City Council
Staff Report

PARK CITY 1884

CITY MANAGER'S OFFICE

Author: Jan Scott
Subject: MARSAC REMODEL
Date: November 20, 2003
Type of Item: Work session
Informational/administrative

Summary Recommendations:
Concur with staff's recommendation to proceed with a remodel project for the Marsac Municipal Building, for the reception area and corridors in an amount not to exceed $35,000 to be funded by the CIP Municipal Building Authority account. Formal City Council approval is not required, but staff wanted to inform you of this upcoming project and provide an opportunity for Council input.

Description:
Topic:
The plan is to carpet and paint the bottom half of the corridor walls and remodel the reception area. Painting the bottom portion of the walls will still be effective and will significantly cut costs and minimize disruption of business. The main level reception area's modular office would be removed and replaced with furnishings that fit the style of the building, similar to the furniture and oak wainscoting in the Executive Offices.

Background:
This project relates both to Council's open and responsive government goal and more recently, the focus on preservation of City-owned facilities. Staff is recommending using the CIP MBA account for this purpose because expenditures qualify.

Analysis:
Council is faced with deciding to invest in a building whose future is unknown. Carpeting and painting the building last occurred in 1995 and is now long overdue. Our hallways look dirty and worn; it's a poor visual. This portion of the project represents about $26,000. Some level of painting is needed with the recent installation of the unfinished handrails.

The furniture purchased for the reception area and the reupholstered hallway benches can be used again in a new building or retro-fit. Quality furniture is not an asset that typically depreciates and represents about $5,700. The proposed oak wainscoting and doors will only run around $1,500.

This appears on work session to inform Council about the features of the project and its funding. It's also important to memorialize projects associated with progress on Council goals. No portion of the project triggered issuing a formal RFP and it is proposed that the City Recorder manage the project, which curtails costs. Staff has collected quotes from local contractors. It is hoped that construction activity, slated though the holiday season, will be less disruptive than other times of the year. Associated services and purchases are estimated as follows:

Carpet	$15,000
Installation and removing existing carpet	4,000
Painting/staining	7,000
Reception desk	1,800
Miscellaneous office furniture/furnishings	2,000
Two doors and oak wainscoting	1,500
Reupholster 8 benches	
Material	1,940
Labor	1,760
Total	**$35,000**

Department Review:
City Manager and Budget and Grants Manager.

Alternatives:
A. Approve the Request:
B. Deny the Request:
C. Continue the Item:
D. Do Nothing:

Significant Impacts:
Funds for this project can be sufficiently covered in the MBA account, whose balance is $53,546. The overall balance in the space needs fund is $107,000.

Consequences of not taking the recommended action:
Carpeting the Marsac Building is long over-due. It is likely that a retrofit will not occur for several years.

Recommendation:
Approve the request so the project can proceed as presented.

City Council
Staff Report

Economic Development & Capital Projects

Author: Colin Hilton
Subject: Review of recommendations of the Task Force On Downtown Enhanceme
Date: 11-20-03
Type of Item: Informational Update & Reques for Authorization to proceed with Additional Analysis

Summary Recommendation:
Review the findings of the 2003 Task Force on Downtown Enhancements and provide direction on the following suggested next steps:

1) Instruct Staff to pursue any needed survey, technical study, or funding research steps necessary to put more clarity and detail to the suggested task force recommendations. Any individual expenditures beyond $20,000 would come to City Council for authorization to proceed. The Downtown Revitalization Fund currently has funds capable of covering an investigative study needs.

2) Consider any budget allocations or amendments for any supported projects as a part of Spring 2004 City Budget Review.

Description:
Topic: Review of recommendations of the task force on downtown enhancements

Background:
During the Spring 2003 City Budget review, City Council instructed Staff to put together a group that would take a holistic approach to reviewing capital project needs in the downtown area. This was prompted by Council's uneasiness to approve a CIP line item in the City Manager's recommended budget for a $4.8 million parking structure. Concerns stated at the time included a curiosity of how other downtown project ideas would impact the need for additional parking supply.

With assistance from Council Liaison's Jim Hier & Fred Jones, Staff organized a task force that set out to accomplish the following:

1. Discuss, debate, and make suggestions as to what capital improvement projects & program development ideas should receive further attention by the City and interested individuals & organizations.

