangement, location and width of Streets, their relation to sewerage disposal, drainage, erosion, topography and natural features of the Property, location of Physical Mine Hazards and geologic hazards, Lot sizes and arrangement, the further Development of adjoining lands as yet un-subdivided, and the requirements of the Official Zoning Map, General Plan, and Streets Master Plan, as adopted by the Planning Commission and City Council. The Planning Commission shall make a finding as to whether there is Good Cause in approving the preliminary plat.*
>
> *E. PUBLIC HEARINGS. The Planning Commission shall hold a public hearing on the Preliminary Plat Application. Such hearings shall be advertised in accordance with the requirements of Section 15-1-12 of the Land Management Code and in the same manner as the subsequent public hearings of the final Subdivision Plat; except, however, that the Planning Commission may, at its sole discretion,*

combine the required hearings for both preliminary and final Subdivision Plat approval.

During the November 29, 2017 Planning Commission meeting staff recommended that the Planning Commission combine the required hearings for both preliminary and final Subdivision Plat approval. Staff does not see a benefit at this time to have a review and public hearing for preliminary subdivision plat at Planning Commission to then have the applicant come back with another application to hold another review and public hearing for final subdivision plat at Planning Commission with a recommendation to the City Council with the sub-sequent review and public hearing at City Council. The Planning Commission agreed with staff in that the combination of preliminary and final plat review.

The proposed final plat includes the following lot no, lot size, and specific use:

Lot#:	Lot Size (SF)	Lot Use
1	18,381.29	Multi-Unit Dwelling (Bldg. A, affordable housing)
2	41,773.16	Multi-Unit Dwellings (Bldg. B/C and D)
3	1,875.0	SFD
4	1,875.0	SFD
5	1,875.0	SFD
6	2,062.5	SFD
7	2,576.56	SFD
8	2,677.79	SFD
9	2,004.92	SFD
10	2,326.52	SFD
11	2,182.2	SFD
12	2,015.91	SFD
13	2,049.98	SFD
14	2,041.91	SFD
15	2,017.33	SFD
16	1,995.8	SFD
17	1,991.28	SFD
18	2,603.19	SFD
19	2,921.39	SFD
20	2,269.58	SFD
21	5,644.75	SFD
22	3,184.94	SFD
23	3,548.63	SFD
24	2,820.0	SFD
25	2,820.0	SFD
26	2,356.33	SFD
27	2,370.46	SFD
28	2,342.39	SFD
29	2,343.03	SFD

30	19,903.68	Multi-Unit Dwellings (Townhouses, 7 units)
31	2,106.40	Open Space
32	487,892.55	Open Space

The minimum lot area for single-family dwellings in the RC District is 1,875 square feet. All of the SFD lots meet the minimum lot area requirements. The RC does not have a minimum lot area for lots with multi-unit dwellings. Some lots are big enough to house a duplex with a minimum lot area of 3,750 square feet; however, the applicant has indicated that they will not seek to build (sell) duplex lots. A note shall be added to the plat indicating that development on each SFD lot is limited to one (1) single-family dwelling.

The proposed final plat shall in compliance with criteria outlined under the LMC § 15-7.3 Requirements for Improvements, Reservations, and Design which includes the following, as applicable: general subdivision requirements, general lot design requirements, road requirements and design, drainage and storm sewers, water facilities, sewer facilities, sidewalks, hiking trails, bike paths, and horse trails, public uses, preservation of natural features and amenities. All plats are reviewed by the City Engineer for these and other applicable standards. The applicant has filed a Line Extension Agreement with the Snyderville Basin Water Reclamation District. The City Engineer has reviewed preliminary utilities which comply as conditioned.

Staff finds Good Cause for this Re-Subdivision (Final Plat) as it allows the development based on the MPD and CUP, which allow a significant portion of the site to not be disturbed and which places development at the lower portions of subject site.

Process

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

Significant Impacts

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

Department Review

This project has gone through an interdepartmental review at a Development Review Committee meeting.

Significant Impacts

There are no significant impacts to the City or adjacent neighborhoods as a result of this proposal that have not been addressed with plan revisions and conditions of approval

Notice

On December 27, 2017, the property was posted and public hearing courtesy notices were mailed to property owners within three hundred feet (300’). Legal notice was published in the Park Record two weeks prior to the scheduled public hearing.

Public Input
Staff received two (2) public input letters from adjacent property owners. Ms. Kravtin indicates general concerns with the Old Town character of the portion of Lowell Avenue. Marriott MountainSide indicates concerns with traffic during construction and on-going traffic, proximity to property, privacy, construction noise and possible long term noise, and dust issues. The submitted public input letters are found here.

Summary Recommendations
Staff recommends that the City Council hold a public hearing and review the submitted Re-Subdivision application. Staff recommends that the City Council approve the Re-Subdivision as conditioned based on the listed Findings of Facts, Conclusions of Law, and Conditions of Approval in the draft ordinance.

Link - Applicant Narratives
Proposed Ordinance Exhibit – Re-Subdivision (Final Plat)
Exhibit A - Applicant's MPD Letter
Exhibit B - Applicant's General Plan Letter
Exhibit C - Prior Agreements
Exhibit D - Applicant's CUP Letter
Exhibit E - Applicant's Re-Subdivision Letter
Exhibit F - Construction Mitigation Plan
Exhibit G – Affordable Housing Letter
Exhibit H – 2017.08.03 Planning Commission and Staff Questions and Concerns Letter
Exhibit I – 2017.12.01 Planning Commission Response Letter (submitted on 2017.12.06)

Link - Reports
Exhibit J - Applicant's Traffic Studies and Transportation Master Plan
Exhibit K - Vegetation Study
Exhibit L - Geotechnical Investigation
Exhibit M - City Traffic Study
Exhibit N - King's Crown Traffic Study
Exhibit O - Cultural Survey
Exhibit P - Environmental Survey
Exhibit Q - Mine Site Studies
Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations
Exhibit S - SFD Approximate Excavation Quantities

Link - Plans
Exhibit T - General Drawings:
GI-001 Cover Sheet
Exhibit U1 – Civil Drawings (ALTA & Slope):
ALTA Survey
Slope Map
Exhibit U2 – Proposed Plat (updated)
Updated Proposed Plat (received 2017.12.06)

Exhibit U3 – Survey

    C1 Existing Conditions Survey

Exhibit U4 - Civil Drawings:

    Proposed Plat
    C3 Preliminary Utility Plan
    C4 Preliminary Grading Plan
    C5 Detailed Grading Plans
    C6 Detailed Grading Plans

Exhibit V – Landscape Drawings:

    L-101 LANDSCAPE PLAN
    L-102 MATERIALS PLAN

Exhibit W - Architectural Site Drawings:

    AS-001 Site Aerial Plan
    AS-002 Existing Platted Conditions
    AS-003 Project Scope
    AS-004 Diagrammatic Site Plan

Exhibit X - Site Compliance Drawings:

    AS-005 Property Zone Area Plan
    AS-006 Open Space Calculations
    AS-007 Building Pads / Setbacks
    AS-008 Snow Storage Diagram
    AS-009 Construction Mitigation
    AS-010 Internal Pedestrian Circulation
    AS-011 Retaining Wall Plan
    AS-101 Architectural Site Plan

Exhibit Y - Architectural Graphics Drawings:

    AG-101 Roof Height Compliance
    AG-102 Height Fog Studies
    AG-111 Affordable Building Area Plans
    AG-112 Affordable Building Area Plans
    AG-121 Condo Building B/C Area Plans
    AG-122 Condo Building B/C Area Plans
    AG-123 Condo Building B/C Area Plans
    AG-131 Condo Building D Area Plans
    AG-132 Condo Building D Area Plans
    AG-141 Townhome Area Plans
    AG-142 Townhome Area Plans

Exhibit Z - Architectural Drawings:

    AE-201 Lowell Ave – Streetscape Elevations
    AE-211 Building A Elevations
    AE-212 Building A Elevations
    AE-221 Building B Elevations
    AE-222 Building B Elevations
    AE-223 Building C Elevations
    AE-231 Building D Elevations
    AE-232 Building D Elevations

AE-241 Townhome Street Elevation
AE-301 Site Sections
AE-302 Site Sections
AE-311 Building A Sections
AE-321 Building B/C Sections
AE-331 Building D Sections
AE-341 Townhome Sections
AE-342 Townhome Sections
AE-901 Preliminary 3D Views
AE-902 Preliminary 3D Views
AE-903 Preliminary Overall Sketch

Exhibit AA – Materials
Material Board
Townhome Rendering

Proposed Ordinance Exhibit – Re-Subdivision (Final Plat)

Draft Ordinance No. 2018-05

AN ORDINANCE APPROVING THE KINGS CROWN RE-SUBDIVISION LOCATED AT 1201-1299 LOWELL AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1201-1299 Lowell Avenue, have petitioned to the City Council for approval of the Kings Crown Re-Subdivision; and

WHEREAS, on December 23, 2017 the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was published in the Park Record on December 23, 2017, and notice letters were sent to all affected property owners on December 27, 2017, in accordance with the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on January 10, 2018, to receive input on the plat;

WHEREAS, the Planning Commission, on January 10, 2018, forwarded positive a recommendation to the City Council; and,

WHEREAS, on February 1, 2018, the City Council held a public hearing on the Subdivision Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve King's Crown Re-Subdivision.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. King's Crown Re-Subdivision Final Plat, as shown in Attachment 1 (also Exhibit U2), is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The subject site is located at 1201 – 1299 Lowell Avenue.
2. The subject site is within the RC, ROS, and SLO District.
3. The site contains a total of 653,860 sf. (15.01 acres) broken down in the following manner:
    a. RC District: 199,867 sf. (4.59 acres)
    b. RC District within the SLO Zone: 78,654 sf. (1.81 acres)
    c. ROS District: 84,194 sf. (1.93 acres)

    d. ROS District within the SLO Zone: 291,145 sf. (6.68 acres)
4. The site is within the Snyder's Addition to the Park City Survey which requires the reconfiguring the entire site, 653,860 sf. (15.01 acres), into the proposed 32 lots.
5. The applicant proposes the following lots:
    a. Three (3) lots to accommodate the four (4) Multi-Unit Dwelling buildings: proposed lot 1, 2, and 30.
    b. Twenty-seven (27) single-family dwelling lots: proposed lot 3 - 29.
    c. Three (3) open space lots: proposed lot 31 - 32.
6. The three (3) proposed multi-family lots would in the future re-platted via Condominium Plat re-subdivided into their individual units, allowing the property owner the ability to sell each unit individually.
7. The development proposes the re-configuring of 27 single-family lots to house one single-family dwelling each.
8. The development also proposes the re-configuring of two (2) open space lots that would be owned and maintained by the development homeowner's association.
9. The City vacated internal Rights-of-Way (ROW) in 1966.
10. This Re-Subdivision in conjunction with the concurrent MPD and CUP.
11. The Re-Subdivision application request removes all platted lots within the development.
12. Land Management Code Section 15-7.1-5 Preliminary Subdivision Plat, specifically indicates that the Planning Commission may, at its sole discretion, combine the required hearings for both preliminary and final Subdivision Plat approval.
13. The minimum lot area for single-family dwellings in the RC District is 1,875 square feet.
14. All of the SFD lots meet the minimum lot area requirements.
15. The applicant has indicated that they will not seek to build (sell) duplex lots on applicable lots. A note shall be added to the plat indicating that.
16. The applicant has filed a Line Extension Agreement with the Snyderville Basin Water Reclamation District. The City Engineer has reviewed preliminary utilities which comply as conditioned

<u>Conclusions of Law:</u>

1. There is Good Cause for this Final Plat as it consistent with the MPD and CUP.
2. The Final Plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed Final Plat.
4. Approval of the Final Plat, subject to the conditions of approval stated below, will not adversely affect the health, safety and welfare of the citizens of Park City.

<u>Conditions of Approval:</u>

1. The City Attorney and City Engineer will review and approve the final form of plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will present the final signed Mylar plat to the City, for City signatures and recordation at Summit County, within one year of the date of City Council approval, or this approval will be considered void; unless an extension request is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Approval of this Plat is subject to the Master Planned Development approval.
4. Final utility plans, consistent with preliminary utility plans reviewed by the Planning Commission during the MPD/CUP review, shall be submitted with the final subdivision plat for approval by the City Engineer.
5. Dry utility infrastructure must be located on the property and shown on the building plans prior to building permit issuance to ensure that utility companies verify that the area provided for their facilities are viable and that exposed meters and boxes can be screened with landscaping.
6. The Snyderville Basin Water Reclamation District's review and approval of the utility plans and final subdivision plat, for conformance with the District's standards for review, is a condition precedent to plat recordation and building permit issuance.
7. Utilities must be extended to the site to sustain the anticipated uses. Twenty (20') foot wide non-exclusive utility easements are generally necessary for long term maintenance and shall be dedicated on the final subdivision plats. Off-site improvements are necessary to serve the site with utilities.
8. Final road designs will be provided to the Park City Planning, Engineering and Building Departments for review and approval as part of the permit process.
9. The proposed final plat shall in compliance with criteria outlined under the LMC § 15-7.3 Requirements for Improvements, Reservations, and Design which includes the following, as applicable: general subdivision requirements, general lot design requirements, road requirements and design, drainage and storm sewers, water facilities, sewer facilities, sidewalks, hiking trails, bike paths, and horse trails, public uses, preservation of natural features and amenities. All plats are reviewed by the City Engineer for these and other applicable standards.
10. The project is over 1.0 acres and will be required to meet the requirements of Park City's municipal separate storm sewer system (MS4) storm-water program
11. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation
12. A note shall be added to the plat indicating that development on each SFD lot is limited to one (1) single-family dwelling.

<u>SECTION 2. EFFECTIVE DATE.</u> This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 1st day of February, 2018.

PARK CITY MUNICIPAL CORPORATION

____
Andy Beerman, MAYOR

ATTEST:

____
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

____
Mark Harrington, City Attorney

DATE: February 1, 2018

TO HONORABLE MAYOR AND COUNCIL

This application is a request for approval of the Empire Residences condominium plat for 21 residential units, one American Disability Act (ADA) unit and one deed restricted employee housing unit (EHU) within one building proposed to be constructed at 7695 Village Way. The condominium plat memorializes density, uses and configuration of units consistent with the approved Conditional Use Permit (CUP), and identifies areas of private and common ownership.

The property is located in the Residential Development (RD) District on a 0.66 acre Lot 3 Village at Empire Pass North Subdivision and is subject to the Village at Empire Pass Master Planned Development (VEP MPD), approved by the Planning Commission on July 28, 2004 for 21 private residential units totaling 48,968 sf utilizing 24.484 UE, approved by the Planning Commission. The units range in area from 542 sf to 3596 sf with an average unit area of 2,331.8 sf.

The ADA unit is required to be platted as common area. Staff recommends the EHU be platted as common area and leased by the HOA to a qualified employee. A deed restriction for the EHU unit, acceptable to the City, is a condition of approval prior to plat recordation. An underground parking structure provides 30 parking spaces, including 2 ADA spaces, as well as limited common storage areas for each unit. Three surface spaces are provided.

On January 10, 2018, the Planning Commission unanimously voted to forward a positive recommendation on the condominium plat.

Respectfully:

Kirsten Whetstone, Senior Planner

City Council Staff Report

PARK CITY 1884 PLANNING DEPARTMENT

Subject:	**Empire Residences Condominiums**
Author:	**Kirsten Whetstone, MS, AICP- Sr. Planner**
Project #:	**PL-17-03721**
Date:	**February 1, 2018**
Type of Item:	**Legislative – Condominium Plat**

Summary Recommendation

Staff recommends City Council holds a public hearing for the Empire Residences condominium plat, and considers approving the plat pursuant to the findings of fact, conclusions of law and conditions of approval as found in the Ordinance.

Executive Summary

This application is a request for approval of the Empire Residences condominium plat for 21 residential units, one American Disability Act (ADA) unit and one deed restricted employee housing unit (EHU) within one building proposed to be constructed at 7695 Village Way (See **Exhibits A and B**). The condominium plat memorializes density, uses and configuration of units consistent with the approved Conditional Use Permit (CUP), and identifies areas of private and common ownership.

The property is located in the Residential Development (RD) District on a 0.66 acre Lot 3 Village at Empire Pass North Subdivision (**Exhibit C**) and is subject to the Village at Empire Pass Master Planned Development (VEP MPD), approved by the Planning Commission on July 28, 2004 (Exhibit D- link to VEP MPD approval) and the Empire Residences CUP, for 21 private residential units totaling 48,968 sf utilizing 24.484 UE, approved by the Planning Commission. The units range in area from 542 sf to 3596 sf with an average unit area of 2,331.8 sf.

The ADA unit is required to be platted as common area. Staff recommends the EHU be platted as common area and leased by the HOA to a qualified employee. A deed restriction for the EHU unit, acceptable to the City, is a condition of approval prior to plat recordation. In addition, staff recommends the EHU be platted common so that it is a rental unit and to make any issues about HOA fees moot. An underground parking structure provides 30 parking spaces, including 2 ADA spaces, as well as limited common storage areas for each unit. Three surface spaces are provided. On January 10, 2018, the Planning Commission unanimously voted to forward a positive recommendation on the condominium plat.

Description

Applicant:	Empire Residences LLC- Brady Deucher
Location:	7695 Village Way
Zoning:	Residential Development (RD) District and Village at Empire Pass (MPD)
Adjacent Uses:	Deer Valley Resort, condominiums, townhouses, vacant development parcels and open space
Reason for Review:	Condominium plats require Planning Commission review and recommendation with final action by City Council.

Acronyms

ADA	American Disability Act
CUP	Conditional Use Permit
EHU	Employee Housing Unit
LMC	Land Management Code
MPD	Master Planned Development
PUD	Planned Unit Development
RD	Residential Development
SBWRD	Snyderville Basin Water Reclamation District
UE	Unit Equivalent
VEP MPD	Village Empire Pass Master Planned Development

Background

Flagstaff Annexation

On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the Flagstaff Mountain area. Resolution 20-99 granted the equivalent of a" large-scale" Master Planned Development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions, restrictions, obligations, and amenities for each parcel. The Flagstaff Development Agreement was amended and recorded in March 2007 (Amended Agreement) and is the current controlling document for development on this lot (Exhibit E- Link to Flagstaff Development Agreement).

The 2007 Amended Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village. The Mountain Village is further constrained to a maximum density of 785 unit equivalents (UE) configured in no more than 550 dwelling units as multi-family, hotel, townhouse or PUD units. The number of PUD units is restricted to sixty units (60). The MPD also allowed 16 single family home sites within the Mountain Village. At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A). The development pods are to be linked by transit. A fourth pod, Pod D, is allowed 30 single family lots (Red Cloud Subdivision). Subject property is located within Pod A. See **Exhibit K** for density summary of the MPD.

There are also 14 technical reports associated with the Empire Pass development area. The 14 technical reports, along with the Land Management Code (LMC) and the Amended Agreement, form the standards under which the developments in the area are reviewed (**Exhibit F** – Link to Technical Reports).

Village at Empire Pass Master Planned Development

On July 28, 2004, the Planning Commission approved a Master Planned Development (MPD) for the Village at Empire Pass (Pod A), known as the Village at Empire Pass Master Planned Development (VEP MPD) (Exhibit D- Link to VEP MPD approval). The VEP MPD was the first step in the development process for Pod A.

The purpose of the VEP MPD was to establish unit mix and density for the Mountain Village as well as address overall project infrastructure throughout the Annexation Area. The VEP MPD established building volumetric diagrams, including specific height exceptions, density and development location. The VEP MPD requires Conditional Use Permit approval for the lodge buildings and administrative Conditional Use Permit approval for the townhouses and PUD style units, prior to building permit issuance for construction.

<u>Subdivision Approvals</u>
Village at Empire Pass North Subdivision plat, approved by Council on June 15, 2017, plats metes and bounds parcels within the VEP MPD area for the purpose of creating platted lots of record for Buildings 3 and 4, as well as townhouse units on Lot 1 (**Exhibit C**). Recordation of the approved plat is pending final signatures by the City. Plat recordation is a condition of issuance of a building permit for construction of Building 3. The plat identifies a requirement for affordable housing to be constructed within the buildings on Lots 2 and 3 to be completed prior to issuance of a certificate of occupancy for each building and in compliance with the housing plan.

<u>Conditional Use Permit</u>
On January 10, 2018, the Planning Commission approved the Empire Residences CUP consisting of a 21 unit residential lodge building to be located on Lot 3 of the Village at Empire Pass North Subdivision utilizing a maximum of 24.5 Unit Equivalents (UE). An ADA unit and a deed restricted employee unit (EHU) are also proposed within the lodge building. Final approval by the Empire Pass Design Review Board was provided on October 20, 2017 (**Exhibit G**).

The building includes a total of 50,284 square feet (sf) of residential uses, including the ADA and EHU units. Approximately 4,500 sf of residential accessory uses (guest amenities such as owner lounge, locker rooms, and breakfast/après ski area, guest fitness, restrooms, kid's recreation areas, business center, etc.) are platted as common area within the building. There are no commercial uses within this building. Support commercial uses for the Village are located at the Tower Club (aka Empire Club) a short walk to the south. Parking, mechanical and storage areas in the garage account for 12,944 sf. Circulation, janitor closets, and other mechanical areas/vent shafts, etc. not in the garage, account for 18,029 sf. Gross building area is approximately 85,757 sf.

<u>Submittal</u>
On October 30, 2017, the City received an application for the Empire Residences condominium plat. The application was deemed complete on November 27, 2017. The proposed condominium plat memorializes density, size and configuration of proposed units and identifies areas of private and common ownership consistent with the CUP. See **Exhibits H, I and J** for existing conditions survey, aerial photo and SBWRD letter.

Alternatives

- City Council may approve the Empire Residences condominium plat as conditioned or amended, or
- City Council may deny the Empire Residences condominium plat and direct staff to make Findings for this decision, or
- City Council may continue the item to a date certain.

Analysis

The zoning for the plat is Residential Development (RD) subject to the VEP MPD and

Empire Residences CUP. The proposal complies with LMC lot and site requirements of the RD Zoning District and the VEP MPD as described below.

	RD Zoning District and/or VEP MPD
Lot Size	No minimum lot size. Lot 3 is approximately 0.66 acres (28,750 square feet).
Front yard setbacks	Minimum 25 feet to front facing garage, 20 feet to building. Proposed front setback is 20' (garage is on side). Complies.
Rear yard setbacks	Minimum 15 feet rear setbacks. Proposed minimum rear setback is 15'. Complies.
Side yard setbacks (per LMC)	Minimum 12 feet side setbacks. North side- proposed minimum setback is 12'. South side- proposed minimum setback is 12'. Complies.
Building Height Per Village MPD: 25% of the building is permitted to reach 74' above existing grade (north end), 55% of the building to reach 82' above existing grade, and 20% of the building (south end) to reach 74' above existing grade.	Proposed building has 50% of the building at 82', 25% (north) is less than 74', and 25% (south) is less than 74'. The plat is consistent with the allowed building heights. Complies.
Parking The Flagstaff Transit and Parking Management Plan approved with the MPD requires a 25% reduction in parking from what would be normally required by the LMC and the Empire Pass HOA is required to provide shuttle service.	Per LMC, based on unit sizes, forty-two (42) spaces are required for the 21 units, one ADA and one EHU. With the 25% reduction, 32 spaces are required. The underground parking structure has 30 spaces (including 2 ADA). There are 3 surface spaces for total of 33 spaces. Each unit is assigned one space as limited common and the remaining spaces are common. Complies.
Architectural Design All construction is subject to Village at Empire Pass Design Review Board (DRB) approval and LMC Chapter 15-5 Architectural Design Guidelines with final review conducted at the time of the Building Permit.	The building as presented was reviewed by the Village at Empire Pass DRB including site and architectural design, materials and colors, articulation, volumetric, height allowances, and setbacks. A final approval letter was provided on October 20th (See Exhibit G). Complies.
Residential Units	21 market rate units are proposed, ranging in area from 542 sf to 3,596 sf (total of 48,968 sf) (24.484 UE). Deed restricted unit is 880 sf. ADA unit is 436 sf. Total all residential is 50,284 sf. Complies.
Commercial space	No commercial uses are proposed in this phase.
Residential Accessory uses (Guest amenities)	Common residential amenity areas are provided on level one, including locker rooms, fitness area, lounge/après ski area, and lobby areas for the use of the residents and guests. Total guest amenity area is approximately 4,500 sf.

Density Summary Density is per Development Agreement and VEP MPD. The Mountain Village (Pods A, B1 and B2) was approved with a maximum of 785 UE (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units (i.e. Belles, Paintbrush, and Nakoma) were approved as part of the overall multi-family units.	Proposed 21 market rate residential units – 48,968 sf (24.48 UE). There is sufficient remaining density for the proposal (see Exhibit K- Density Summary). To date 382 multi-family units (588.742 UE) have been platted and/or built within the Mountain Village Complies.
Affordable Housing Approximately 540 UE certificates of occupancy have been issued for the entire Flagstaff Annexation and Development area (Pods A, B1, B2, and D). According to the Annexation and Development Agreement, 15 AUE of affordable housing obligations come due for each 150 UE certificates of occupancy. The next housing obligation trigger point is 600 UE certificates of occupancy, when 60 AUE are required to be complete. As of now 104 AUE affordable units are completed and have certificates of occupancy (89 AUE are off-mountain and 15 AUE are on-mountain).	The plat identifies one 880 sf deed restricted affordable unit, or EHU as they are called in Flagstaff, within the building consisting of 1.1 AUE. Complies.

The platted units include:

Unit #	Total Floor Area (sf)	Parking required
Private Units		
21 Total Private Residential Units	48,968	40
Unit 103 (EHU)	880	1
Unit 100 (ADA)	436	1
Common residential/guest accessory amenity uses.	4,500	n/a
Common circulation, vents, mechanical, housekeeping.	18,029	n/a
Parking garage area (includes storage, mechanical, in the garage)	12,944	n/a
Gross building area, including parking garage.	85,757	n/a

Department Review

This project has gone through an interdepartmental review. Issues brought up at that time, included utility easements and ownership designations. As conditioned, no further issues remain.

Notice
On December 22, 2017, the property was posted and notice was mailed to property owners within 300 feet. On December 23rd, legal notice was published in the Park Record and Utah Public Notice website.

Public Input
Staff has not received public input on the condominium plat at the time of this report.

Significant Impacts
There are no significant fiscal or environmental impacts that result from this application. Platting the condominium units as private allows individual units to be sold.

Consequences of not taking the Suggested Recommendation
Individual units could not be sold.

Good Cause
There is good cause for this condominium plat to memorialize the size and configuration of these units and to identify private and common areas. This plat is consistent with density and uses identified in the approved MPD and CUP. The condominium plat allows for the sale of individual units and provides one affordable housing unit on site.

Recommendation
Staff recommends City Council holds a public hearing for the Empire Residences condominium plat, and considers approving the plat pursuant to the findings of fact, conclusions of law and conditions of approval as found in the Ordinance.

Exhibits
Ordinance
Exhibit A – Proposed plat
Exhibit B – Applicant's letter
Exhibit C – Village at Empire Pass North Subdivision (approved, not recorded)
Exhibit D – Village at Empire Pass Planned Development (VEP MPD) approval (link)
Exhibit E – Flagstaff Development Agreement (link)
Exhibit F – Technical reports (link)
Exhibit G – Empire Pass Design Review Board letter
Exhibit H – Topographical Survey (existing conditions)
Exhibit I – Aerial photo
Exhibit J – SBWRD letter
Exhibit K – Density Summary

Ordinance No. 2018-06

AN ORDINANCE APPROVING THE EMPIRE RESIDENCES CONDOMINIUM PLAT LOCATED AT 7695 VILLAGE WAY, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Empire Residences Condominiums, located at 7695 Village Way, petitioned the City Council for approval of the Empire Residences Condominiums plat; and

WHEREAS, on December 22, 2017, the property was properly posted and legal notice was sent to all affected property owners; and

WHEREAS, on December 23, 2017, proper legal notice was published in the Park Record and on the Utah Public Notice website according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on January 10, 2018, to receive input on the Empire Residences Condominium plat; and

WHEREAS, the Planning Commission, on January 10, 2018, forwarded a positive recommendation to the City Council; and

WHEREAS, the City Council on February 1, 2018, held a public hearing and took action on the condominium plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Empire Residences Condominium plat consistent with the Village at Empire Pass Master Planned Development Agreement and the Empire Residences Conditional Use Permit.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Empire Residences Condominium plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is subject to the Flagstaff Mountain Annexation and Development Agreement approved by City Council per Resolution No. 99-30 on June 24, 1999 and amended on March 2, 2007.
2. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities for the annexation area.
3. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (VEP MPD) (Pods A and B1) within the Flagstaff Mountain Annexation and Development area. The MPD (also known as the Mountain Village) was later amended to include Pod B2 (Montage and B2 East).

4. The Mountain Village (Pods A, B1 and B2) was approved for a maximum of 785 UE of multi-family (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units (i.e. Belles, Paintbrush, and Nakoma) were approved as part of the overall multi-family units.
5. To date approximately 382 multi-family units (588.742 UE) (of which 52 are PUD style units) and 16 single family units have been platted and/or built (including the One Empire Pass units currently under construction) within Pods A, B1 and B2.
6. Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrowleaf A and B, and Grand Lodge. Building 5 is under construction as One Empire Pass. Lodge buildings still to be approved within Pod A are: Tower Residences (Building 1), Building 3 (subject property) and Building 4.
7. There is sufficient density remaining within the VE MPD for the proposed 21 units (24.5 UE).
8. Approximately 540 certificates of occupancy have been issued for the entire Flagstaff Annexation and Development area (Pods A, B1, B2, and D). According to the Annexation and Development Agreement, 15 AUE of affordable housing obligations come due for each 150 UE certificates of occupancy. The next housing obligation trigger point is 600 UE certificates of occupancy, when 60 AUE are required to be complete. As of now 104 AUE are completed and have certificates of occupancy (89 units are off-mountain and 15 units are on-mountain).
9. As part of the Empire Residences CUP 1.1 AUE (880 sf) is required by the subdivision plat for this lot. The affordable unit consists of 880 sf (not including dedicated storage areas) as will be deed restricted for use by a qualified employee consistent with the Flagstaff Housing Mitigation Plan and applicable housing resolutions.
10. On April 12, 2017, the Planning Department received an application for a Conditional Use Permit for a twenty-one (21) unit residential building to be located on Lot 3 of the Village at Empire Pass North Subdivision. The application was deemed complete on July 17, 2017 and is currently under review by the Planning Commission.
11. The Village at Empire Pass North Subdivision was approved by Council on June 15, 2017 and is currently under final review by the City as required prior to recordation.
12. The property is located at 7695 Village Way.
13. Access to the property is from Village Way, a private street.
14. Lot 3 consists of 28,750 square feet and is currently developed with a temporary sales building and small parking area.
15. The property is subject to subdivision plat notes that require compliance with the Flagstaff Annexation and Development Agreement, approval of a Conditional Use Permit for each lodge building prior to issuance of a building permit, a declaration of condominium and a record of survey plat prior to individual sale of units, membership in the Empire Pass Master HOA, a 20' snow storage easement along the street frontages, water efficient landscaping, and various utility and maintenance provisions.
16. On November 21, 2017, the City received an application for the Empire Residences Condominium plat. The application was considered complete on November 27, 2017.
17. In December of 2016, a building permit for a temporary sales office building was issued for this site. Building permits for the condominiums cannot be issued until the Conditional Use Permit is approved by the Planning Commission and the Subdivision plat is recorded.

18. The proposed condominium plat memorializes the density, size and configuration of units to be construction in one phase and identifies areas of private, common and limited common ownership.
19. The condominium plat identifies 21 private residential units totaling 48,968 sf, utilizing 24.484 UE. The units range in size from 542 sf to 3,596 sf with an average unit size of 2,331.8 sf. The 436 sf ADA unit is required to be identified as common area. Staff recommends that the 880 sf EHU be identified as common area to be held and leased to a qualified employee per the required deed restriction.
20. No commercial uses are proposed.
21. Based on the unit sizes, a minimum of 32 parking spaces are required when taking into consideration the 25% parking reduction required by the Flagstaff Development Agreement and MPD.
22. An underground parking structure provides 30 parking spaces, including 2 ADA spaces, as well as limited common storage areas for each unit. Three surface spaces are provided for a total of 33 parking spaces.
23. Each unit has one assigned limited common parking space and the remaining spaces are common.
24. The plat is consistent with the approved Village at Empire Pass Master Planned Development and the Empire Residences Conditional Use Permit in terms of density, height, uses, setbacks, and parking.
25. A Master Homeowners Association document and Maintenance Agreement for the Mountain Village were reviewed and approved by the City prior to issuance of building permits for buildings within the Mountain Village. This property is also subject to these documents, in addition to any declaration of condominium and CCRs recorded with the condominium plat.
26. The condominium plat allows for the sale of individual units.

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

<u>Conditions of Approval:</u>
1. The City Attorney and City Engineer will review and approve the final form and content of the amended condominium plat for compliance with State law, the Land Management Code, and these conditions of approval, prior to recordation of the plat.
2. The applicant will record the amended condominium plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year’s time, this approval will be void, unless a request for an extension is submitted in writing and approved by the City Council.
3. Conditions of approval of the Village at Empire Pass Master Planned Development (MPD) and the Empire Residences Conditional Use Permit (CUP) apply to this plat and a note shall be added to the plat prior to recordation referencing that conditions of approval of the Village at Empire Pass MPD, Village at Empire Pass North Subdivision, and the Empire Residences CUP continue to apply to this condominium

plat.

4. All applicable recorded public utility and access easements shall be indicated on this condominium plat prior to recordation.
5. The Village at Empire Pass North Subdivision plat shall be recorded prior to issuance of building permits for the condominiums and prior to recordation of this condominium plat.
6. The deed restricted employee housing unit (EHU) shall be a minimum of 880 sf, exclusive of additional storage area to be dedicated to this unit, to meet the plat note requirement of 1.1 AUE for this lot. One AUE is equivalent to 800 sf according to the Development Agreement.
7. A deed restriction for the EHU unit, acceptable to the City, shall be recorded prior to plat recordation. The deed restriction shall outline and resolve issues or concerns regarding affordable units within condominium projects. The plat shall note that the EHU is subject to the deed restriction.
8. The CCRs shall limit the HOA dues related to the deed restricted employee housing unit (EHU) and include other related items that ensure the EHU remains affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn’t lose its affordability due to HOA fees. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
9. The ADA unit shall be platted as Common Area.

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

PASSED AND ADOPTED this 1st day of February, 2018.

PARK CITY MUNICIPAL CORPORATION

____
Andy Beerman, MAYOR

ATTEST:

____
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

____
Mark Harrington, City Attorney

Exhibits
Exhibit A – Condominium plat

EXHIBIT A

SURVEYOR'S CERTIFICATE

No. 7248891
CHARLES GALATI
PROFESSIONAL LAND SURVEYOR
State of Utah

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold Certificate No. 7248891 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner, EMPIRE RESIDENCES, a Utah Condominium Project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

ACKNOWLEDGMENT

State of _____________:
ss:
County of ____________:

This instrument was acknowledged before me this ______ day of _____________, 2018

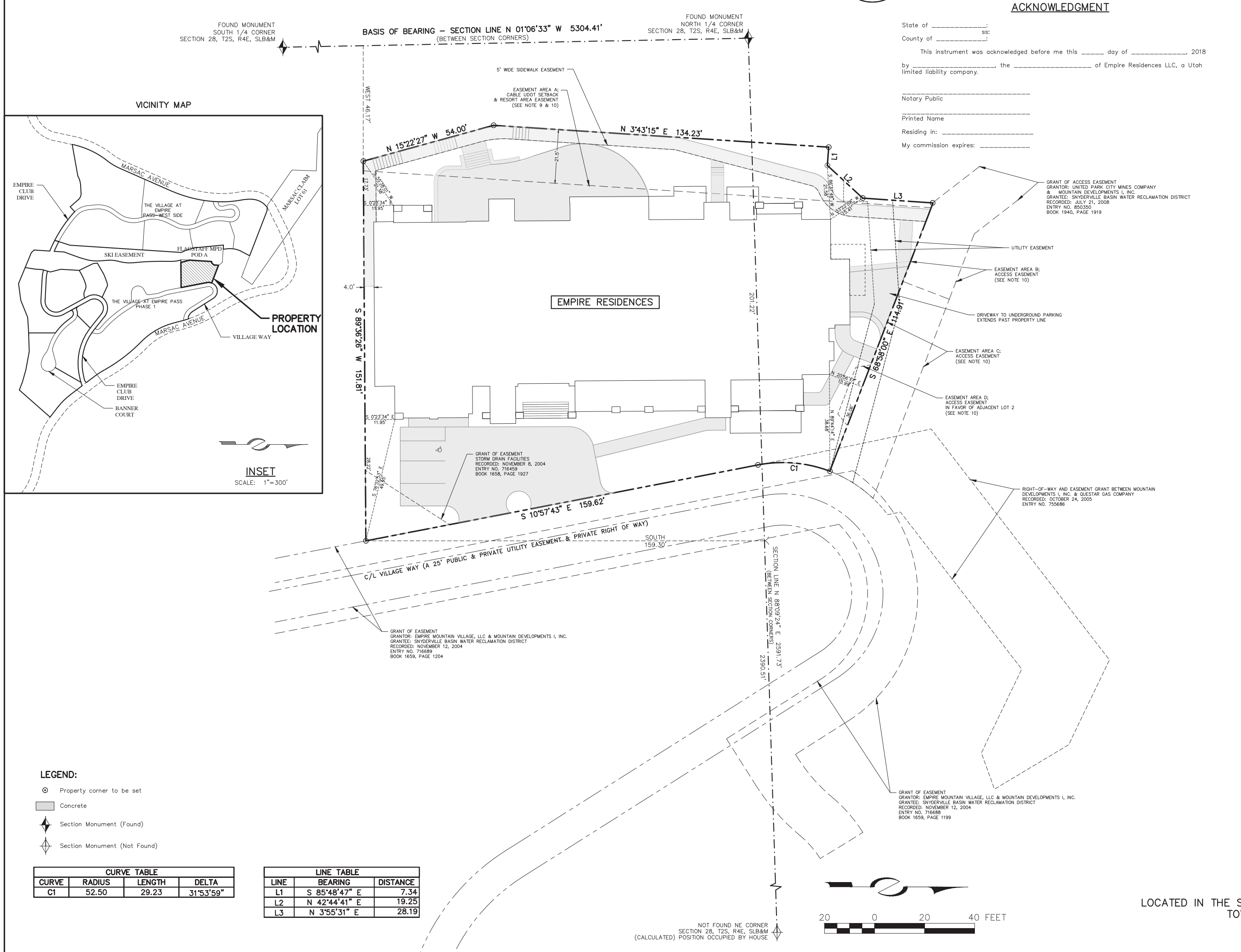
by _____________________, the ___________________ of Empire Residences LLC, a Utah limited liability company.

____
Notary Public

____
Printed Name

Residing in: _______________________

My commission expires: ____________



CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	52.50	29.23	31°53'59"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 85°48'47" E	7.34
L2	N 42°44'41" E	19.25
L3	N 3°55'31" E	28.19

LEGAL DESCRIPTION

A parcel of land located in the southeast quarter of Section of 21and the northeast quarter of Section 28. TownShip 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point that is S 88°09'24" E 201.22 feet along section line and South 159.30 feet from the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being the northeasterly corner of Shooting Star Lodge, recorded November 24, 2004, as Entry No. 718084 in the Office of the Summit County Recorder and on the westerly boundary of Village Way right-of-way, The Village At Empire Pass, Phase I, recorded November 24, 2004, as Entry No. 718034; and running thence along the northerly boundary of said Shooting Star Lodge, South 89°36'26" West 151.81 feet; thence North 15°22'27" West 54.00 feet; thence North 03°43'15" East 134.23 feet; thence South 85°48'47" East 7.34 feet; thence North 42°44'41" East 19.25 feet; thence North 03°55'31" East 28.19 feet; thence South 68°57'55" East 114.91 feet to a non tangent curve to the left having a radius of 52.50 feet, of which the radius point bears South 69°03'43" East, said point being on the westerly boundary of Village Way; thence along the westerly boundary of Village Way the following two (2) courses: 1) southerly along the arc of said curve 29.23 feet through a central angle of 31°53'59"; thence 2) South 10°57'43" East 159.62 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, EMPIRE RESIDENCES, LLC, a Utah limited liability company, the owner of the tract of land described herein as EMPIRE RESIDENCES, a Utah Condominium Project, located on said tract of land, hereby certifies that it has caused this survey to be made and this Condominium Plat consisting of SIX (6) sheets to be prepared, and does hereby consent to the recordation of this Plat and submit this property to the Utah Condominium Ownership Act.

The owner certifies that the Units shown on this plat, but not under construction at the time the plat was recorded, will, when completed be in conformance with the approved Master Planned Development, Declaration of Condominium, recorded concurrently herewith, and the Land Management Code of Park City Municipal Corporation.

In witness where of the undersigned has executed this certificate and dedication this _____ day of __________________, 2018.