2. Review 1998 Downtown Action Plan (DAP)
   a. Report on the status of proposed projects
   b. Decide which unfinished projects should be acted on.

3. Discuss and identify any new factors that have come into play that were not present in 1998. (ie: mix of business, competition from surrounding areas, etc.)

4. In light of the new factors, discuss and identify any new capital project or program ideas that would enhance the vitality and activity in downtown.

5. Identify potential funding sources for projects either left unfinished from the 1998 DAP or newly suggested project/program ideas.

6. Summarize Task Force recommendations & report back to City Council.

Membership in the task force included (2) council liaisons, (2) planning commissioners, (3) HMBA business owners, (2) Old Town residents, and a number of City Staff. Over the course of an eight week period, the task force met to discuss the outlined task force responsibilities.

Analysis:

The full findings of the Task Force are outlined in the attached report.

Important highlights include:

"The task force started with a review of the ideas generated by the 1998 Downtown Action Plan (DAP) committee. While much of the previous committee's suggested projects have been completed, those that were not, have now become the focus of the current task force's primary recommendations."

"Upon reviewing the ideas generated, the task force would like to stress the need to view and the suggested projects and program ideas as integrated.

Drawing upon previous studies & actions (1998 Downtown Action Plan, 2002 Hyatt Palma Study, HMBA plan to create a BID, 2002 OTIS Study, etc), this task force strongly suggests that both capital project and program development initiatives need to be made together in order for an effective implementation strategy to work."

"In a nutshell (the task force recommends actions to):

1. Implement a capital project plan that creates a new downtown outdoor activity center while providing for a consolidated and expanded parking supply.
2. Create an operating organization that has a budget to promote, program and plan activities in the downtown area.
3. Strive to properly track and adjust to economic data trends.
4. Further define a multi-pronged funding strategy that can support these integrated projects and programs."

Many of the suggested ideas from this recent task force are similar in nature to suggestions brought up by previous studies (1998 DAP, 2002 Hyatt Palma Study, 2002 OTIS Study). Additionally, the nature of the projects suggested by this recent task force also reinforces the recent goals set by City Council for economic development initiatives.

Staff has included as an attachment, a "draft – Prioritization Summary of Park City's Economic Development Initiatives." Based on earlier direction from City Council, City Staff has taken the results of the recent goal setting exercise and created a "evolving document" that visually portrays the links between the developed goals, strategies, and projects geared towards economic development. It is Staff's plan to further develop this document and discuss it as a part of the January workshop with City Council. Even in draft form, it is important to point out how multiple efforts are pointing towards similar suggested projects.

Department Review: This report has been reviewed by the City Manager's office, Special Events & Facilities Dpt., Planning Dpt., Budget Dpt., and Public Works Dpt.

Alternatives:
Approve Staff's recommendation
Modify in some way the suggested Staff recommendation
Deny approval to proceed with Staff's recommendation

Significant Impacts / Consequences of not taking the recommended action:
If no action is taken, the risks include loss of business and activity in our downtown area to regional and other resort competition. Further delays could result in the same issues lingering for years to come.

Recommendation:

1) Instruct Staff to pursue any needed survey, study, or funding research steps necessary to put more clarity and detail to the suggested task force recommendations. Any individual expenditures beyond $20,000 would come to City Council for authorization to proceed. The Downtown Revitalization Fund currently has funds capable of covering an investigative study needs.

2) Consider any budget allocations or amendments for any supported projects as a part of Spring 2004 City Budget Review.

Attachments:

a. Summary Report
b. Draft "Prioritization Summary of Economic Development Initiatives"

Summary Report
Recommendations of the Task Force
for Downtown Enhancements

Membership:
Fred Jones
Jim Hier
Andrew Volkman
Bruce Erickson
Rick Anderson
Monty Coates
Ken Davis
John Plunkett
Barbara Kuhr
Patt Putt
Jonathan Weidenhamer

Report written by Colin Hilton

Date: November 20, 2003

Recommendations of the 2003 Task Force for Downtown Enhancements
Draft – November 12, 2003

I. Summary of Task Force Purpose

The 2003 Task Force for Downtown Enhancements set out to accomplish the following:

1. Discuss, debate, and make suggestions as to what capital improvement projects & program development ideas should receive further attention by the City and interested individuals & organizations.