EMPIRE RESIDENCES,
a Utah limited liability company

By: _______________________

Title: _______________________

NOTES:

1. The dimensions of the private spaces and square footage calculations are based on drawings supplied by Beecher Walker Architects. The square footages shown on this plat are calculated in accordance with the Utah Condominium Act and the Declaration of Condominium for Empire Residences, a Utah Condominium Project. Such calculations typically differ somewhat from the square footage determined by the architect or others using different methods of determining unit size. It is the intent that the private ownership area of the units will be as constructed.
2. The position of the north 1/4 corner of Section 28, Township 2 South, Range 4 East SLBM, as shown on this survey, is from the dependent re-survey of Section 28, 29, 31, 22 & 33 performed by Robinson Biehn & Biehn inc. in 2000 (Rec.# S-3819, Summit County Recorder's Office).
3. All common structural elements are designated as Common Areas and Facilities, as described in the Declaration of Condominium.
4. Building ties on this sheet are from the property line to the building foundation as shown.
5. All Common Areas and Facilities are dedicated as non-exclusive easements to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Service District, and Summit County for the purpose of providing access for utility and drainage installation, use, maintenance, and eventual replacement.
6. Access to the units is by private roads and is not warranted by Park City.
7. The Empire Pass Master Owners Association, Inc. (the "Master Association") together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass, as amended ("Master Declaration"), requires the membership of each lot or unit owner. Members are subject to the terms of its articles of incorporation, bylaws, rules and regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein.
8. The units of the Empire Residences Condominium Development are served by a Common Private Lateral Wastewater Line. The Empire Pass Master Owners Association, Inc. (the "Master Association") shall be responsible for the operation and replacement of said Private Lateral Wastewater Line serving Empire Residences. The cost of such maintenance and replacement shall be paid by the Emprie Residences Owners Association, Inc. as part of the common expenses.
9. The owner of Lot 3 hereby grants a non-exclusive resort and access easement over the approximately west twenty feet (20') of Lot 3, as depicted on this plat as the "Cable UDOT Setback" for the benefit of adjacent Lot 4 to allow ski lift maintenance access and the right to conduct resort activities, including to locate movable safety fences.
10. This plat also depicts the following easements, each of which may be amended, relocated or revised, without amendment hereto, in accordance with each such easement's terms:
    a. Agreement and Covenant of Cooperation (Ski Access/Storm Drainage), Entry No. 665956, Summit County Recorder's Office which affects Lot 2 and Lot 3 of this plat.
    b. Right-Of-Way and Easement Grant (Gas Utility), Entry No. 755686, Summit County Recorder's Office.
    c. Grant of Access Easement (Sewer Utility), Entry No. 850350, Summit County Recorder's Office.
    d. Grant of Easement (Sewer Utility), Entry No. 716688, Summit County Recorder's Office.
    e. Grant of Easement (Storm Drain Facilities), Entry No. 716459, Summit County Recorder's Office.
    f. Reciprocal Easement Agreement (Resort and Access), Entry No. 1072158, Summit County Recorder's Office, describes the use of Easement Area A, Easement Area B, Easement Area C and Easement Area D.
11. Public safety access and public utility easements are hereby dedicated for all public and private roadways and emergency access roads.
12. The property is located within a water source protection zone. All sewer construction must comply with the State of Utah drinking water regulations.
13. A ten foot (10') wide snow storage easement is hereby dedicated to the Master Association along the public and private road frontage.
14. Village Way is a private road to be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Empire Pass at Deer Valley in accordance with the Master Declaration. Village Way is not a public road or right-of-way.
15. At the time of resurfacing of Village Way, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District Standards. Prior notification of the adjustments and inspection by SBWRD is required.
16. Fire sprinklers will be required within the dwelling.
17. ADA/AFF Unit: Deed Restricted Employee/Affordable Housing Unit (EHU).
    ADA UNIT on Level One is designed as an ADA unit.
    AFF. UNIT on Level One is designed as an Affordable Housing unit.
18. All conditions of approval of the Village at Empire Pass (Pod A) Master Planned Development, the Village at Empire Pass Phase I, the Empire Residences Conditional Use Permit, and Park City Ordinance 16-08 shall continue to apply.
19. All conditions of approval of the Village at Empire Pass Master Planned Development, the Village at Empire Pass Phase I Plat, recorded November 24, 2004 as Entry Number 718034, Village at Empire Pass North Subdivision recorded ____________, and the Empire Residences Conditional Use Permit, dated ___________, shall continue to apply.
20. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on this property.
21. This plat records a total of 48968 sf of residential unit area that is subject to the Unit Equivalent (UE) representing 24.5 UE.

EMPIRE RESIDENCES

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21 & THE NORTHEAST QUARTER OF SECTION 28
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

PAGE 1 OF 6

11/21/17 JOB NO.: 14-9-16 FILE: X:\Empire\dwg\srv\plat2016\140916-Emp Res.dwg

(435) 649-9467
Alliance Engineering Inc.
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ______
DAY OF ___________, 2018
BY ________________
S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _________, 2017
BY ________________
CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF ___________, 2018
BY ________________
PARK CITY ENGINEER

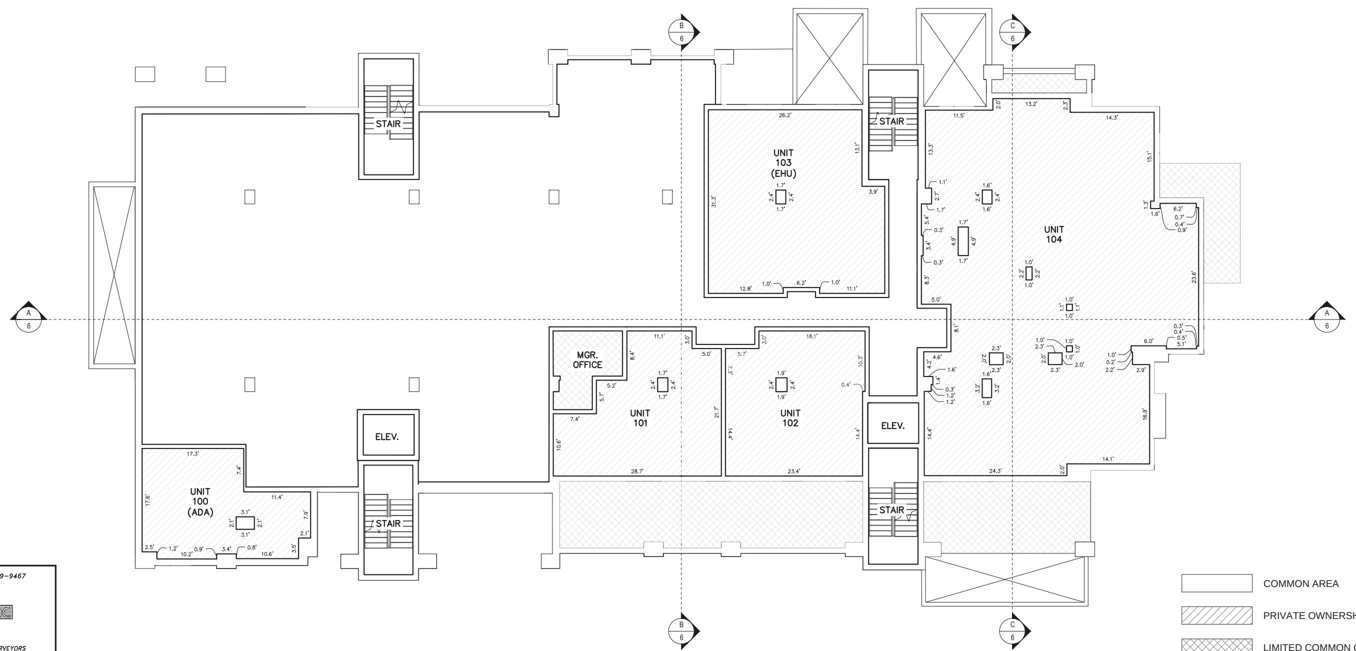
APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ______
DAY OF ___________, 2018
BY ________________
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF __________, 2017
BY ________________
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS CONDOMINIUM PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF __________, 2017
BY ________________
PARK CITY RECORDER

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF ______________________________
________ FEE ______________________ RECORDER
TIME ______ DATE _________ ENTRY NO. ___________

LEVEL P1
SCALE: 1" = 10'



LEVEL 1
SCALE: 1" = 10'

LEVEL 1 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
UNIT 100 (ADA)	436 SF
UNIT 101	542 SF
UNIT 102	561 SF
UNIT 103 (EHU)	880 SF
UNIT 104	2521 SF

10' 0 10' 20'

COMMON AREA

PRIVATE OWNERSHIP

LIMITED COMMON OWNERSHIP

(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

JOB NO.: 14-9-16 FILE: X:\Empire\dwg\srv\plat2016\140916-Emp Res.dwg

11/21/17

RECORDED

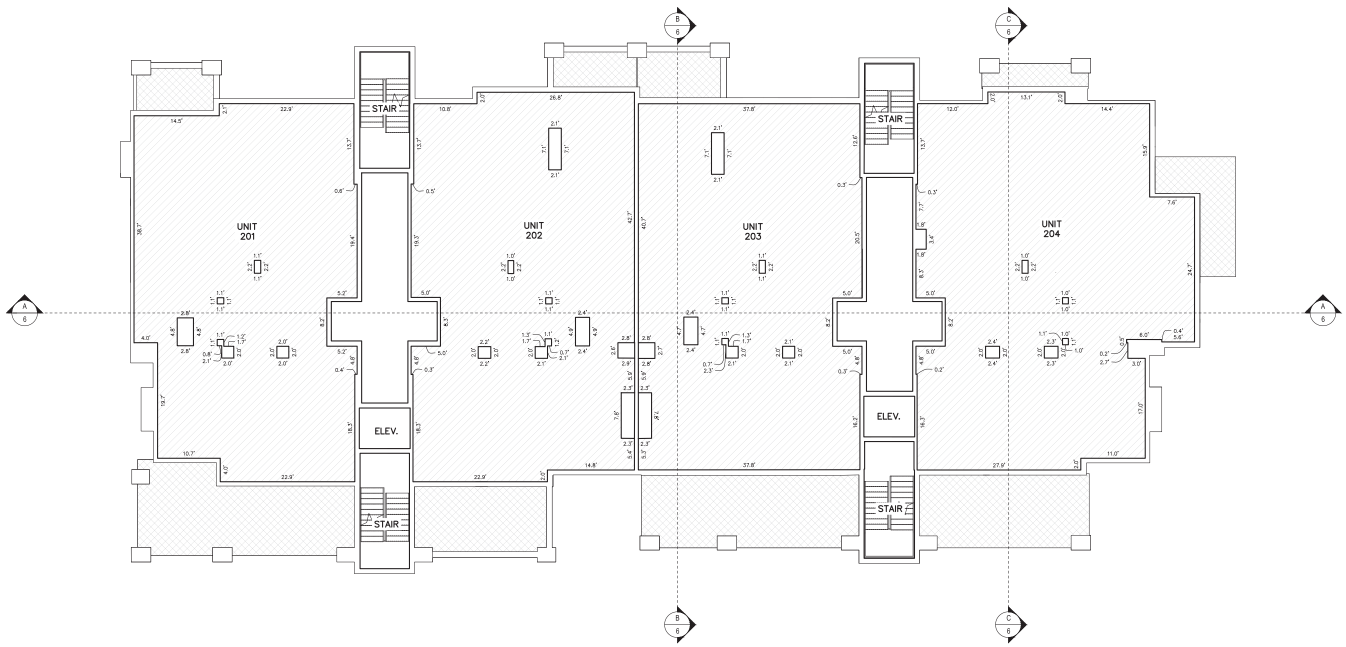
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF ____________________

________ ____________________

FEE RECORDER

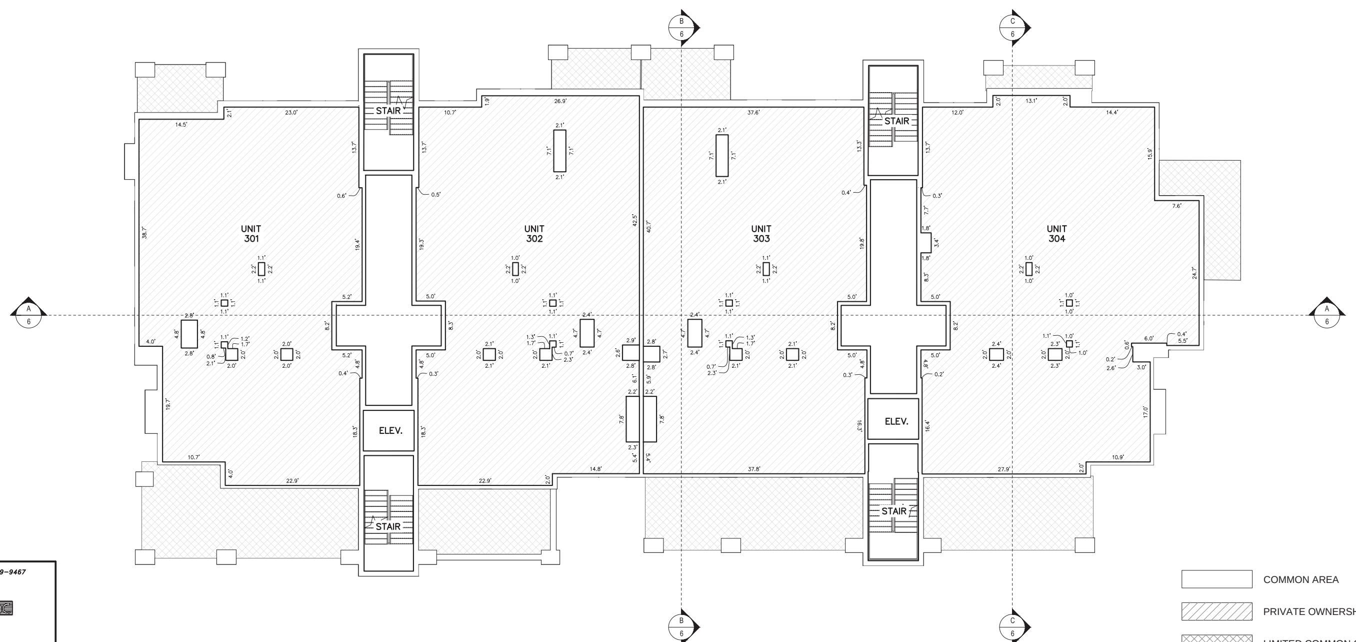
TIME ______ DATE ________ ENTRY NO. __________



LEVEL 2
SCALE: 1" = 10'

LEVEL 2 SQUARE FOOTAGE TABLE

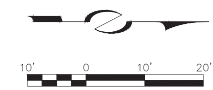
LEVELS	SQUARE FOOTAGE
UNIT 201	2199 SF
UNIT 202	2357 SF
UNIT 203	2263 SF
UNIT 204	2585 SF



LEVEL 3
SCALE: 1" = 10'

LEVEL 3 SQUARE FOOTAGE TABLE

LEVELS	SQUARE FOOTAGE
UNIT 301	2190 SF
UNIT 302	2357 SF
UNIT 303	2263 SF
UNIT 304	2585 SF



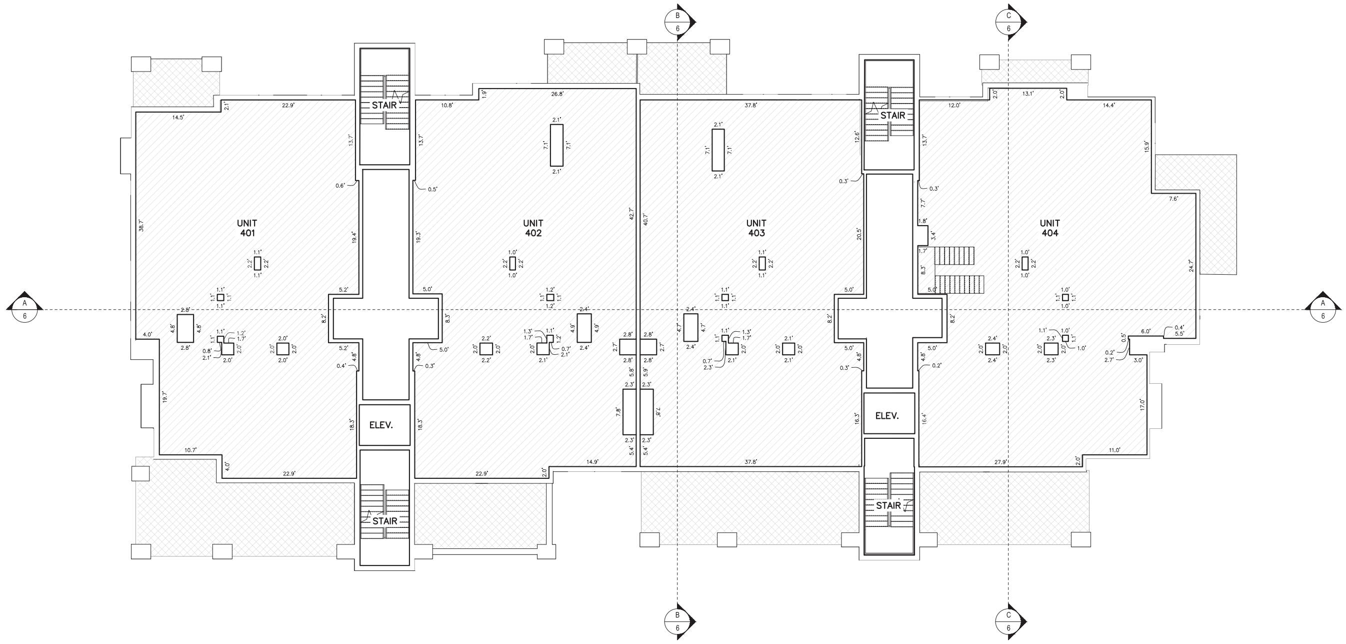
COMMON AREA
PRIVATE OWNERSHIP
LIMITED COMMON OWNERSHIP

(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

PAGE 3 OF 6
JOB NO.: 14-9-16 FILE: X:\Empire\dwg\srv\plat2016\140916-Emp Res.dwg

11/21/17

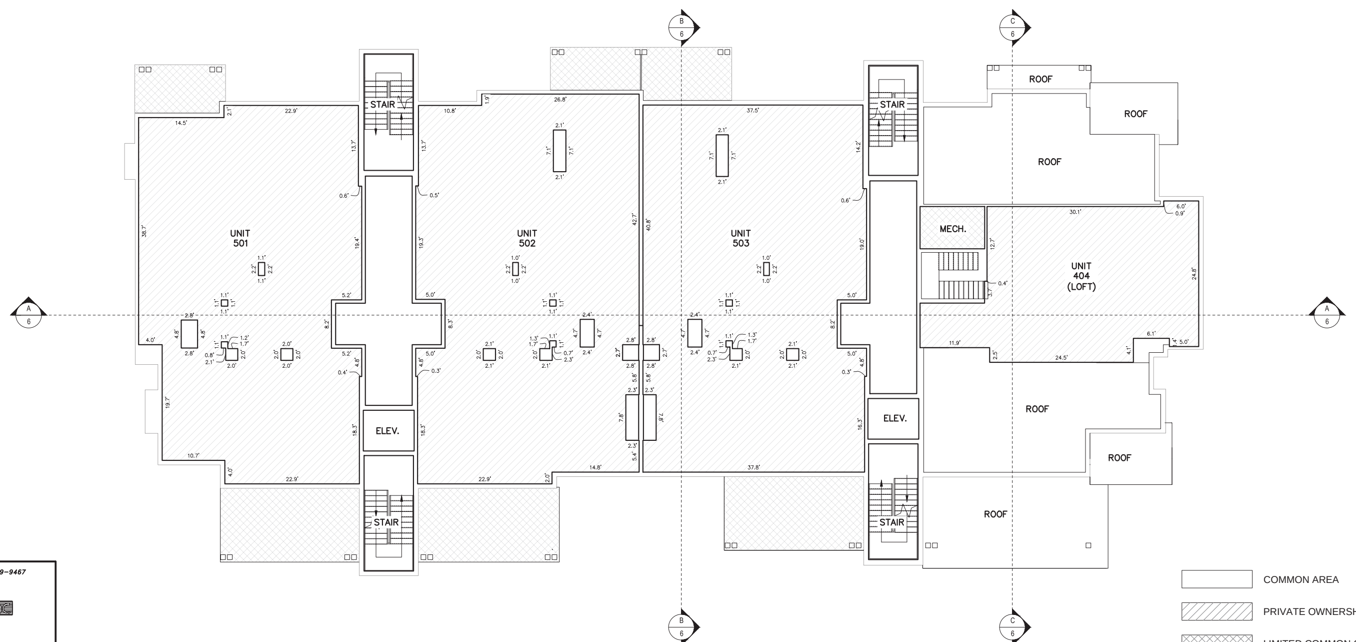
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF ______________________
________ ____________________
FEE RECORDER
TIME ______ DATE ________ ENTRY NO. ___________



LEVEL 4
SCALE: 1" = 10'

LEVEL 4 SQUARE FOOTAGE TABLE

LEVELS	SQUARE FOOTAGE
UNIT 401	2199 SF
UNIT 402	2357 SF
UNIT 403	2263 SF
UNIT 404	2584 SF



LEVEL 5
SCALE: 1" = 10'

LEVEL 5 SQUARE FOOTAGE TABLE

LEVELS	SQUARE FOOTAGE
UNIT 501	2199 SF
UNIT 502	2357 SF
UNIT 503	2263 SF
UNIT 404 (LOFT)	1012 SF

10' 0 10' 20'

COMMON AREA

PRIVATE OWNERSHIP

LIMITED COMMON OWNERSHIP

PAGE 4 OF 6

JOB NO.: 14-9-16 FILE: X:\Empire\dwg\srv\plat2016\140916-Emp Res.dwg

11/21/17

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF ______________________

________ ______________________

FEE RECORDER

TIME ______ DATE ________ ENTRY NO. __________

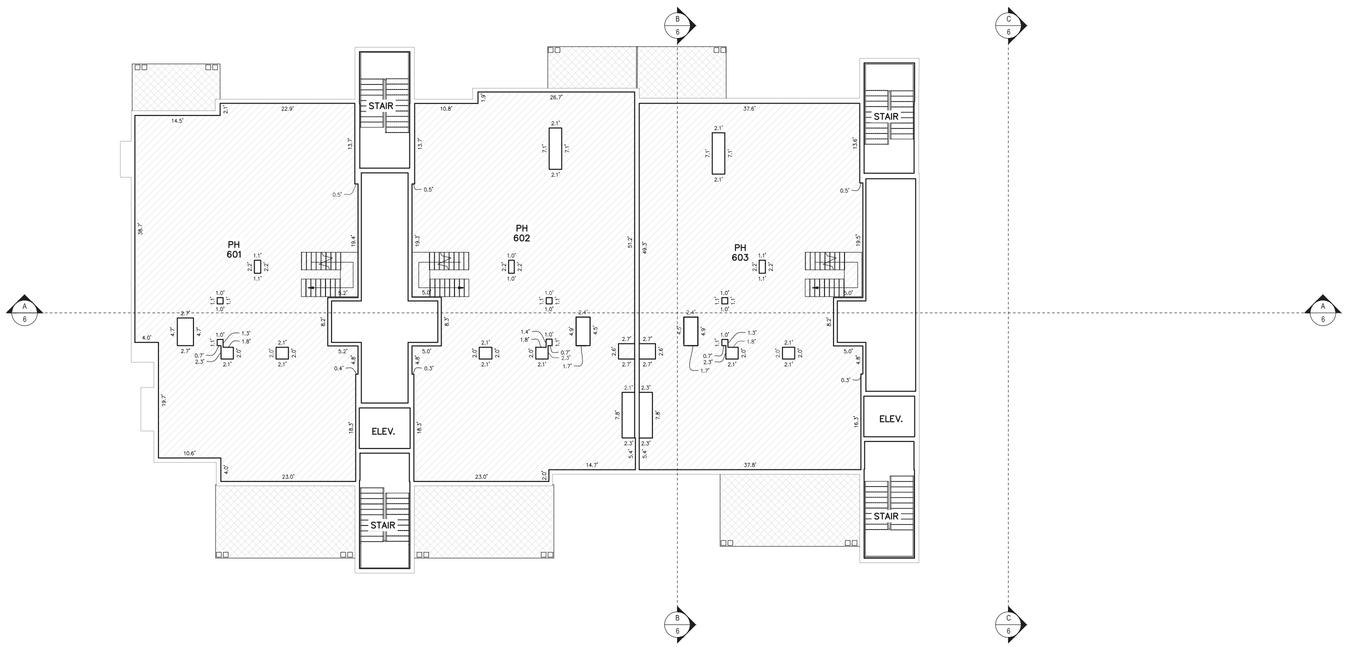
(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

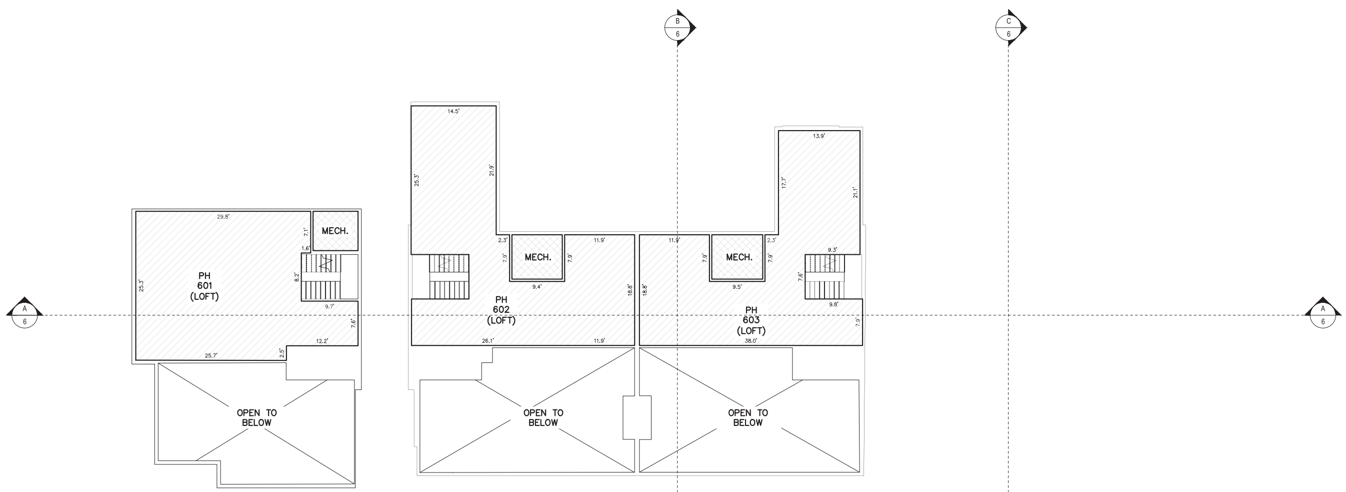
LEVEL 6
SCALE: 1" = 10'



LEVEL 6 SQUARE FOOTAGE TABLE

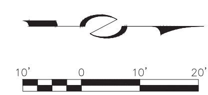
LEVELS	SQUARE FOOTAGE
PH 601	2199 SF
PH 602	2357 SF
PH 603	2262 SF

LEVEL 7
SCALE: 1" = 10'



LEVEL 7 SQUARE FOOTAGE TABLE

LEVELS	SQUARE FOOTAGE
PH 601 (LOFT)	794 SF
PH 602 (LOFT)	887 SF
PH 603 (LOFT)	812 SF



COMMON AREA

PRIVATE OWNERSHIP

LIMITED COMMON OWNERSHIP

(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

JOB NO.: 14-9-16 FILE: X:\Empire\dwg\srv\plat2016\140916-Emp Res.dwg

11/21/17

RECORDED

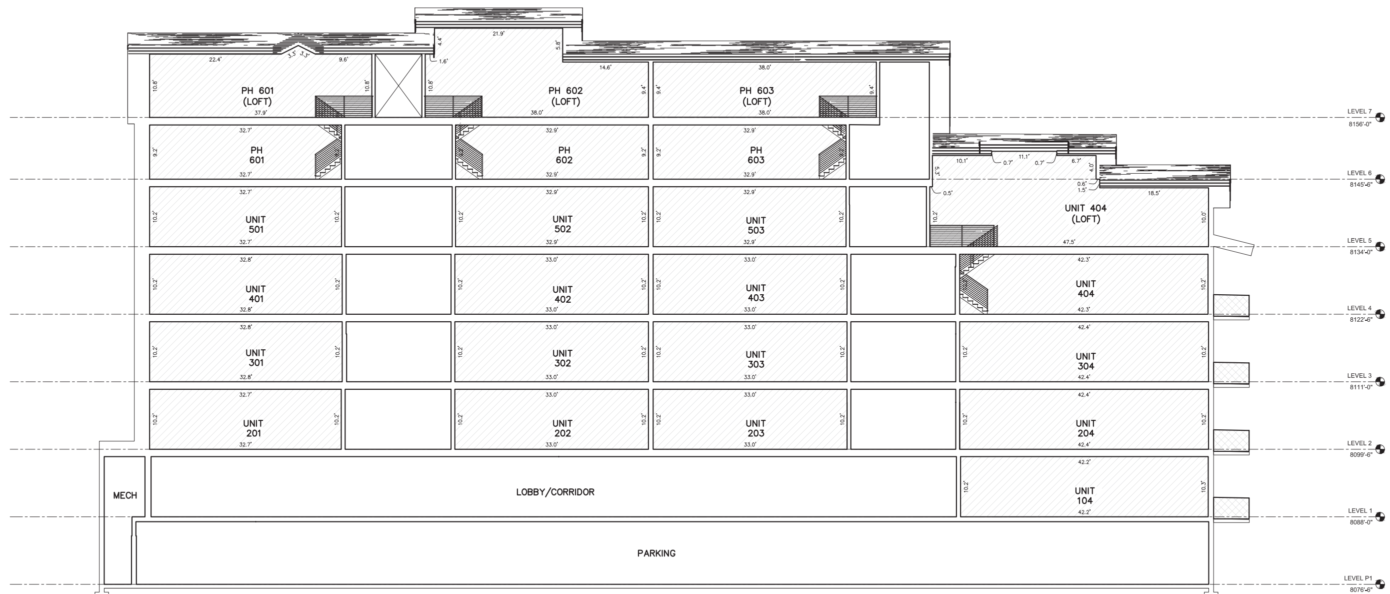
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF ____________________

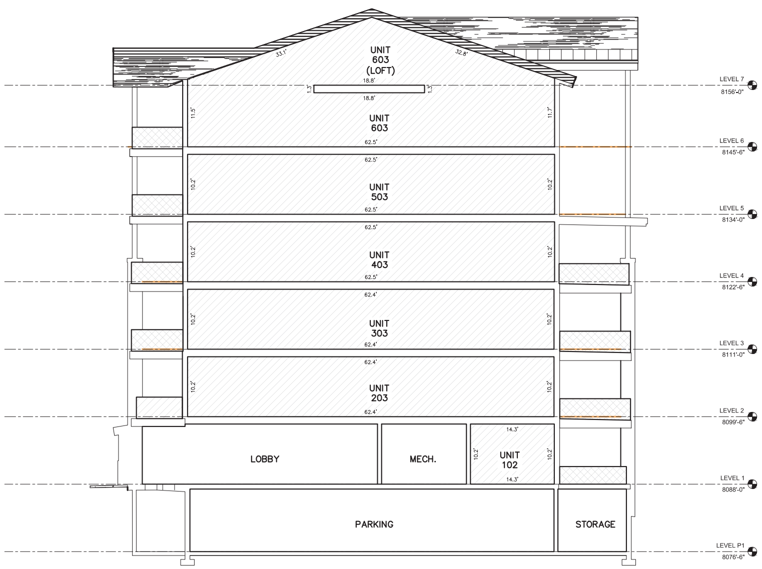
________ ____________________

FEE RECORDER

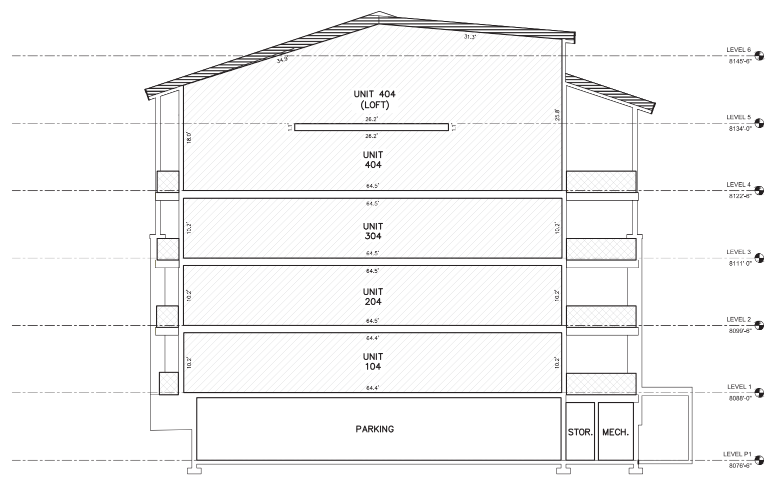
TIME ______ DATE ________ ENTRY NO. __________



SECTION A



SECTION B



SECTION C

PAGE 6 OF 6

(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

COMMON AREA

PRIVATE OWNERSHIP

LIMITED COMMON OWNERSHIP

JOB NO.: 14-9-16 FILE: X:\Empire\dwg\srv\plat2016\140916-Emp Res.dwg

11/21/17

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF ____________

______ ______________

FEE RECORDER

TIME ______ DATE ________ ENTRY NO. ___________

Empire Residences
Project Intent
November 20, 2017

Empire Residences is a 23 unit ski in/ski out, for sale condominium project located in the Empire Pass Subdivision in Upper Deer Valley. The parcel is the proposed Lot 3, Village at Empire Pass North Subdivision plat, which is currently in the approval process. (21 Market rate units, one ADA and one EHU)

Also within the building is an Affordable Unit as well as an Employee Housing Unit, both built to spec and standard of the code for Park City.

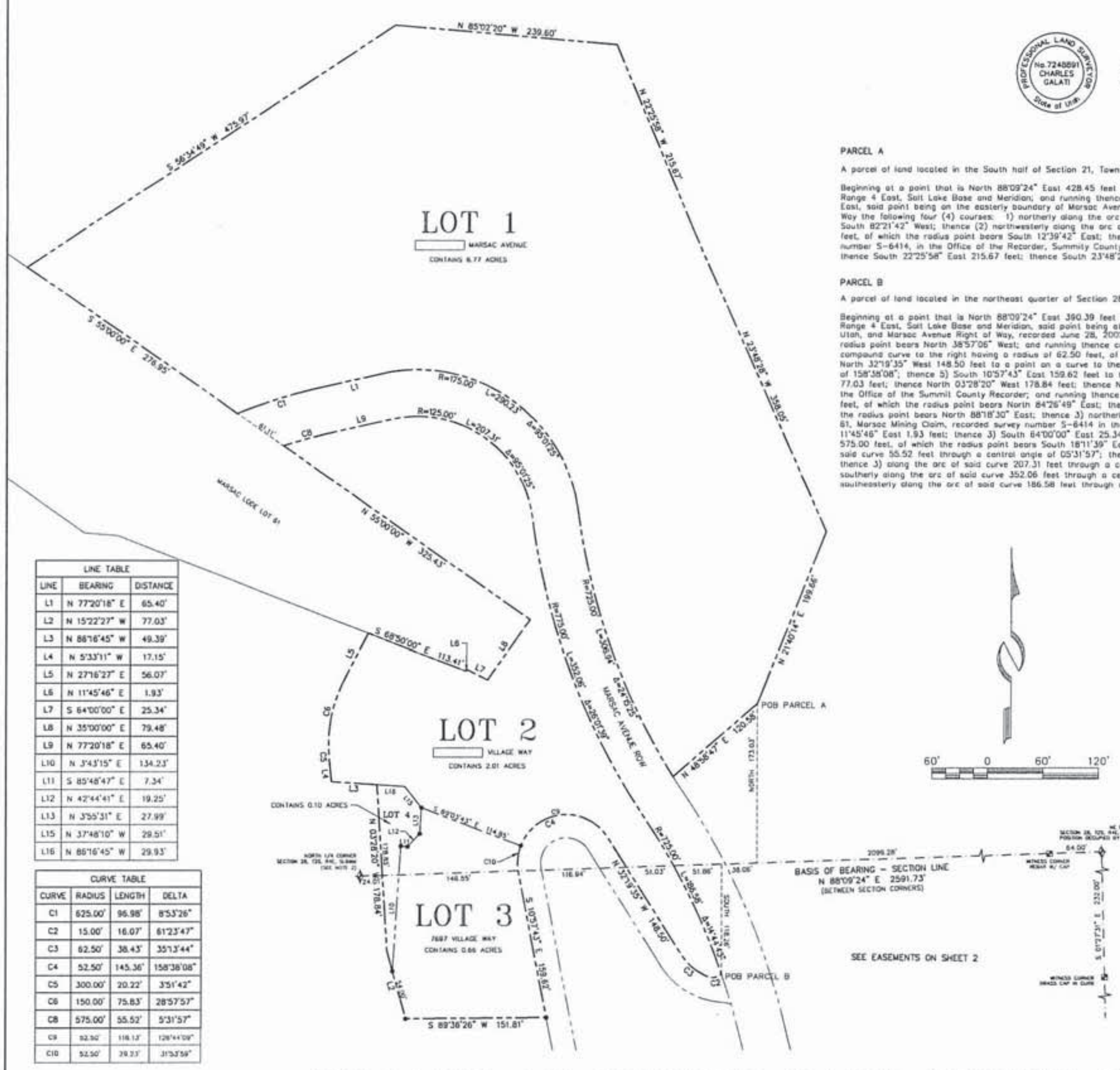
The project is at 7695 Village Way, Park City, Utah and adjacent to (30 ft. from) the Silver Strike chairlift at Deer Valley Resort.
The building is just under 82' tall and stands at 6 stories in height. There is an underground parking garage as well as individual storage units for each resident. There are two elevators that service the building and open into the penthouse units. The units are mostly 2 bedroom 2 bath with the Penthouses being larger at 3 bedroom 3 bath.

Amenities are located mostly within the first floor and entry level of the building. They include a pub with bar and games, a gym, après ski area, indoor and outdoor fireplaces for community gathering as well as ski lockers, the before mentioned storage in the garage, and each unit with more than one dedicated parking stall underground. A unique amenity included at Empire Residences is that each unit has a personal hot tub on the porch that is recessed into the floor hiding it from viewshed outside of the project but lending a private place for each unit to relax.

Finishes of the project are highly luxurious, even for upper Deer Valley. The exterior of the building is mountain contemporary and includes metal railings on the porches/balconies and metal panels on the stair towers. Siding being used is a natural wood board on board siding with natural stone on lower levels. Windows are aluminum clad, solid core doors throughout with 10' ceilings, including drop downs finished in wood. Kitchens are finished with the highest-grade appliances and built in's, giving a custom and high-end feel to each unit. Floor plans are open and the units are "through" units meaning they have views out both sides of the building and are arguably the best view in Deer Valley.

Projections put the completion time of the construction of the building at 15 months from commencement. Sales push will begin this season and ramp up as we get closer to condo plat recordation.

EXHIBIT C



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 77°20'18" E	65.40'
L2	N 15°22'27" W	77.03'
L3	N 86°16'45" W	49.39'
L4	N 5°33'11" W	17.15'
L5	N 27°16'27" E	56.07'
L6	N 11°45'46" E	1.93'
L7	S 64°00'00" E	25.34'
L8	N 35°00'00" E	79.48'
L9	N 77°20'18" E	65.40'
L10	N 3°43'15" E	134.23'
L11	S 85°48'47" E	7.34'
L12	N 42°44'41" E	19.25'
L13	N 3°55'31" E	27.99'
L15	N 37°48'10" W	29.51'
L16	N 86°16'45" W	29.93'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	625.00'	96.98'	8°53'26"
C2	15.00'	16.07'	61°23'47"
C3	62.50'	38.43'	35°13'44"
C4	52.50'	145.36'	158°38'08"
C5	300.00'	20.22'	3°51'42"
C6	150.00'	75.83'	28°57'57"
C8	575.00'	55.52'	5°31'57"
C9	52.50'	118.13'	128°44'09"
C10	52.50'	29.23'	31°53'58"

LEGEND

- Set 5/8" rebar w/cap, "ALLIANCE ENGR/LS 154491" (Unless noted otherwise)
- [ ] , Street Address

SURVEYOR'S CERTIFICATE

PROFESSIONAL LAND SURVEYOR No. 7248891 CHARLES GALATI State of Utah

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold Certificate No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

BOUNDARY DESCRIPTION

PARCEL A

A parcel of land located in the South half of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 88°09'24" East 428.45 feet coincident with the section line and North 173.03 feet from a 3-1/4" diameter cap on an aluminum pipe at the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 48°58'47" West 120.58 feet to a point on a non tangent curve to the right having a radius of 725.00 feet, of which the radius point bears North 58°06'17" East, said point being on the easterly boundary of Marsac Avenue Right of Way, recorded June 28, 2002, as Entry No. 623451, in the Office of the Recorder, Summity County, Utah; thence coincident with Marsac Avenue Right of Way the following four (4) courses: 1) northerly along the arc of said curve 306.94 feet through a central angle of 24°15'25" to a point of reverse curve to the left having a radius of 175.00 feet, of which the radius point bears South 82°21'42" West; thence (2) northwesterly along the arc of said curve 290.23 feet through a central angle of 95°01'25"; thence 3) South 77°20'18" West 65.40 feet to a point on a curve to the left having a radius of 625.00 feet, of which the radius point bears South 12°39'42" East; thence 4) along the arc of said curve 96.98 feet through a central angle of 08°53'26" to a point on the northerly boundary of the Marsac Mining Claim, recorded survey number S-6414, in the Office of the Recorder, Summity County, Utah; thence coincident with said boundary North 55°00'00" West 276.95 feet; thence North 56°34'49" East 475.97 feet; thence South 85°02'20" East 239.60 feet; thence South 22°25'58" East 215.67 feet; thence South 23°48'28" East 356.05 feet; thence South 21°40'14" West 199.66 feet to the point of beginning.

PARCEL B

A parcel of land located in the northeast quarter of Section 28 and the southeast quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 88°09'24" East 390.39 feet coincident with the section line and South 118.26 feet from a 3-1/4" diameter cap on an aluminum pipe at the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being at the intersection of Village Way, The Village At Empire Pass, Phase 1, recorded November 24, 2004, as Entry No. 718034 in the Office of the Recorder, Summit County, Utah, and Marsac Avenue Right of Way, recorded June 28, 2002, as Entry No. 623451 in the Office of the Recorder, Summit County, Utah, said point also being on a curve to the right having a radius of 15.00 feet, of which the radius point bears North 38°57'06" West; and running thence coincident with Village Way, the following five (5) courses: 1) westerly along the arc of said curve 16.07 feet through a central angle of 61°23'47" to a point of compound curve to the right having a radius of 62.50 feet, of which the radius point bears North 22°26'41" East; thence 2) northwesterly along the arc of said curve 38.43 feet through a central angle of 35°13'44"; thence 3) North 32°19'35" West 148.50 feet to a point on a curve to the left having a radius of 52.50 feet, of which the radius point bears South 57°40'25" West; thence 4) along the arc of said curve 145.36 feet through a central angle of 158°38'08"; thence 5) South 10°57'43" East 159.62 feet to the northerly boundary of Lot 8, The Village At Empire Pass, Phase 1; thence coincident with said Lot 8 South 89°36'26" West 151.81 feet; thence North 15°22'27" West 77.03 feet; thence North 03°28'20" West 178.84 feet; thence North 86°16'45" West 49.39 feet, said point being on the easterly boundary of The Village At Empire Pass West Side, recorded August 12, 2005, as Entry No. 746744 in the Office of the Summit County Recorder; and running thence coincident with said easterly boundary the following four (4) courses: 1) North 05°33'11" West 17.15 feet to a point on a curve to the right having a radius of 300.00 feet, of which the radius point bears North 84°26'49" East; thence 2) along the arc of said curve 20.22 feet through a central angle of 03°51'42" to a point of compound curve to the right having a radius of 150.00 feet, of which the radius point bears North 88°18'30" East; thence 3) northerly along the arc of said curve 75.83 feet through a central angle of 28°57'57"; thence 4) North 27°16'27" East 56.07 feet to a point on the southerly boundary of Lot 61, Marsac Mining Claim, recorded survey number S-6414 in the Office of the Summit County Recorder; thence coincident with said boundary the following five (5) courses: 1) South 68°50'00" East 113.41 feet; thence 2) North 11°45'46" East 1.93 feet; thence 3) South 64°00'00" East 25.34 feet; thence 4) North 35°00'00" East 79.48 feet; thence 5) North 55°00'00" West 325.43 feet to a point on a non tangent curve to the right having a radius of 575.00 feet, of which the radius point bears South 18°11'39" East, said point being on Marsac Avenue Right of Way; thence coincident with Marsac Avenue Right of Way the following five (5) courses: 1) easterly along the arc of said curve 55.52 feet through a central angle of 05°31'57"; thence 2) North 77°20'18" East 65.40 feet to a point on a curve to the right having a radius of 125.00 feet, of which the radius point bears South 12°39'42" East; thence 3) along the arc of said curve 207.31 feet through a central angle of 95°01'25" to a point of reverse curve to the left having a radius of 775.00 feet, of which the radius point bears North 82°21'42" East; thence 4) southerly along the arc of said curve 352.06 feet through a central angle of 26°01'39" to a point of reverse curve to the right having a radius of 725.00 feet, of which the radius point bears South 56°20'03" West; thence 5) southeasterly along the arc of said curve 186.58 feet through a central angle of 14°44'43" to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that REDUS Park City LLC, the undersigned owner of the herein described tract of land, to be known hereafter as VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recordation of this Plat. In witness whereof, the undersigned set his hand this _____ day of _______________ 2017.

REDUS Park City LLC, a Delaware limited liability company
By: REDUS Properties, Inc., a Delaware corporation
Its: manager
By: _______________
Name: _______________
Title: _______________

ACKNOWLEDGMENT

State of __________
ss:
County of __________

On this _____ day of _______________ 2017, David Ash personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, David Ash acknowledged to me that he is an authorized signatory of the herein described tract of land, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

____
A Notary Public commissioned in Utah

Printed Name
Residing in: _______________
My commission expires: _______________

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that EMPIRE RESIDENCES, LLC, the undersigned owner of the herein described tract of land, to be known hereafter as VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recordation of this Plat. In witness whereof, the undersigned set his hand this _____ day of _______________ 2017.

EMPIRE RESIDENCES LLC, a Delaware limited liability company
By: EMPIRE RESIDENCES LLC, a Delaware limited liability company
Its: manager
By: _______________
Name: _______________
Title: _______________

ACKNOWLEDGMENT

State of __________
ss:
County of __________

On this _____ day of _______________ 2017, _______________ personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Harrison Horn acknowledged to me that he is an authorized signatory of the herein described tract of land, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

____
A Notary Public commissioned in Utah

Printed Name
Residing in: _______________
My commission expires: _______________

VILLAGE AT EMPIRE PASS NORTH SUBDIVISION

LOCATED IN THE SOUTH HALF OF SECTION 21 & THE NORTH HALF OF SECTION 28
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 2

JOB NO.: 12-2-16 FILE: X:\Empire\dwg\srv\plat2016\120216-VAEP North Sub

(435) 649-9467 Alliance Engineering Inc. CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF __________, 2017 BY __________ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF __________, 2017 BY __________ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF __________, 2017 BY __________ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF __________, 2017 BY __________ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF __________, 2017 BY __________ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF __________, 2017 BY __________ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF __________ DATE _____ TIME _____ ENTRY NO. _____ _____ FEE _____ RECORDER

TES:

This plat is subject to the Conditions of Approval in Ordinance 2017-_____

The position of the north ¼ corner of Section 28, Township 2 South Range 4 East SLBM, as shown on this survey, is from the dependent re-survey of Section 28, 29, 31, 22 & 33 performed by Robinson, Biehn & Biehn inc. in 2000 (Rec.# S-3819, Summit County Recorder's Office).

Conditional use permit approval will be required prior to construction on each of the development lots shown hereon.

A declaration of condominium and a record condominium map will be required for the purpose of the sale of individual units within the development lots shown hereon.

The lots described on this plat are subject to the Restated Development Agreement for Flagstaff Mountain, Bonanza Flat, Richardson Flat, the 20-Acre Quinn's Junction Parcel and Iron Mountain dated as of May 2, 2007, and recorded on March 2, 2007, as Entry No. 00806100 in Book 1850, Page 1897 (the "Development Agreement"). By separate Declaration of Payment and Development Covenants, recorded October 4, 2016, as Entry No. 01055133 in the official records of the Summit County Recorder, as amended, Lot 3 has been allocated the right to develop 24.5 Unit Equivalents within no more than 21 dwelling units and the obligation to locate 1.1 Affordable Unit Equivalents thereon, as each of those capitalized terms is defined in the Development Agreement. Lot 2 has been allocated the obligation to locate 2.0 Affordable Unit Equivalents thereon and Lot 1 has no on-site affordable housing obligations. The allocation of Unit Equivalents to Lot 2 and Lot 1 may be done at a future date by a separate recorded document. No Unit Equivalents will be allocated to Lot 4, which is to be used in connection with resort and similar activities. No lot within this plat has been allocated any commercial Unit Equivalents.

The Empire Pass Master Owners Association, Inc. (the "Master Association") together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass, as amended ("Master Declaration"), requires the membership of each lot or unit owner. Members are subject to the terms of its articles of incorporation, bylaws, rules and regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein.

Owners and potential buyers of any unit or land within the lots depicted on this plat are given notice that they own or are buying property in a resort area in which all-season resort activities are conducted and where certain risks are present, including, without limitation, damage to property and improvements and personal injury and death caused by errant skiers, mountain bikers and other resort patrons, equipment, machine-made snow, heavy equipment, construction or improvements of facilities, objects or equipment falling from lifts, water runoff, drainage, heavy snow falls, wind patterns, and other conditions that may affect the properties depicted hereon. The adjacent ski resort and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities is governed by such owner or agreements with such owner.

The owner of Lot 3 hereby grants a non-exclusive resort and access easement over the approximately west twenty feet (20') of Lot 3, as depicted on this plat as the "Cable UDOT Setback" for the benefit of Lot 4 to allow ski lift maintenance access and the right to conduct resort activities, including to locate movable safety fences.

This plat also depicts the following easements, each of which may be amended, relocated or revised, without amendment hereto, in accordance with each such easement's terms:

a. Agreement and Covenant of Cooperation (Ski Access/Storm Drainage), Entry No. 665956, Summit County Recorder's Office which affects Lot 2 and Lot 3 of this plat.

b. Right-Of-Way and Easement Grant (Gas Utility), Entry No. 755686, Summit County Recorder's Office; potentially affects Lot 2 and Lot 3.

c. Grant of Access Easement (Sewer Utility), Entry No. 850350, Summit County Recorder's Office, affects Lot 2.

d. Grant of Easement (Sewer Utility), Entry No. 716688, Summit County Recorder's Office, affects Lot 2.

e. Grant of Easement (Storm Drain Facilities), Entry No. 716459, Summit County Recorder's Office, affects Lot 3.

f. Reciprocal Easement Agreement (Resort and Access) to be recorded in advance of or contemporaneously with this plat in the Summit County Recorder's Office, affects Lot 2, Lot 3 and Lot 4, and describes the use of Easement Area A, Easement Area B, Easement Area C and Easement Area D.

Public safety access and public utility easements are hereby dedicated for all public and private roadways and emergency access roads.

The property is located within a water source protection zone. All sewer construction must comply with the State of Utah drinking water regulations.

A ten foot (10') wide snow storage easement is hereby dedicated to the Master Association along the frontage of all lots.

Wastewater service to the Village at Empire Pass North Subdivision shall be provided by The Snyderville Basin Water Reclamation District. A Line Extension Agreement with the District may be required for Lots 1 & 2. It shall be the responsibility of the Owner of each lot to extend the public wastewater system within the lot being developed according to the requirements of the Line Extension Agreement.

Village Way is a private road to be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Empire Pass at Deer Valley in accordance with the Master Declaration. Village Way is not a public road or right-of-way.

A UDOT Conditional Access Permit or city permit, depending upon the ownership of Marsac Avenue, will be required prior to construction on Lot 1 and for vehicle access to Lot 2 directly from Marsac Avenue.

Fire sprinklers will be required within all dwellings constructed on the lots.

Ski Easement Note: 5' Ski and Pedestrian Easement in favor of Lot 4 for resort operations and trail maintenance and for purpose of providing property owners, invitees and guests of One Empire Pass Condominium with ski and pedestrian access to and from adjoining skiways.

Ski Buffer Note: 10' Skiway Buffer Zone in favor of Lot 4 providing that without prior written consent of owner of Lot 4:

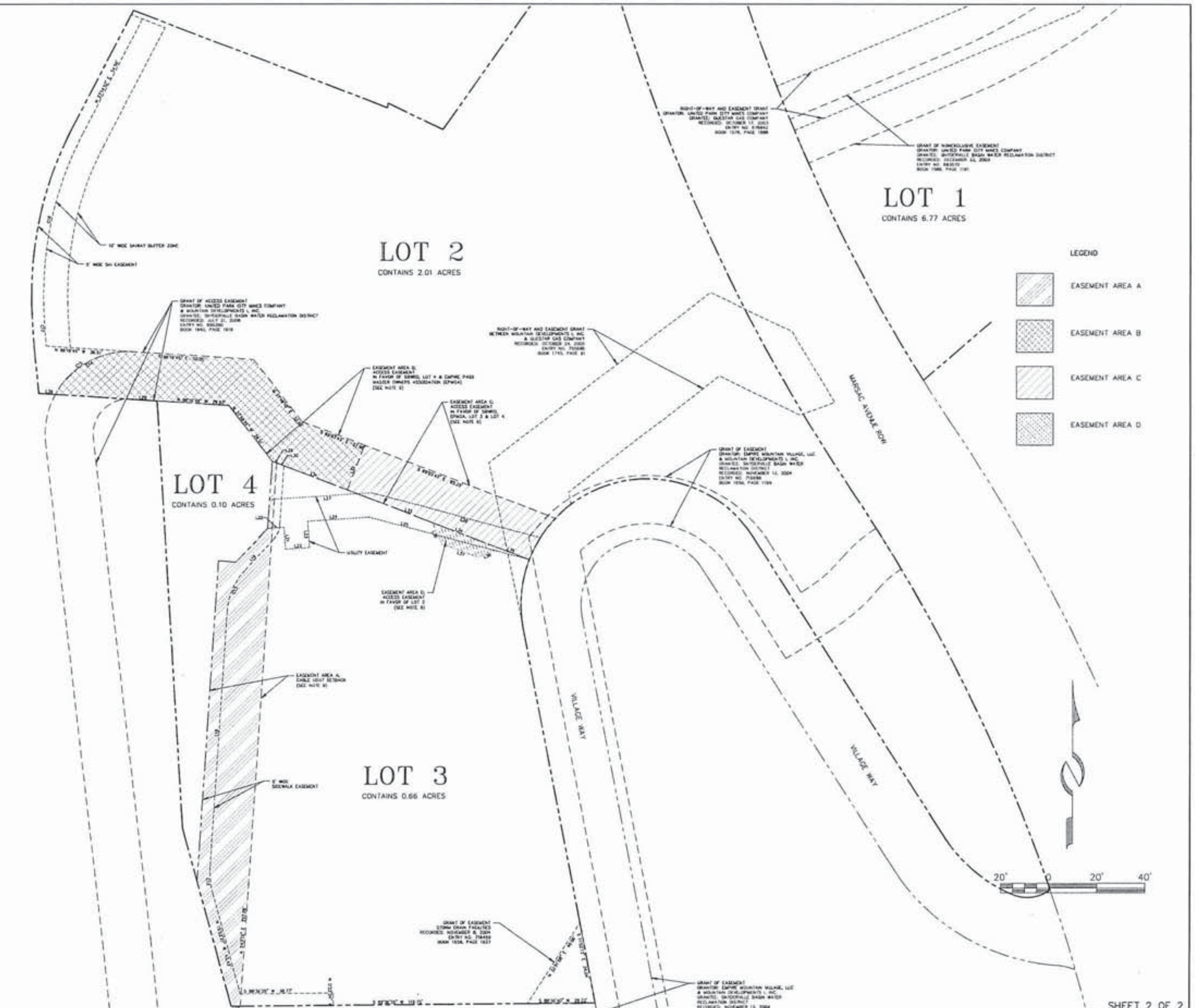
a. no above-ground building or landscaping obstructions may be constructed in the Skiway Buffer Zone.

b. no trees or other above-ground landscaping obstructions may be maintained in the Skiway Buffer Zone.

The owner of Lot 2 hereby grants a non-exclusive resort and access easement over the western edge of the property as depicted on this plat as the "5' Wide Ski Easement". This easement is for the benefit of Lot 4 for resort operations and trail maintenance and for the benefit of VEPWS Lot 15 property owners, invitees and guests for purposes of ski and pedestrian access.

The owner of Lot 2 hereby grants a non-exclusive easement near the western edge of the property as depicted on this plat as the "10' Skiway Buffer Zone". This easement is for the benefit of Lot 4 providing that without prior written consent of owner of Lot 4 no above-ground building, trees or other landscaping obstructions may be constructed or maintained in the Skiway Buffer Zone.

At the time of plat recording, Lot 1 includes lands within the Empire Village MPD in the RD Zone and additional lands within the ROS Zone. Future land uses on Lot 1 shall conform to requirements of applicable zoning regulations for the different portions on the property.



SHEET 2 OF 2

(435) 649-9467
Alliance Engineering Inc
ULTING ENGINEERS LAND PLANNERS SURVEYORS

VILLAGE AT EMPIRE PASS NORTH SUBDIVISION

LOCATED IN THE SOUTH HALF OF SECTION 21 & THE NORTH HALF OF SECTION 28
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

JOB NO.: 12-2-16 FILE: X:\Empire\dwg\srv\plat2016\120216-VAEP North Sub

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF ______________
DATE ________ TIME ______ ENTRY NO. ________
________ FEE ________ RECORDER

EXHIBIT D - See link in Exhibits list

EXHIBIT E - See link in Exhibits list

EXHIBIT F

Technical Reports

See Link in Exhibit list.

EXHIBIT G

EMPIRE PASS

October 20, 2017 DESIGN REVIEW BOARD

Harrison Horn
Empire Residences
2520 N. University Ave., Ste 50
Provo, UT 84604

RE: Empire Residences, 7695 Village Way
Final DRB Approval

Dear Mr. Horn,

Thank you for your recent application regarding Empire Residences to the Empire Pass Design Review Board (the DRB) requesting Final Design Approval of the proposed condominium lodge project. The DRB previously reviewed Conceptual plans on December 20, 2016 and February 22, 2017. The Preliminary Approval was granted by the DRB on March 29, 2017. The DRB reviewed the applicants first Final Submittal on June 6, 2017 and September 5, 2017 and did not make a motion for approval and requested more information. At the September 29, 2017 meeting the DRB reviewed the applicant's Final submittal and granted Final Approval with the following conditions:

1. The review was based on plans dated 08.xx.2017 and printed 9.21.17 prepared by BWA Architects and now on file except for:
   - Site Plan Sheet AS100 printed 10.18.17 now on file;
   - Floor Plans Sheet A100 – A107 printed 10.18.17 now on file
2. The applicant has staked the building corners and centerline of both driveways; the DRB had no issues with the lot staking;
3. The applicant has shown on the site plan the designated surface parking spot for the adjacent lot on the north driveway; the parking stall should meet city requirements for stall size and dimensions should be shown on the site plan for location and size.
4. The applicant will not move the Silver Strike Chair transformer located in the northwest corner of the lot; approval of location for transformer located in the northeast corner of the lot to be coordinated with Rocky Mountain Power. Location screened behind monument sign is preferred by the DRB.
5. The north driveway grade of the first 20 feet is at 4.8% maximum and the improved paved driveway width has been reduced from 20 feet wide to 16 feet wide with 2’ driveable “curbs” on each side. Applicant to submit curb profile that satisfies requirement for driveability and drainage management. The DRB required both the driveway on the North and the parking lot/driveway on the East to be heated. Driveway grades and widths/dimensions are shown on civil plans dated 06.29.17.

4188 SR248 PO Box 99 Kamas UT 84036 tel 435.333.3700 fax 435.333.3716

6. The front entry driveway has a maximum grade of 12% in the middle section and grades vary for the rest of the driveway; the applicant has verified the driveway grades on the civil plans;
7. Plans now show easement for Deer Valley shallow utilities from Village Way to Silver Strike Chair; easement will also be shown on VEPN Plat when recorded
8. Unit square footages have been adjusted to remove residential accessory space and the affordable housing unit from overall building allowable square footages;
9. The site is required to include 1. 1 Affordable Housing Units ("AHUs"). Current plans show 1.0 AHUs. Applicant has included a 736 sf affordable unit on Level One along with two Owner Storage Lockers for the Affordable Units on Level 0 with total storage area of 144 sf. Applicant has represented that City will accept the total 880 sf as satisfying the On-Site Affordable Housing requirement.
10. Site 3 is now restricted by covenant to 24.5 ERUs. Applicant to ensure the correct number of parking stalls for both market units, affordable unit and ADA unit are shown on the plans to the satisfaction of the City; Applicant to show unit square footages on the plans to the satisfaction of the City;
11. The updated plans show a stone pony wall around chiller units located outside the 20' front yard setback at the NE corner of the building; The pony wall shall be limited to 4' in height. The DRB reviewed and approved the chiller units in this location, provided appropriate landscape screening planted in front.
12. The mechanical units outside of the South building setback are below grade and screened with a stone pony wall and grate top. This portion of the building structure is still shown outside of the building setbacks and this will need to be reviewed and approved through the City. The DRB accepts the setback reduction from 12' to 4' for the below grade mechanical equipment.
13. Applicant has revised the plans to show the generator underground. The mechanical equipment outside of the affordable unit has been relocated to the sides of the building to maintain a clear deck. Revised location of condensers is shown on elevation sheet A201.
14. The DRB previously requested the 12 chillers shown adjacent the front entry of the building be removed; The chillers have been removed from the front entry.
15. Applicant to ensure materials used for decorative panels on stair towers on the exterior of the building will not be a reflective material; A materials board was reviewed and approved by the DRB. All exterior materials are subject to approval of an onsite mockup of materials to be provided as required for final material, color and detailing approval. Materials on stair towers will not be reflective and are as submitted to DRB in 9/29/2017.
16. Building matrix has been corrected to match the building unit counts, including affordable unit and accessible unit.
17. The porte cochere roof materials will be wood and metal;
18. Applicant to grant an easement to the Empire Pass MOA and show on the plans and plat the sidewalk extending from Shooting Star to VEPN Lot 2. Easement will be shown on VEPN plat when recorded. Applicant responsible for construction of sidewalk connection to sidewalk on Shooting Star property;

19. The applicant will rebuild or repair, at its cost, any construction related damage to the Empire

Pass sidewalk on the Shooting Star property.;

20. Applicant shall make reasonable efforts to receive approval from the Shooting Star HOA to construct a sidewalk on a preferred alignment closer to the ski trail;.
21. Railing design has been reviewed and meets design requirements.
22. Applicant verified height of landscaped stone faced concrete walls will not exceed 4 feet.
23. Applicant provided cut and fill calculations on Civil 1 of 4 Site & Grading Plan.
24. The applicant will not install any permanent fencing around the site.
25. The square footage for this building is 71,785 square feet; 85,789 gross sf including parking level.
26. Chimneys cap designs have been reviewed and meet design requirements.
27. The applicant plans show proposed height at 82 feet with a maximum of 82 feet for this lot, and other height limits consistent with approved volumetric for site; Approval subject to PCMC confirmation of height compliance with approved volumetric. In order to meet the 82 foot height restriction the application has modified the roof form and has revised the roof stepping. This additional stepping provides greater interest and compliance with the intent of the building massing. See revised roof on A201-A202
    a. The DRB approved the building massing as proposed with an accepted roof stepping and variation in roof forms.
    b. The DRB approved the building façade stepping and variation in the vertical planes.
    c. The DRB reviewed and approved the height of the building.
29. The primary roof pitches of 4:12 are in compliance with the guidelines; lower sloped roof pitches for shed dormers are allowed.
    a. The DRB approved the proposed roof pitches.
30. Windows are found to follow the design guidelines.
31. Window headers and trim proposed on sheet A511 and exterior elevations comply with the intent of the design guidelines.
32. Exterior entry door, garage door on A201 and A202 follows the intent of the design guidelines.
33. Applicant to submit color and texture sample for concrete drive areas for DRB approval prior to installation;
34. All boulder materials must match closely the DRB approved stone for the building;
35. Applicants understand that except for cementitious siding approved by DRB no faux or manufactured materials may be used as finished exterior product, this would include glu-lam beams, faux stone, bare concrete, vinyl siding, etc.;
36. The DRB reviewed the proposed cedar vertical board siding for exterior wall material; applicant understands all exterior materials are subject to mockup review.
37. Applicant has provided exterior lighting plan, including cut sheets for wall packs, wall sconce, and bollard fixtures.

38. Applicant has provided complete landscape plan, including counts, planting specs and detailed grading, for DRB review; the DRB will reserve the right to request additional plantings from any DRB approved landscape plan;
39. Construction management plan will be submitted and reviewed/approved prior to commencement
40. The entry monument specs and pics have been submitted and approved prior and are shown on Detail B2 Sheet AS100.
41. applicant understands that the building is subject to City approvals beyond any approval of the DRB;
42. Applicant understands the requirement to provide an on-site mock-up of exterior materials, colors and construction techniques for further DRB review and approval prior to installation of the same.
43. Applicant to submit an Improvement Location Certificate (ILC) prepared by a licensed surveyor to confirm the height and location of the foundation are consistent with the DRB approval;
44. In order to maintain the integrity of the Guidelines and encourage the continuity of a cohesive design aesthetic at Empire Pass, when Final approval is granted the approval will expire one year from the date of DRB approval; if no construction activity has occurred or progressed the applicant will be required to return to the DRB for a renewed approval of Final plans.
45. Upon DRB approval of the Working Drawing submittal and prior to start of construction activity, the applicant shall submit a compliance deposit and schedule a pre-construction conference.
46. Applicant has amended plans to show detail and design to express the structure at the roof gables, shed roofs and roofs over decks.
47. Stone walls have been revised to show a thickened stone base and a detail is provided on A4/ A502.
48. Entry porte cochere view meets the intent of the design guidelines.

Again, we thank you for your Final Design submittal and look forward to working with you and your team as the process continues. Feel free to contact our office at 435-333-3700 with any questions regarding the Design Review process.

Respectfully,

Douglas Ogilvy,
On behalf of the Empire Pass Design Review Board

EXHIBIT H

PROPOSED LOT 3 VILLAGE AT EMPIRE NORTH SUBDVISION EXISTING CONDITIONS & TOPOGRAPHIC MAP

SURVEYOR'S CERTIFICATE

PROFESSIONAL LAND SURVEYOR No. 7248891 CHARLES GALATI 9-22-2017 State of Utah

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold Certificate No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision an existing conditions and topographic survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

GENERAL NOTES

1. Field work for this survey was performed in June 16, 2017 and is in compliance with generally accepted industry standards for accuracy.
2. Site Benchmark: Sanitary Sewer Manhole Elevation=8072.3' as shown.
3. A boundary survey was not performed on this property as part of this existing conditions and topography map. Boundary lines shown are per proposed plat.
4. The architect is responsible for verifying building setbacks, zoning requirements, and building heights.
5. Utility location is from record information, As-Built drawings as well as above ground evidence. Call Blue Stakes before excavating.

LEGEND

ESS	EXISTING SEWER
EW	EXISTING WATER
ESD	EXISTING STORM DRAIN
EOHU	EXTG OVERHEAD UTILITY
EOHP	EXTG OVERHEAD POWER
EG	EXISTING GAS
ET	EXISTING TELECOMM
EP	EXISTING POWER
	EXISTING STORM DRAIN MANHOLE
	EXISTING SANITARY SEWER MANHOLE
	EXISTING STORM DRAIN GRATES
	EXISTING ELECTRICAL BOXES
	EXISTING FIRE HYDRANT
	EXISTING WATER VALVE
	EXISTING WATER METER
XXXX	EXISTING
	PROPERTY CORNER FOUND MONUMENT "ALLIANCE ENGINEERING" REBAR & CAP
	SITE BENCHMARK

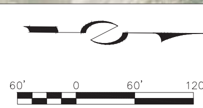
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 85°48'47" E	7.34
L2	N 42°44'41" E	19.25
L3	N 3°55'31" E	28.19

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	52.50	29.23	31°53'59"

10' 0 10' 20'

(435) 649-9467 Alliance CONSULTING ENGINEERS LAND PLANNERS SURVEYORS	STAFF: MICHAEL DEMKOWICZ JUAN CARRASCO TANDIN CHAPMAN CHARLES GALATI DATE: 9/22/17	EXISTING CONDITIONS & TOPOGRAPHIC MAP EMPIRE RESIDENCES FOR: EMPIRE RESIDENCES LLC JOB NO.: 14-9-16 FILE: X:\Empire\dwg\srv\plat2016\140916-L3VEPN-Existing Conditions.dwg	SHEET 1 OF 1

EXHIBIT I



(435) 649-9467 Alliance Engineering Inc. CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: MICHAEL DEMKOWICZ JUAN CARRASCO TANDIN CHAPMAN DATE: 9/19/17	AERIAL PHOTOGRAPHY EXHIBIT EMPIRE RESIDENCES FOR: EMPIRE RESIDENCES LLC. JOB NO.: 14-9-16 FILE: X:\Empire\dwg\Empire Residences-L3 VEPN\140916-L3VEPN-Civ3d2018.dwg	SHEET 1 OF 1

EXHIBIT J

SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
2800 HOMESTEAD RD, PARK CITY, UT 84098 WWW.SBWRD.ORG T 435-649-7993 F 435-649-8040

December 8, 2017

Kirsten Whetstone
Park City Municipal Corp.
445 Marsac Avenue
P.O. Box 1480
Park City, UT 84060

RE: Empire Residences
Plat Approval

Dear Ms. Whetstone:

The Snyderville Basin Water Reclamation District has reviewed the referenced plat and has determined that it conforms to District regulations. We are therefore prepared to sign the plat.

The developer should contact me to schedule a time for plat signing after the Owner's Dedication has been signed.

Sincerely,

Bryan D. Atwood, P.E.
District Engineer

cc: Michael Demkowicz, Alliance Engineering
Project File

EXHIBIT K

Flagstaff Annexation and Empire Pass Units and Unit Equivalents Updated 11.10.17 (VEMP Phase 1 Lots 1 and 2 combined into Lot A approved by CC)

POD	Single Family	Allowed SF lots	SF Permits	SF CO #'s
A	Banner Wood-platted	6	4	4
B1	Northside-platted	10	10	10
D	Red Cloud-platted	30	12	11
Totals	**(Single Family only)**	**46**	**26**	**25**

POD	Multi-family	Units Approved/Proposed	Square Feet Platted w/ condo	Units Platted w/ condo	UE Approved/Proposed w/ condo or sub	UE Platted with condo	MF Units Platted as PUDs	ADA provided/required	EHU provided	On Mtn AUE provided/ proposed	CO UE's	CO Units	Status
A	**Horseshoe Townhouses on Lot 1 VEPN plat TDB**	not yet identified								0	0	0	Sub Plat under review
A	**Lot 3 VEPN plat-(Bldg 3) Proposed**	**21**		0	**24.50**	0		**1**		**1.1 AUE**	0	0	Sub Plat under review
A	**Lot 2 VEPN plat-(Bldg 4) TBD**	not yet identified						**2**		**2.0 AUE**	0	0	Sub Plat under review
A	**Lot A VEMP1 (combo of Lots 1 and 2 VEMP1)**	not yet identified									0		
A	**Tower Residential- platted lot/no condo plat (Bldg 1)**	**25**		0	**38.90**	0	0	**1**		**0.75 AUE**	0	0	CUP expired/not platted
A	Shooting Star-platted lot and condo (Bldg 2)	21	36,109	21	18.30	18.055	0	1	0	0	18.1	21	Completed
A	One Empire Pass-platted lot and condo (Bldg 5)	27	65,026	27	32.80	32.513	0	1	1	1.125 AUE	0	0	27 Under Construction
A	Silver Strike-platted lot and condo (Bldg 6)	34	71,305	34	35.60	35.653	0	2	1	1.1 AUE	35.7	34	Completed
A	Flagstaff -platted lot and condo (Bldg 7)	37	73,506	37	35.90	36.753	0	2	2	1.6 AUE	36.8	37	Completed
A	Arrow Leaf A-platted lot and condo (Bldg 8)	28	46,458	28	24.50	23.229	0	2	3	2.85 AUE	23.3	28	Completed
A	Arrow Leaf B- platted lot and condo (Bldg 9)	28	48,746	28	25.70	24.373	0	2	0	0	24.4	28	Completed
A	Grand Lodge-platted lot and condo (Bldg H)	27	65,344	27	33.00	32.672	0	2	1	1.2 AUE	32.7	27	Completed
A	Larkspur East Townhouses-all platted/condo (3 duplex = 6 PUD)	15	48,693	15	24.40	24.347	6	0	0	0	24.4	15	Completed
A	Larkspur West Townhouses-all platted/condo	12	41,273	12	20.70	20.637	0	0	0	0	20.7	12	Completed
A	Paintbrush PUDs- all platted /condo	12	63,076	12	31.90	31.538	12	0	0	0	32	12	Completed
A	Belles PUDs- all platted/condo	17	90,000	17	45.00	45	17	0	0	0	37.85	14	14 Completed
B1	Nakoma PUDs- all 17 are platted condo but 5 unbuilt	17	90,000	17	45.00	45	17	0	0	0	35	12	12 Completed
B1	Ironwood- all platted/condo	24	73,944	23	37.40	36.972	0	1	1	1 AUE	37.1	23	Completed
B2	B2 West Montage- 174 hotel rooms platted(apprvd 192)	hotel rooms		hotel rooms	69.60	72.665	0		0	0	72.4	1	Completed -see note
B2	B2 West Montage condos- platted (apprvd 94)	94	218,669	84	114.00	109.335	0	5	10	7.8 AUE	109.3	84	Completed
B2	**B2 East- B2East Subdivision approved/No condo plat yet**	**70**		0	**81.00**	0	0	**2**		**4.2 AUE**	0	0	Sub plat approved
Totals (Multi-family only)		**509**	**1032149**	**382**	**738.20**	**588.742**	**52**	**24**	**19**	**24.725 AUE 16.675 AUE built to date (on mtn)**	**539.75**	**348**	
Maximum Allowed by Flagstaff Development Agreement		**550**		**550**	**785.00**	**785**	**60**	**n/a**					
Remaining UE/Units/AUE (for Lots 1 and 2 VEPM and Lot A VEMP		**41**		**168**	**46.80**	**196.258**	**8**	**n/a**					

Affordable Housing

MF Totals by POD only apprvd or platted (not SF lots)	Units Approved	Units Platted	UE Approved	UE Platted	MF Units as PUD	Total MPD AUE required	Total off Mtn AUE required	Total on Mtn AUE required	Total off Mtn AUE built	Total on Mtn AUE built	Total AUE owed
A (not including Lot 3 and Tower CUP)	258	258	327.8	324.77	35						
B1	41	40	82.4	81.972	17						
B2 (plus 174 hotel rooms) not including B2East	94	84	183.6	182	0						
A, B1, B2	393	382	593.8	588.742	52						
						118.9	94.175	24.725	89	16.675	13.225
% of MF units total in Pods A, B1 and B2 that are in POD A (MPD requires minimum of 50%)		67.54%									

SF- Single family lot/house
MF- Multi-family/condominium units
PUD- Planned Unit Development Style MF
EHU- Employee Housing Unit (no min number)
AUE- Affordable Unit Equivalent (1 AUE = 800 sf)
UE- Unit Equivalent (1 UE = 2,000 sf residential)
ADA- American Disability Act required units
VEPN- Village Empire Pass North Subdivision plat
CO- Certificate of Occupancy (hotel rooms counted as 1 CO total)

DATE: February 1, 2018

TO HONORABLE MAYOR AND COUNCIL

This staff report recommends that the City Council adopt an ordinance that prohibits most non-stormwater (i.e. paints, greases, carpet cleaning discharges, etc.) and allows those non-stormwater discharges permitted by the State (i.e. sprinkler runoff, foundation drains, etc.) to the City's stormdrain system. Such an ordinance is required by Federal and State law, and may improve water quality as discharges are reported and addressed.

Respectfully:

Jason Christensen, Water Resources Manager

City Council Staff Report

Subject:	**Illicit Discharge to Storm Drain Prohibition**
Author:	**Jason Christensen, Water Resources Manager**
Department:	**Public Utilities**
Date:	**February 1, 2018**
Type of Item:	**Legislative**

Summary Recommendation
Staff recommends the City Council hold a public hearing to approve modifying the Municipal Code by:

1. Adopting Section 13-3-1 Illicit Discharges, making it a code violation to introduce anything that would violate the City's MS4 Permit into the stormdrain system.
2. Adopting Section 13-3-2 Enforcement, outlining the options available to require compliance.
3. Adopting Section 13-3-3 Penalties, outlining possible costs or responses to non-compliance.

Executive Summary
This staff report recommends that the City Council adopt an ordinance that prohibits most non-stormwater (i.e. paints, greases, carpet cleaning discharges, etc.) and allows those non-stormwater discharges permitted by the State (i.e. sprinkler runoff, foundation drains, etc.) to the City's stormdrain system. Such an ordinance is required by Federal and State law, and may improve water quality as discharges are reported and addressed.

Acronyms
MS4 Municipal Separate Storm Sewer System

The Problem
- Outside of active construction sites, the City does not have clear authority to address non-stormwater additions (i.e. paints, grease, carpet cleaning discharges, etc.) to the storm drain.
- The Clean Water Act and our State issued permit require the City to have clear authority and prohibit such additions.

Background

Date	Item
February 11, 2016	Stormwater Overview Study Session (pg. 60)
June 16, 2016	Stormwater Management Plan Submittal (pg. 83)
December 1, 2016	New Stormwater Permit
July 1, 2017	Updated Storm Water Management Plan

- The Storm Water Management Plan is Park City's plan to come into compliance with our MS4 permit.
- Full compliance is required by February 28, 2021.
- The permit requires several ordinances, of which this is one.
    - The City Engineer will be presenting an ordinance governing land disturbances and their impact on water in the first quarter of 2018.
- This ordinance was taken from another Utah MS4, and then modified by Community Development and Public Utilities staff to meet Park City's needs.
- This ordinance is no stricter then required, in that it allows all the non-stormwater discharges allowed by the State Permit. These are discharges such as sprinkler runoff, foundation drains, etc.

Alternatives for City Council to Consider

1. **Recommended Alternative:** Staff recommends the City Council hold a public hearing to approve modifying the Municipal Code by:
    a. Adopting Section 13-3-1 Illicit Discharges, making it a code violation to introduce anything that would violate the City's MS4 Permit into the stormdrain system.
    b. Adopting Section 13-3-2 Enforcement, outlining the options available to require compliance.
    c. Adopting Section 13-3-3 Penalties, outlining possible costs or responses to non-compliance.

    Pros
    a. Brings the City closer to compliance with our MS4 permit, and provides the City with tools to address pollution of our stormdrain system.
    b. Supports Council's Strategic Goal of Preserving and Enhancing the Natural Environment.

    Cons
    a. Additional regulation and enforcement burden; although this burden is unavoidable under our MS4 permit.

2. **Null Alternative:** Failure to prohibit non-stormwater discharges to our stormdrain system by February 28, 2021 will result in non-compliance with the Clean Water Act.
    Pros: No increase in demands on City Code Enforcement
    Cons: Eventual non-compliance with Clean Water Act; Regulatory gap that could allow harm to the environment.

Department Review

Public Utilities, Community Development, Legal and Executive

Attachments

A Ordinance 2018-07 Amending Title 13 of Park City Municipal Code and Adopting Chapter 3.

Ordinance 2018-07

AN ORDINANCE ADOPTING CHAPTER 3, STORMWATER, OF TITLE 13, WATER AND STORMWATER CODE, OF PARK CITY MUNICIPAL CODE

WHEREAS, the Federal Clean Water Act requires that stormwater discharges from certain types of facilities be authorized under Stormwater Discharge Permits; and

WHEREAS, the State of Utah was granted primacy in the National Pollutant Discharge Elimination System (NPDES) program by the United States Environmental Protection Agency in 1987; and

WHEREAS, the State of Utah has instructed the City to secure coverage under the Clean Water Act for the City's stormwater system; and

WHEREAS, the City has secured coverage under the Utah Pollutant Discharge Eliminate System (UPDES) program, specifically under the General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4), Permit No. UTR090000; and

WHEREAS, Permit No. UTR090000 requires the City to prohibit most non-stormwater discharges to its stormwater system and thereby support the City's goal of Environmental Health and Conservation of Natural Resources; and

WHEREAS, adoption of this ordinance will meet the requirements of Permit No. UTR090000 and further Council Goals.

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

Chapter 13-3
STORMWATER

Sections:

13-3-1 Illicit discharges.

(1) No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of stormwater. The commencement, conduct or continuance of any non-stormwater discharge to the municipal separate storm sewer system is prohibited except where permitted by Utah General Permit for Discharges from Small MS4s. At the time of this sections adoption, the Utah General Permit for Small MS4s allowed for the discharges listed below so long as said

discharge had not been identified as a significant source of pollutants to waters of the state or as causing or contributing to a violation of water quality standards; any discrepancy between the sources listed below and those provided for by the Utah General Permit for Discharges from Small MS4s shall be resolved in favor of the most recently adopted Utah General Permit for Discharges from Small MS4s.

(a) Allowable discharges:

(i) Water line flushing;
(ii) Landscape irrigation;
(iii) Diverted stream flows;
(iv) Rising ground water;
(v) Uncontaminated ground water infiltration;
(vi) Uncontaminated pumped ground water;
(vii) Discharges from potable water sources;
(viii) Foundation drains;
(ix) Air conditioning condensate;
(x) Irrigation Water;
(xi) Springs;
(xii) Water from crawl space pumps;
(xiii) Footing Drains;
(xiv) Lawn watering runoff;
(xv) Individual residential car washing;
(xvi) Flows from riparian habitats and wetlands;
(xvii) Decholorinated swimming pool discharges;
(xviii) Residual street wash water;
(xix) Dechlorinated water reservoir discharges;
(xx) Discharges or flows from emergency firefighting activity.

(c) Dye testing is an allowable discharge if the City Engineering has so specified in writing.

(d) The prohibition shall not apply to any non-stormwater discharges permitted under a Utah Pollutant Discharge Elimination System (UPDES) permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the State of Utah Division of Water Quality; provided, that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations; and provided, that Engineering has provided written approval granting any discharge to the storm drain system.

(3) Prohibition of Illicit Connections.

(a) The construction, use, maintenance or continued existence of illicit connections to the separate municipal storm sewer system is prohibited.

(b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(4) Reduction of Stormwater Pollutants by the use of Best Management Practices. Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the BMPs necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid UPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliant with the provisions of this section.

(5) Notification of Spills. Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials which are resulting in, or may result in, illicit discharges or pollutants discharging into stormwater, and the municipal separate storm sewer system, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials, the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of nonhazardous materials, the person shall notify Code Enforcement by telephone, email or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the Code Enforcement within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for a minimum of three years.

13-3-2 Enforcement.

(1) Enforcement Authority. The Chief Building Official or his/her designee shall have the authority to issue notices of violation, stop work orders, and citations, and to pursue the civil penalties provided in this section.

(a) With the issuance of a city land disturbance permit, building permit, conditional use permit or other permits issued by the city, the city shall be permitted to enter and inspect facilities subject to this chapter at all reasonable times and as often as necessary to determine compliance. Failure to comply with the terms of this chapter may result in punitive actions by the City, Summit County Health Department, Utah State Division of Water Quality or by other means identified in permits or terms set forth in development applications.

(2) Notification of Violation (N.O.V.).

(a) Written Notice. Whenever the Chief Building Official or his/her designee finds that any permittee or any other person discharging stormwater has violated or is violating this chapter or a permit or order issued hereunder, the Chief Building Official or his/her designee may serve upon such person written notice of the violation. Within seven (7) days of this notice or the time frame specified in N.O.V., an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Chief Building Official or his/her designee. Submission of this plan in no way relieves the discharger of liability for any violations occurring before or after receipt of the notice of violation.

(i) Consent Orders. The Chief Building Official or his/her designee is empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the noncompliance. Such orders will include specific action to be taken by the person to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to subsection (2)(a)(iv) of this section.

(ii) Show Cause Hearing. The Chief Building Official or his/her designee may order any person who violates this chapter or permit or order issued hereunder to show cause why a proposed enforcement action should not be taken. Notice shall be served on the person specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the violator show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing.

(iii) Compliance Order. When the Chief Building Official or his/her designee finds that any person has violated or continues to violate this chapter or a permit or order issued hereunder, he may issue an order to the violator directing that, following a specific time period, adequate structures or devices be installed or procedures implemented and properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the construction of appropriate structures, installation of devices, self-monitoring, and management practices.

(iv) Cease and Desist Orders. When the Chief Building Official or his/her designee finds that any person has violated or continues to violate this chapter or any permit or order issued hereunder, the city engineer may issue an order to cease and desist all such violations and direct those persons in noncompliance to:

(A) Comply forthwith; or

(B) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge into the city storm drain system. In the event the owner refuses to or is unable to provide measures to bring the site into compliance, the city engineer will, at the owner's expense, take necessary remedial or preventative actions.

(3) Conflicting Standards. Whenever there is a conflict between any standard contained in this chapter and in the BMP manual adopted by the municipality under this chapter, the strictest standard shall prevail.

13-3-3 Penalties.

(1) Consistent with the provisions of Sections 4-2-15 and 19-15-115, Utah Code Annotated 1953, the municipality declares that any person, or the officers or employees of any person, who violates stormwater ordinances found in Title 13 Chapter 3 or any lawful notice or order issued pursuant to the aforementioned ordinances is guilty of an infraction.

(2) Any person, or the officers or employees of any person, shall be liable for any expenses incurred by the city in abating any violation of this chapter.

(3) A penalty assessment or criminal conviction under this chapter shall not relieve the person assessed or convicted from civil liability for claims arising out of any act which was also a violation.

(4) In assessing either a civil or a criminal penalty, the judge may consider:

(a) The harm done to the public health or the environment;

(b) Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity;

(c) The economic benefit gained by the violator;

(d) The amount of effort put forth by the violator to remedy this violation;

(e) Any unusual or extraordinary enforcement costs incurred by the municipality;

(f) The amount of penalty established by ordinance or resolution for specific categories of violations; and

(g) Any equities of the situation which outweigh the benefit of imposing any penalty or damage assessment.

(5) Recovery of Damages and Costs. In addition to the civil penalty in subsection (4) of this section, the municipality may recover: all damages proximately caused by the violator to the municipality, which may include any reasonable expenses incurred in investigating violations of, and enforcing compliance with, this chapter, or any other actual damages caused by the violation.

(a) The costs of the municipality's maintenance of stormwater facilities when the user of such facilities fails to maintain them as required by this chapter.

(6) Other Remedies. The municipality may bring legal action to enjoin the continuing violation of this chapter, and the existence of any other remedy, at law or equity, shall be no defense to any such actions.

(7) Remedies Cumulative. The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal, that one or more of the remedies set forth herein has been sought or granted.

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

PASSED AND ADOPTED this 11th day of January, 2018.

PARK CITY MUNICIPAL CORPORATION

____
Andy Beerman, MAYOR

ATTEST:

____
City Recorder

APPROVED AS TO FORM:

____
Mark Harrington, City Attorney

DATE: February 1, 2018

TO HONORABLE MAYOR AND COUNCIL

- Staff recommends the City Council approve a one year lease, with two, one year automatic renewals with Lucky Ones to provide a coffee concessionaire in the Park City Library.
- Lucky Ones is a consensus recommendation of the RFP selection committee.
- Lucky Ones is an organization that employs people with different abilities. https://luckyonescoffee.com/about-us.
- Lucky Ones commitment to social equity is aligned with the City's goals and is consistent with that of the Library's mission and staff values.

Respectfully:

Jonathan Weidenhamer, Economic Development Manager

City Council
Staff Report

Subject: **Library Coffee Concessionaire Lease**
Author: **Jonathan Weidenhamer**
Department: **Economic Development**
Date: **February 1, 2018**
Type of Item: **Administrative**

Summary Recommendation

Approve a one year lease, with two, one year automatic renewals with Lucky Ones to provide a coffee concessionaire in the Park City Library.

Executive Summary

- Lucky Ones is a consensus recommendation of the RFP selection committee.
- Lucky Ones is an organization that employs people with different abilities. https://luckyonescoffee.com/about-us.
- Lucky Ones commitment to social equity is aligned with the City's goals and is consistent with that of the Library's mission and staff values.

Acronyms

LO Lucky Ones
RFP Request for Proposals
TI Tenant Improvements

The Opportunity

- The coffee shop is a huge amenity for library patrons and the neighborhood.

Background

- The Park City Coffee Roasters terminated their lease in September 2017;
- An RFP was issued to find a new concessionaire was issued that same month to find a new concessionaire. Park City rejected all proposals and re-issued the RFP in December 2017. We received two proposals in response to the second RFP.
- There was a consensus among the selection committee to pursue Lucky Ones (LO), caveated on mentoring and business development assistance coming from the City's Economic Development Department. Primary support was based on the LO's social equity mission and local community ties. Primary concerns were based on lack of experience.
- Lucky Ones proposal includes purchase of wholesale beans for employees at City Hall and Public Works facilities. The cost is comparable to what PCMC currently pays.

Alternatives for City Council to Consider

1. **Recommended Alternative:** Award the Library coffee shop concessionaire lease to Lucky Ones.

Pros

a. The coffee shop is a sorely missed amenity for the library users, neighborhood and overall community;
b. Further advances City's Top Priority of Social Equity.

Cons

a. Little business experience. No coffee experience.
b. City's commitment to subsidizing free rent for at least one year.

Consequences of Selecting This Alternative

If the business is not sustainable we will have to find another service provider.

2. **Null Alternative:** Please briefly describe what happens if nothing is done to address this problem/if the status quo continues.

Pros

a. None seen

Cons

b. Empty space in library foyer diminishes the quality of experience for users.

3. **Direct staff to pursue substantive changes to the draft lease or to release another RFP.**

Pros

a. Opportunity to prioritize revenue making or a concessionaire with more coffee experience over social equity goals.

Cons

a. With the limited number of proposals to the RFP, we'd likely have to provide more incentives to get a deeper pool of respondents.

Analysis

What	Recommendation
Term	1 year lease with 2 auto renewals. Terms can be renegotiated at end of year with 60 days written notice. A progress update shall be given to City Council after the first six months of being open.
Rent	Rent free year 1.
Utilities	PCMC to pay all utilities. PCMC to provide plumbing upgrades to accommodate a dishwasher.
Tenant Imp.	There is a $10k TI budget. LO can purchase furniture, make changes to décor and other improvements with the approval of the Library Director. All TI's, fixtures and other furnishings will remain property of PCMC.
Timing	March 2 opening.
Hours	M-Sat 8am-5pm; closed Sun.
Staffing	One of the two owners will always be on site; plus a variety of individuals with different abilities.

Wholesale beans	Pay LO $10.50/lb for an estimated 1,250 beans annually for City Hall and Public Works buildings (approx. $13,125) via a separate purchase agreement. City currently paying $10.40/lb.
City Goals	Lucky Ones to provide good faith efforts to pursue business practices that align with City goals, not limited to social equity and environmentally friendly practices.
Business Dlvpt.	PCMC to provide good faith efforts to provide access to business mentoring and business development assistance where possible. Library shall take good faith efforts to coordinate and initiate mutually beneficial programming.

While Lucky Ones lack practical business experience, their commitment to employ and empower individuals with disabilities is a tremendous fit with the City's social equity goals. Their stated understanding of the City's biennial strategic plan and 2030 goals is a primary driver of staff's recommendation.

In order to facilitate a sustainable local business, staff recommends a lease that includes:

- No rent for the first year;
- Consistent hours Monday – Saturday (8am-5pm), closed Sun;
- Good faith commitments to business development and mentoring assistance with City and other local resources;
- Delivery of a facility that has adequate infrastructure to support the new concessionaire, including new plumbing upgrades to accommodate a dishwasher.

Department Review

Library, Executive, Economic Development

Funding Source

The tenant improvements budget will be paid from the current Economic Development Budget and the City Manager Contingency Budget. These tenant improvements will include improved furniture and other furnishings that will provide for a warmer user experience. These TI's will remain City property. Plumbing or other infrastructure upgrades will be accommodated through the Asset Management Budget. The Lower Park Avenue Operating budget will cover any utility costs.

Attachments

A Draft Lease
B LO response to RFP
C Park Record article: https://www.parkrecord.com/news/business/lucky-ones-coffee-serves-equality-for-people-with-disabilities/

Exhibit A

COFFEE SHOP/CAFE LEASE AGREEMENT
PARK CITY LIBRARY

This Agreement is made and entered into as of this ___ day of _______, 2018, by and between **PARK CITY MUNICIPAL CORPORATION** (hereinafter "City") and Lucky Ones LLC (hereinafter "Concessionaire").

WITNESSETH:

WHEREAS, the City owns a building known as the Park City Library located at 1255 Park Avenue, Park City, UT 84060, [hereinafter "Library"] which is open and available to the residents and visitors of Park City for public use; and

WHEREAS, the City desires to have at the library food and beverage refreshments available to the users of the library and members of the community; and

WHEREAS, Concessionaire desires to sell food and beverage refreshments at the library; and

WHEREAS, Concessionaire agrees to conduct said food and beverage refreshment business in a professional manner pursuant to the terms and conditions herein set forth,

NOW, THEREFORE, in consideration of the covenants and agreements of the respective parties herein contained, the parties hereto do hereby agree as follows:

1. **Description of Concession**. During the term of the Lease Agreement, the Concessionaire will be granted the right, at the library, in the location described below, to operate a food and beverage concession business, serving food and beverages to patrons of said library and members of the community. Food preparation shall be off site. The Library Director reviews and approves menu and pricing. The concessionaire will provide wholesale coffee beans for two City facilities, Public Works and City Hall buildings at a price of $10.50/lb.

(a) Concessionaire is permitted to be open during private Santy rentals.

(b) Any lessor of 3rd floor/ Santy auditorium is allowed to preclude outside food and beverage on the third floor at their discretion during their rentals.

(c) Concessionaire shall not offer fresh or bagged popcorn,

(d) Concessionaire is permitted to be open during private rentals of non-exclusive areas described in Section 2 herein during typical library hours (M-F: 10:00 a.m.-9:00 p.m.; Sat: 10:00 a.m.-6:00 p.m.; Sun: 1:00 p.m.-5:00 p.m.). The Concessionaire will have the coffee shop/cafe open for business to the public during the days the library is open to the public and during the Sundance Film Festival, unless a sublease or private function is approved by the City, or otherwise approved by the Library Director as herein. The Library Director may restrict operation during private rentals of non-exclusive use areas when the library is typically closed.

(e) The Concessionaire is allowed to be open outside of typical library hours. Concessionaire hours expected to be open are 8:00 a.m. to 5:00 p.m. Monday to Saturday; closed Sunday. Modifications to this will need to be approved by the Library Director.

(f) Failure to open or failure to open on time or early closure (more than: 15 (fifteen) minutes of approved Hours in Section D) can result in a $50 fine each occurrence. This fine will be assessed when the Economic Development Director is notified of an occurrence by Library staff.

(g) The Concessionaire will need to be able and competent in securing the building before and after library hours including setting and turning off the alarm system. A $25 fine can be assessed if the Concessionaire sets off the building alarm. This fine will be assessed when the Economic Development Director is notified of an occurrence by Library staff.

2. **Property.** The property hereby leased is the main floor coffee shop/café space, located at the library, 1255 Park Avenue, Park City, Utah, (the "Premises"), including exclusive use of the coffee shop (285 square feet), and non-exclusive use of decks (1,350 square feet) and restrooms (460 square feet) contains a total of 2,095square feet of restaurant space, as further described in Exhibit "A" attached hereto and made a part hereof.

3. **Term**. The term of this Agreement shall be for a period of one (1) year, with 2 (two), one year automatic renewals. Each party reserves the right to request renegotiation of any section(s) of this agreement or termination of the agreement prior to the automatic renewal provided

60 days written notice is provided to the other party. Lucky Ones shall coordinate with the Economic Development Manager to give the City Council a progress update after being open for six months.

4. **Rent** – There will be no rent for the space.

(a) Security Deposit. Before occupying the leased premises the Concessionaire must make a damage deposit of $500.00. Concessionaire will leave Premises in same or better condition than the "as-is" condition. Damage deposit may be used for any damages. If rent is more than thirty (30) days late, Concessionaire will be in default of this Lease Agreement and will vacate Premises within ten (10) days, subject to City Council discretion.

(c) Rent Commencement Date. This Lease Agreement shall commence on March 2, 2018, and the term of the Lease Agreement shall begin on that date.

(d) Financials. Concessionaire agrees to keep accurate books and records of expenditures related to its operation. The City or its independent auditor reserves the right to conduct its own annual audit of books and records at reasonable times and places during ordinary business hours. Concessionaire agrees to turn in all IRS forms, updated business plans, and other similar financial information by April 1 of each year if requested by City or within 60 days if specifically requested.

(e) Lucky Ones to meet quarterly with the Economic Development Director to review financials and discuss business development and mentoring opportunities.

5. **Authorized Use**. Concessionaire may sell beer and wine, provided that Concessionaire secures proper licenses and complies with all federal, State, and municipal laws and ordinances. Sales or service of beer or any other alcoholic beverage is governed by Paragraph 26 below.

6. **Payment of Taxes and Other Assessments**. Concessionaire shall pay all taxes and other assessments for its business during the term of this Lease Agreement. Concessionaire shall pay all sales or other taxes assessed on the operation of the concession business.

7. **Utility Services.** City shall be responsible to provide most utilities including, but not limited to, natural gas, electricity, sewer, and water for the Premises.. Concessionaire shall make provisions for their own telephone, cable, and internet service. However, City shall reimburse

the cost of these utilities. City shall provide plumbing infrastructure necessary for a dishwasher. City not responsible to provide dishwasher appliance.

8. **Use of Premises/Catering/Programming.** The Premises shall be used only for the purpose of a coffee shop. Outside food service or catering services outside of the library building are not permitted. Programming – The Concessionaire is allowed to create or host their own programming with the goal of driving more community participation and engagement. Concessionaire shall have any non-library programming that they host including, but not limited to events, classes, seminars, promotional ideas, forums, etc. approved, in writing, by the Library Director prior to conducting the activity. Concessionaire shall not program full length independent, documentary and foreign films that compete with the Park City Film Series program.

The Library will provide informal notice to Concessionaire of their intended programming of non-exclusive areas.

9. Licensing. The City and Concessionaire may also participate in other joint marketing efforts with the prior agreement of each. Concessionaire is responsible for obtaining all necessary licenses for its operation, including a Park City business license. Any private use that would close the Coffee Shop to the public requires prior approval by the Library Director.

10. **Care and Repair of Premises by Concessionaire.** Concessionaire has inspected the Premises and accepts it "as is" and as acceptable for the purpose of this Lease Agreement. The Concessionaire will not permit the use of the Premise in violation of any State law or County or municipal ordinance or regulation applicable thereto. Concessionaire, with the consent of the City but at the Concessionaire's own cost and expense and in good workman like manner, make such alterations or improvements to the Premises, excluding Common Areas, as Concessionaire may require for the conduct of its business without, however, materially altering the basic character of this structure or improvements, or weakening the structure of the Premises. Any permanent alterations or improvements to the Premises shall become the property of the City upon expiration or termination of this Lease Agreement

(a) Concessionaire shall have sole responsibility for maintaining and repairing all restaurant and kitchen equipment and facilities, including all sinks, microwaves, freezers, and refrigerators. All coffee shop/café equipment that the City owns maybe used by the Concessionaire on an "as is" basis and the City makes no claim of its condition or life span.

11. **Maintenance.** The City shall be responsible for all structural maintenance of the Premises, including the roof, foundation, structural members, and exterior wall surfaces. Concessionaire shall be responsible for all interior maintenance, including mechanical and electrical fixtures, lighting fixtures, janitorial service including trash and mopping resulting from the Concessionaire's use, and glass maintenance (both cleaning and replacement in the event of damage) which is within the exclusive and non-exclusive use areas of Premises or solely serves the Premises, excluding the rest rooms and utility closet. The City shall be responsible for mechanical systems which serve portions of the building other than, or in addition to the Concessionaire's space, as reasonably necessary to maintain the structure and to service common utility facilities.

12. **Access to other space**. Concessionaire shall not interfere with the access to other spaces within the building or obstruct the entrances to those spaces in any way. The City shall have access through Concessionaire's space as reasonably necessary to maintain the structure and to service common utility facilities. The City shall have the right to inspect the Premises at any time, with or without notice.

13. **Signs.** All exterior signs require affirmation from City Council prior to final approval. All signs must meet criteria of the City's Sign Code. The following restrictions apply to exterior building signs:

a) Patio Window Signs - No widow signs on patio windows or any other part of the patio or patio furniture.

b) Front Door Window Signs– Concessionaire will be able to replace existing front door window vinyl signs for coffee vendor. They can customize the specific hours. No other sizes or font allowed. Vendor will be able to state either their business name or website in 1" letters. Vendor will be able to add their logo below their name or website. Logo Sign not to exceed 4.25"x 5.5".

c) Monument Sign on Park Avenue - The City Council has directed staff to pursue changes to the Sign Code to allow a monument sign on Park Avenue. The final location and design to be affirmed by City Council. The sign shall conform to the Park City Sign Ordinance on date it is installed.

14. **Insurance and Indemnity**. The Concessionaire shall indemnify and hold the City and its agents, employees, and officers, harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, losses, damages, or

costs, of whatsoever kind or nature, brought against the City arising out of, in connection with, or incident to the execution of this Lease Agreement and/or the Concessionaire's defective performance or failure to perform any aspect of this Lease Agreement; provided, however, that if such claims are caused by or result from the concurrent negligence of the City, its agents, employees, and/or officers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Concessionaire; and provided further, that nothing herein shall require the Concessionaire to hold harmless or defend the City, its agents, employees and/or officers from any claims arising from the sole negligence of the City, its agents, employees, and/or officers. The Concessionaire expressly agrees that the indemnification provided herein constitutes the Concessionaire's limited waiver of immunity as an employer under Utah Code Section 34A-2-105; provided, however, this waiver shall apply only to the extent an employee of Concessionaire claims or recovers compensation from the City for a loss or injury that Concessionaire would be obligated to indemnify the City for under this Lease Agreement. This limited waiver has been mutually negotiated by the parties, and is expressly made effective only for the purposes of this Lease Agreement. The provisions of this section shall survive the expiration or termination of this Lease Agreement. No liability shall attach to the City by reason of entering into this Lease Agreement except as expressly provided herein.

The Concessionaire shall provide a Certificate of Insurance evidencing:

A. General Liability insurance written on an occurrence basis with limits no less than One Million Dollars ($1,000,000.00) combined single limit per occurrence and Three Million Dollars ($3,000,000.00) aggregate for personal injury, bodily injury, and property damage.

The Service Provider shall increase the limits of such insurance to at least the amount of the Limitation of Judgments described in Section 63-30d-604 of the Governmental Immunity Act of Utah, as calculated by the state risk manager every two years and stated in Utah Admin. Code R37-4-3.

B. Workers Compensation insurance limits written as follows:

Bodily Injury by Accident $500,000.00 each accident;

Bodily Injury by Disease $500,000.00 each employee, $500,000.00 policy limit.

C. The City shall be named as an additional insured on the insurance policies, with respect to work performed by or on behalf of the Concessionaire and a copy of the endorsement naming the City as an additional insured shall be attached to the certificate of insurance. The certificate of insurance shall warrant that the City shall receive thirty (30) days' advance notice of cancellation. The City reserves the right to request certified copies of any required policies.

D. The Concessionaire's insurance shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

15. **City Liable Only for Negligence and Intentional Acts**. Except where caused by City's negligence or intentional act, City shall not be liable for any failure of water supply, natural gas supply, or electrical supply; or for any injury or damage to persons or property caused by gasoline, oil, steam, gas or electricity; or hurricane, tornado, flood, wind or similar storms or disturbances; or water, rain or snow which may leak or flow from the street, sewer, gas mains, or any subsurface area or from any part of the building or buildings or for an interference with light.

16. **Nondiscrimination**. Concessionaire agrees not to discriminate against anyone on the basis of race, color, national origin, age, sex or handicap in its hiring practices, services or operation of its business hereunder.

17. **Waiver of Covenants**. It is agreed that the waiver of any of the covenants of this concession agreement by either party shall be limited to the particular instance and shall not be deemed to waive any other breaches of such covenant or any provisions herein contained.

18. **Type of Operation**. Concessionaire agrees to maintain and operate the coffee shop/cafe in a first-class manner and will keep the premises in a safe, clean, orderly and inviting condition at all times. All surfaces shall be regularly wiped down and be kept clean The coffee shop/cafe is to be operated as a convenience to the library patrons; therefore, all food, drinks, beverages, confections, and other items sold or kept for sale at the coffee shop/cafe will be of high quality. All food and merchandise kept for sale will be subject to inspection by the City. The service will be prompt, sanitary, courteous, and efficient.

19. **Concessionaire's Employees**. During hours of operation, the Concessionaire

will agree to retain an active, qualified, competent, and experienced employee at the coffee shop/cafe to supervise the concession operations. The Concessionaire agrees to be an equal opportunity employer and will hire qualified employees without regard to religion, creed, color, sex, age, national origin, or handicap status. The employee must be authorized to represent and act on behalf of the Concessionaire.

The Concessionaire's employees will be clean, courteous, efficient, and neat in appearance. The Concessionaire will not continue to employ any person or persons, in or about the Premises who shall use improper language or act in a loud, boisterous, or otherwise improper manner.

20. **Laws, Ordinances, Etc**. The Concessionaire will obey all the laws, ordinances, regulations, and rules of the federal, State, County and municipal governments which may be applicable to its operations. The Concessionaire will further agree to follow recommendations of the County Board of Health.

21. **Garbage Disposal**. The City will provide and the concessionaire shall use suitable covered receptacles for all garbage, trash, and other refuse on or in connection with the coffee shop/cafe. Piling of boxes, cartons, barrels, or other similar items in an unsightly or unsafe manner, on or about the library or surrounding premises, will not be permitted and must be removed daily to designated dumpster. When public trash receptacles become full, concessionaire will empty these into designated dumpsters.

22. **Political Activity Prohibited.** None of the funds, materials, property, or services provided directly or indirectly under the Lease Agreement shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office.

23. **Improvements.** The City will provide infrastructure to operate a coffee concession including but not limited to counters, millwork, storage, sink, plumbing, garbage cans, electrical and other utility connections. City to provide new garbage cans. City to provide locks and door hardware for the cabinets. City to provide a water line for a dishwasher. City will not provide specialty equipment or machines such as refrigerators or coffee machines, with exception of a Leader CBK 48" Refrigerated Bakery Display Case, Counter Height). The café will not have a commercial kitchen. There is not a drain line, floor drain or running water at or under the front counter tops.

Running water and a 3 sink can be found in the back of house/storage area. Immediate drainage to an espresso machine will need to be held in a temporary catch basin prior to being disposed of in the back sink. City to provide a one-time budget of $10,000 for furniture and other fixtures and equipment. The Library Director must approve and will make all purchases. Any furniture, fixtures and equipment will remain property of City. The budget shall not be used for any advertising or marketing, paint, signage or special flooring other than outlined above.

24. **Termination.** Either party may terminate this Agreement with 60 day written notice to the other for any reason. However, notice may not be given before four months from the execution of this Agreement.

25. **Alcoholic Beverages**. Concessionaire may sell beer or wine for functions and special events in the non-library, community spaces and outdoor patio, as described on Exhibit "A" attached hereto and made a part hereof, unless private lessor for 3rd Floor or Santy precludes per Section 1. Additionally, Concessionaire must comply with all federal, State, and municipal laws and ordinances relating to alcoholic beverages, beer, or liquor. Prior to any beer, wine, or liquor sales, Concessionaire must obtain the appropriate Park City license(s) and provide proof of the required Dramshop coverage.

26. **Party at Fault**. In the event either party shall enforce the terms of this Lease Agreement by suit or otherwise, the party found to be at fault by a court of competent jurisdiction shall pay the costs and expenses of the prevailing party, including reasonable attorney's fees.

27. **Failure to Perform Covenant**. Any failure on the part of either party to this Lease Agreement to perform any obligation hereunder, and any delay in doing an act required hereby shall be excused if such failure or delay is caused by any strike, lockout, governmental restriction, or act of God, or any similar cause beyond the control of the parties so failing to perform.

28 **No Assignment or Sublet**. The covenants and agreements contained within this Lease Agreement shall apply to the benefit of and be binding upon the parties hereto and shall not be assigned.

29. **Sublease.** Concessionaire shall not sublease Premises.

30. **Time**. Time is of the essence of this Lease Agreement and every term, covenant, and condition herein contained.

31. **Paragraph Headings**. The paragraph headings as to the contents of particular paragraphs herein are inset only for convenience and are in no way to be construed as part of such paragraphs or as a limitation in the scope of the particular paragraph to which they refer.

32. **Notices**. Any notice required or permitted to be given hereunder shall be deemed sufficient if given by a communication in writing by United States mail, postage prepaid and registered and addressed to the below-listed address of the party or to such other address as the parties may from time to time designate in writing.

As to City:

Park City Municipal Corp.
City Attorney
P O Box 1480
Park City UT 84060

As to Concessionaire:

Taylor Matkins
8847 Northcove Dr.
Park City, UT 84098

34. **Independent Contractor Relationship**.

A. The parties intend that an independent Concessionaire/City relationship will be created by this Lease Agreement. No agent, employee, or representative of the Concessionaire shall be deemed to be an employee, agent, or representative of the City for any purpose, and the employees of the Concessionaire are not entitled to any of the benefits the City provides for its employees. The Concessionaire will be solely and entirely responsible for its acts and for the acts of its agents, employees, or representatives during the performance of this Lease Agreement.

B. In the performance of the services herein contemplated, the Concessionaire is an independent contractor with the authority to control and direct the performance of the details of the coffee shop/cafe; however, the service and products contemplated herein must meet the approval of the City and shall be subject to the City's general rights of inspection and review to secure the satisfactory fulfillment thereof.

35. **Prohibited Interest**. No member, officer, or employee of the City shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

36. **Severability**.

A. If, for any reason, any part, term, or provision of this Agreement is held by a court of the United States or any state thereof to be illegal, void or unenforceable, the validity of the remaining provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.

B. If it should appear that any provision hereof is in conflict with any statutory provision of the State of Utah, said provision which may conflict therewith shall be deemed inoperative and null and void insofar as it may be in conflict therewith, and shall be deemed modified to conform in such statutory provisions.

37. **Entire Agreement**. This Lease Agreement constitutes the entire and only agreement between the parties with respect to this concession and it cannot be altered except by written instrument, signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement on the day and year first above-written.

PARK CITY MUNICIPAL CORPORATION

____
Andy Beerman Mayor

Attest:

____
Michelle Kellogg, City Recorder

Approved as to form:

____
Polly Samuels McLean, Assistant City Attorney

____

Katie Holyfield, Taylor Matkins, Owners

Lucky Ones LLC, a Utah limited liability Company

STATE OF UTAH)

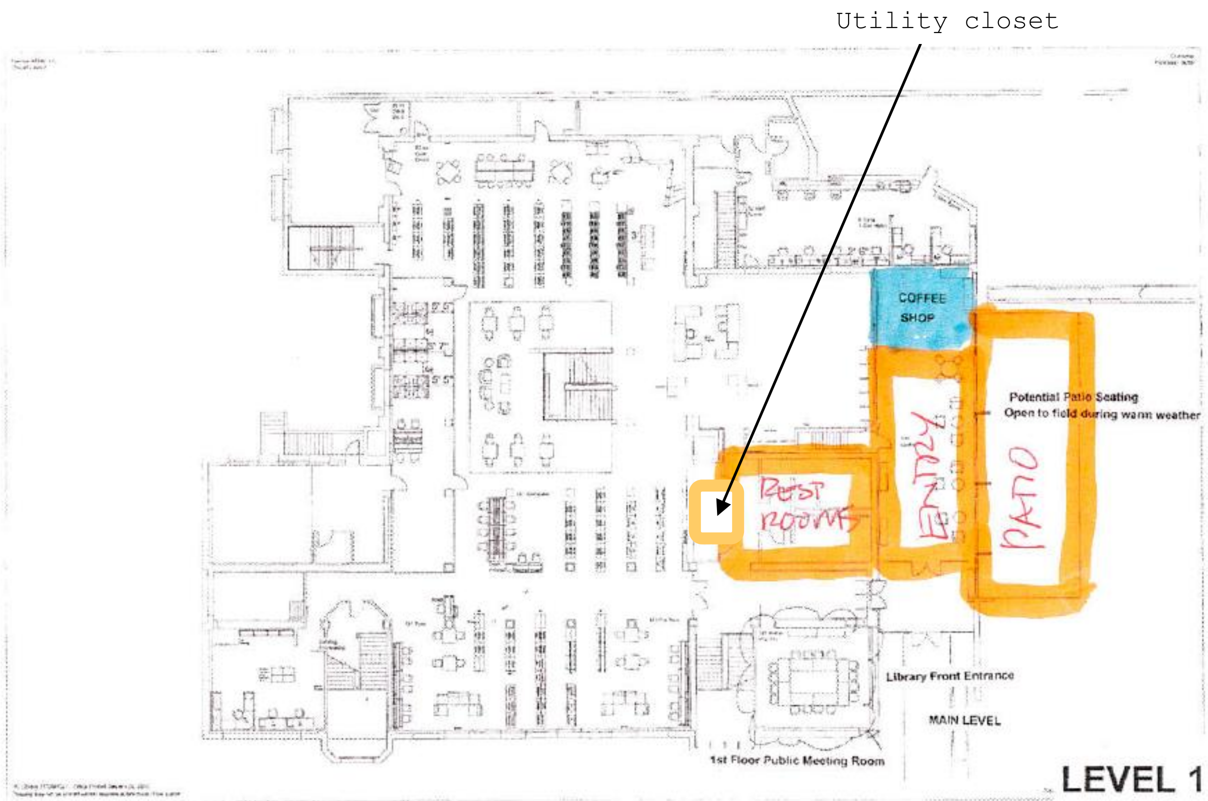
) ss.

COUNTY OF SUMMIT)

On this day of , 2018 before me, the undersigned notary public, personally appeared ____________________, personally known to me/proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same.

____
Notary Public
My commission expires:

Exhibit A – Leased Spaces



– EXCLUSIVE

– NON EXCLUSIVE

PARK CITY 1884

LUCKY ONES coffee

Park City Municipal

Library Coffee Shop

REQUEST FOR PROPOSAL

8847 Northcove Drive
Park City, Utah 84098

LuckyOnesCoffee@gmail.com
LuckyOnesCoffee.com

December 22, 2017

Park City Library
1255 Park Ave,
Park City, UT 84060

RE: Library Coffee Shop RFP

Lucky Ones Coffee will be a coffee shop that employs and empowers individuals with disabilities. Statistics show that 70% of individuals with disabilities are unemployed. We see an opportunity to change that! We get to experience the passion and love these individuals exude everyday and we would like to share that with you. Lucky Ones Coffee will offer a unique opportunity to make social equity a priority and commit to a movement of inclusion. We want to create fulfilling jobs for individuals with disabilities promoting acceptance, independence, as well as community inclusion.

Our team will include employees with a variety of different disabilities. We source our beans from Alpha Coffee, a Military Veteran owned coffee company. Alpha Coffee shares our mission of serving others by donating coffee to deployed troops. Our partnerships throughout Park City will unite us as a community through a sense of pride and acceptance.

The value of our team and the details of our qualifications are outlined in the following proposal. Please do not hesitate to contact us if you have any questions or comments. We look forward to the opportunity to discuss our vision further.

Thank you for giving us the opportunity to submit a Request for Proposal.

Sincerely,

Taylor Matkins
Co-owner of Lucky Ones Coffee

Katie Holyfield
Co-owner of Lucky Ones Coffee

01 Experience

The value of our team

Our team's passion, depth, and expertise are as diverse as our employees. We designed a team whose strengths compliment one another and are driven by the mission of social equity.

Owners: Taylor Matkins & Katie Holyfield

Taylor and Katie have worked in Park City at the National Ability Center for over two years. We have both worked in the adaptive world for individuals with disabilities in a variety of states and nonprofits. The love and joy we have experienced from these individuals is what excites us to share those moments with you.

Taylor has worked in the hospitality industry for years in Park City at the Marriott Summit Watch. She went to the University of North Carolina-Wilmington where Bitty's & Beau's Coffee shop started, a coffee shop that employs individuals with cognitive and developmental disabilities. This coffee shop was the inspiration behind Lucky Ones Coffee and recently won the 2017 CNN Hero Award.

Katie has vast management experience in the restaurant industry which will be an asset to Lucky Ones success. Katie runs the adult transition program for the National Ability Center, that teaches vocational skills for adults after they transition out of the school system.

Alpha Coffee: Carl Churchill

Carl Churchill is the owner of Alpha Coffee. He is not only our partner and coffee vendor but a mentor and business advisor to us as we transition into the coffee world. He will be assisting us in the development of our training

programs for our employees, to include how to operate the equipment and tricks to obtaining the best results while brewing. Alpha Coffee supports our mission by giving back to the community and donating coffee to deployed troops.

Our Employees

Our employees are the reason we do what we do! We will employ a variety of individuals with different abilities. We will tailor our training program to assess and develop personalized careers goals and develop a broader range of vocational skills for each individual. We will have servers, cashiers, bussers, and those who will come before and after the shop opens to setup and breakdown of all the equipment. We want to make sure Lucky Ones Coffee can provide as many opportunities as possible to help these individuals be successful within our communities.

Park City Community

The Park City community has been asking for social equity to become a critical priority and we believe this is an excellent step. We believe the community will rally around our mission and we hope to partner and support with local nonprofits and community leaders to ensure this projects success.

Rental Fee Proposal

02

For the rental fee, we are proposing 3% of Lucky Ones Coffee's net profits, as well as a 1 year lease, with two 1 year renewal options.

Our goal first and foremost is to create an atmosphere of kindness and acceptance. As our business grows, we hope to spend our profits on other educational and vocational opportunities for individuals with disabilities and this community.

With the proposed rental fee we are allowing the Park City Library to benefit from our presence while also giving ourselves room to grow and create the atmosphere of kindness and acceptance we are aiming for.

"A meaningful job comes from a conviction on your part that what you do at work is important, that your talents are being put to good use, and that your work makes a meaningful difference." - Dan Buettner

03

Proposed Menu and Pricing

ESPRESSO DRINKS

	12OZ	16 OZ
LATTE	$4.00	$4.50
CAPPUCCINO	$4.00	$4.50
CORTADO	$3.50	
MOCHA LATTE	$4.00	$4.50
AMERICANO	$3.00	$.3.25
CARAMEL MACCHIATO	$4.50	$5.00
ESPRESSO	$3.00	$3.50 (DOUBLE SHOT)

ICED DRINKS

	12OZ	16 OZ
ICED LATTE	$4.25	$4.75
ICED MOCHA	$4.25	$4.75
ICED WHITE MOCHA	$4.25	$4.75
ICED CARAMEL MACCHIATO	$4.75	$5.25

HOT DRINKS

	12OZ	16 OZ
DRIP COFFEE	$3.00	$3.50
HOT CHOCOLATE	$3.50	$4.00
CHAI LATTE	$4.00	$4.50
TEA	$3.00	$3.50

EXTRAS

ESPRESSO SHOT	$1.00
SOY/ALMOND/COCONUT MILK	$0.75
FLAVORED SYRUP	$0.50

Proposed Menu and Pricing

03

TREATS

QUICHE	$5.00	CHIPS & GUALCAMOLE	$5.00
MUFFIN	$3.00	CHIPS & SALSA	$3.00
COFFEE CAKE	$4.50	YOGURT PARFAIT	$5.00
LEMON BAR	$3.00	BAGEL & CREAM CHEESE	$3.50
GF BREAD	$4.50	COOKIE	$2.50
GF MUFFIN	$4.50		

04 Relationship

Bringing Lucky Ones Coffee into the coffee space at the library would be a perfect marriage, sharing similar missions and having values that are focused in the same direction. Lucky Ones Coffee will put Park City at the forefront of the inclusion movement. This city has stated that they want their future to have a strong focus on social equity. Our shop will be a catalyst for putting these plans into action.

Nationwide statistics show that over 70% of individuals with disabilities are unemployed. Partnering with the library will allow Lucky Ones Coffee and Park City to take a stand together and do something meaningful to change this. The Park City Library has set empowerment as a vision for their future. Employing and empowering individuals with disabilities is the mission statement behind Lucky Ones Coffee. Joining forces we can empower a whole community. Creating a space where inclusivity thrives will help breed kindness and compassion, which will spill over to create a stronger Park City.

With this partnership, the Library will gain a loyal following that wants to start their day with more than just a cup of coffee. Once people experience the heart warming atmosphere that Lucky Ones Coffee offers, nowhere else will compare.

The partnership between Lucky One's Coffee and Park City is sure to draw positive community support and feedback. The community will be supporting both social equity, by providing opportunities for individuals with disabilities, as well as supporting veteran and active military through our coffee partners, Alpha Coffee. We will source our beans from local veteran owned roasters, Alpha Coffee, which sends a portion of every batch they roast overseas to deployed troops.

Our goal in launching Lucky Ones Coffee in the library space is to give back to the entire community. Lucky Ones Coffee will inspire a community and create a culture where diversity is not just appreciated, it is celebrated. This is a core value that the library also pushes to instill. Because, the celebration of diversity is a catalyst for accepting, including, and respecting all individuals within our community.

PARK CITY 2030

Strategic framework created for Park City Municipal Corporation and the community to ensure that the Community Vision to "Keep Park City, Park City" is protected and holds true in 2030. This community vision is based on extensive feedback from residents. This framework is designed to engage the public, resulting in decisions that are more reflective of public concerns and values. The public have voiced concerns for the need to cultivate diversity within our community. This is a value both Lucky Ones Coffee and the library share with the community.

The City Council has heard these desires and concerns and has created council priorities based upon them. One of these priorities is making Park City an inclusive community of diverse economic and cultural opportunities. Lucky Ones Coffee will help fill a need in our community, as it will provide education, training and employment for individuals who in the past were not presented with these opportunities.

Lucky Ones looks forwards to being a member of the Park City business community. A community that puts an emphasis on locally sourced ingredients, and locally grown talent. Lucky Ones Coffee, will help boost not only the residents rating on the sense of community they feel here in Park City, but also the percent of residents who rate this community as an excellent example of openness and acceptance towards people of diverse backgrounds.

We are focused on moving the dial forward on key indicators that Park City has set for measuring their progress towards achieving their goal of an inclusive community. This framework also lays out Park City's goals to be governed in a responsible, cutting edge effective manner. Lucky Ones Coffee will bring to light a whole new workforce here in Park City. We can help to move Park City in the direction that its residents have envisioned, by creating a space that provides employees with the opportunity to do what they do best everyday. We plan to invest extra time in our most valuable asset, our employees, by providing extra training hours. Lucky Ones Coffee will show the world that Park City Municipal Corporation is headed in the direction that the public wants to see.

SUSTAINABILITY

Lucky Ones Coffee is dedicated to pushing forward the

> **"Only when it is easier to use the new tools than it is to revert to old habits will Park City 2030 be used to its fullest potential."**
> - Park City 2030

city's focus on creating a greener Utah. As an organization, we have applied to be a part of the Green Business Program created through Recycle Park City. We have contacted local community gardens to propose the idea of creating a partnership to donate used grounds for use as compost. We plan to also create our own "grounds for your garden" program in house, reusing the bags that our beans are packaged in. We will be offering used grounds to members of the community to pick up for use in their own gardens. We are committed to only offering biodegradable "to-go" containers. We will be offering a discount for any patron that brings in their own reusable mug, taking 20% off all drip coffee.

Business References & Licensing

05

To Whom It May Concern:

As the owner of Jackson's Base Camp, a locally owned and operated ski shop, I strive to make my shop one that people love returning to. Over the past six months I've reached out to multiple different organizations to co-op with in creating an environment that makes my patrons feel comfortable and turn their day at the resort into a life long memory. I've been 'lucky' enough to work with Lucky Ones Coffee in creating that environment. They have contributed to that tremendiously. What they are setting out to achieve is one that should be more welcomed around the world. They are providing a positive life experience and giving meaning to a lot of people and their families who otherwise would be struggling to do so. I've seen first hand how they work with their employees and the positive interaction they have with me, my employees, and all my guests. I can fully the support the idea of having Lucky Ones a part of the Park City community and will be donating $1,000 dollars to help get them set up for this voyage they are setting out on. I'd be happy to support them by speaking with you to settle any concerns you may have as I have only had a positive effect from their presence at Jackson's Base Camp.

Best Wishes,

Jackson Knoll
Jackson's Base Camp
P: 248-982-4645

NATIONAL ABILITY CENTER

Discover The Possibilities

T 435-649-3991 www.discovernac.org 1000 Ability Way
F 435-658-3992 info@discovernac.org Park City, Utah

December 2017

Letter of Support for Lucky Ones Coffee

As Utah residents, we are fortunate to live & work in a state ranking in the top 10 of the Nation's lowest unemployment rates at 3.3%. However, only a portion of our state's populace has benefited from the high demand for workers. Individuals with disabilities still rate close to 50% unemployed in Utah & even higher in rural counties like Summit & Wasatch.

The ethos of Lucky Ones Coffee is not that those they employ are lucky. It is the community, one that is lacking so severely in equal opportunities for employment, who is privileged for the open diversity organizations like Lucky Ones Coffee bring. Having personally worked with Ms. Holyfield & Ms. Matkins I have witnessed their undeniable work ethic, experience supporting individuals with disabilities, & overall passion for this field. Without a doubt, we as a community would be the lucky ones to have this business located in Park City & I confidently endorse them for your backing.

Please feel free to contact me for any additional information; I would be happy to furnish more details.

Sincerely,

Liz Longhurst MS, TRS, CTRS
Education & Community Programs Manager
National Ability Center
(435) 200-9307
LizL@DiscoverNAC.org

Other Business References:

Jim Herrin (801) 957-5441
Carl Churchill (801) 573-8475

Other Successful Businesses that Employ People with Disabilities:

Rising Tide Car Wash - Parkland, FL
Howdy Homemade Ice Cream - Dallas & Salt Lake
Bitty and Beaus Coffee - Wilmington, NC
Vinny & Bay's Coffee and Eatery - Panama City, FL
Our Coffee with a Cause - NY
Beneficial Beans - Phoenix
Breaking Grounds Coffee & Cafe - Mount Holly, NJ
Friendship Bakery - Glendale, WI
Special Kneads and Treats bakery Lawrenceville, GA

Lucky Ones Coffee LLC
Business Registration Number: 10628123-0160
Tax ID: 17S11758

State of Utah
Department of Commerce
Division of Corporations & Commercial Code

This certifies that this registration has been filed and approved on 11, December 2017 in the office of the Division and hereby issues this Certification thereof.

KATHY BERG
Division Director

06 Hours of Operation

Monday: 8:00am – 3:00pm
Tuesday: 8:00am – 3:00pm
Wednesday: 8:00am – 3:00pm
Thursday: 8:00am – 3:00pm
Friday: 8:00am – 3:00pm
Saturday: 9:00am – 3:00pm
Sunday: 10:00am – 5:00pm

"The only disability in life is a bad attitude."
- Scott Hamilton

07 Tenant Improvements

Our approach for the generous one time budget for tenant improvements will be to create an atmosphere in this coffee space that the community wants to be a part of. We will achieve this atmosphere by using the money provided by the city as well as the resources already in our possession.

We see the need to take this space from sterile to more cohesive with our mission; somewhere that exudes energy and warmth and that everyone feels welcome.

We will align this space with ADA regulations, so that this is a space that everyone can feel comfortable. We will also focus on our dedication to sustainability. We've preached sustainability and plan to continue fulfilling this mantra by giving the area a face lift instead of a total overhaul.

Marketing Plan

08

We will promote Lucky Ones Coffee through multiple social media platforms, pop up coffee events featuring local businesses, and community outreach events. We will continue to serve free coffee at Jackson's Base Camp, a ski rental shop, to market to tourist and locals on the mountain.

We have already begun establishing ourselves as the go to coffee shop for local fundraising by partnering with other businesses like the National Abilities Center and Lululemon. By attending numerous events in the Park City area this will help boost awareness of our brand and our mission. As a result of attending these events and interacting with customers we are building a loyal customer base.

We also have a widespread online presence with people across the country sharing and interacting with our posts. This is a presence that has reached from coast to coast and will continue to grow. We will continue positing new content on social media weekly in order to engage with our audience and build a relationship with our customers.

We have sent out a press release to local news, and have been interview by the Park Record. KUTV2 and Dishing have also reached out about giving us a spotlight. We will continue making public appearances like this because as part of our marketing plan we want to advocate for this population.

Recently, we spoke in front of the Park City Council with the mission of elevating social equity to be one of the council's critical priorities. Our advocacy was then released on KPCW radio. We are committed to continuing with a platform of social advocacy for individuals with disabilities, we will use these opportunities to educate the community, spread our mission, and promote our cause.

Wholesale Beans

09

We propose using Alpha Coffee through Lucky Ones Coffee. We would charge $15,500 annually for 1,250 pounds of coffee. We can provide pre-ground 5lb bags to eliminate the need for grinders. This is an option that will provide the city with exceptional coffee as well as supporting two worthy causes.

Timeline

10

Signed Contract	January 1, 2018
Hiring Completed	January 10, 2018
Training	January 11-17, 2018
Renovations Completed	January 17, 2018
Opening Day	January 31, 2018

LUCKY ONES
coffee

8847 Northcove Drive
Park City, Utah 84098

LuckyOnesCoffee@gmail.com
LuckyonesCoffee.com