2. Review 1998 Downtown Action Plan (DAP)
   a. Report on the status of proposed projects
   c. Decide which unfinished projects should be acted on.

4. Discuss and identify any new factors that have come into play that were not present in 1998. (ie: differing mix of businesses, competition from surrounding areas, etc.)

4. In light of the new factors, discuss and identify any new capital project or program ideas that would enhance the vitality and activity in downtown.

6. Identify potential funding sources for projects either left unfinished from the 1998 DAP or newly suggested project/program ideas.

6. Summarize Task Force recommendations & report back to City Council.

The Task Force met to discuss & itemize a list of recommendations on suggested capital projects and program ideas for enhancements to the downtown area. Starting on September 30th, the task force met every two weeks for a total of four meetings. The following report reflects the discussions and recommendations given.

II. Meeting Topics / Ideas Generated

The following is a collection of thoughts, ideas, and comments made by various task force members throughout the 8 weeks of task force meetings. This section merely lists ideas captured in meeting notes and does not necessarily reflect the collective views of the entire task force membership. Section III provides a listing of the group supported recommendations.

Topics / Ideas / Comments generated:

A. 1998 DAP Status & Summary of Projects Unfinished
   - A Parking Structure was suggested to be completed within 12 months of the 1998 report. Action has not been taken on this recommendation of a previous task force.
   - Bulb-outs and sidewalk dining areas were suggested with numerous actions taken over the past 5 years. Only requests for increased sidewalk dining areas remain.
   - The suggestion of a gathering area(s) near Main/ Swede/Post Office and/or Heber/Main location were made in the 1998 report. Action was not taken since it was recommended. Increased emphasis on this has been a topic of much recent discussion.
   - Additional public art displays were encouraged in the DAP report with increasing desires to see greater emphasis placed on this goal over recent years.
   - Additional "coordinated" wayfinding signage did see efforts made – however several members of the recent task force recommend another push to coordinate the messaging better.
   - Refuse structures were suggested to hide unsightly dumpsters. One location has been built. A second location near China Bridge remains unfinished pending the direction given on any possible enhancements to the existing garage.
   - Swede Alley sidewalk & lighting improvements were emphasized in the 1998 DAP. Not a whole lot was done to implement the suggested projects. Increasing growth and activity in this area suggests doing improvements to make this area more "pedestrian-friendly."

- The corridors and pedestrian linkages to and from Main Street were emphasized many years ago, and have seen beautification projects improve these walkways. Additional efforts to improve these access ways were supported by the majority of the new task force.

B. New Factors In Play in 2003

1. Transit Center existence on Swede Alley – this addition now places a much greater emphasis and first impression on transit visitors entering Main Street from Swede Alley.
2. Main Street Use Shift
   a. A loss of office & personal service industries (salon etc) has occurred
   b. Usage has changed on Main Street. (you don't pull up in your car to visit the hardware store anymore). The commercial mix of businesses has changed.
3. Parking
   a. There is an increasing perception problem of parking in Old Town.
   b. There are more times that there is a supply shortage
   c. Not so much a new factor, but an ongoing debate about how to best park in downtown remains a contentious issue suggesting further actions be made.
4. Swede Alley's continued development
   a. There is a continued increase in commercial storefronts on Swede Alley
5. Regional commercial growth is providing increased competition to Main Street

C. General Statements

- A collaborative effort should be made to enhance the unique character of Main St
- Recognition of regional competition (big box) needs to be had with a way to differentiate the attraction of "In-town" businesses.
- We should promote a unique experience to both locals and tourists
- A new target audience should be:
  - Lost locals (including Basin). What can we do to bring them back? No compelling reason to come
  - Locals come when: 1. They are showing town to guests. 2. It's economically feasible (2 for 1's) 3. For events
  - Local service industry (salons) and other general industry (offices) forced off the street
  - Wasatch Front day visitors?
- We should be looking at filling vacant 2nd story and basement spaces
- There is a finite # of square footage, restaurant seats, parking, etc. Rather than creating more commercial space through zoning and new development, we need to promote the most efficient use of existing space.

- You know the existing sign program is not working if more and more signs keep popping up.

D. Suggestions on Downtown Area Capital Projects

- Gathering/Activity spot – "Downtown Plaza" concept
    - We should investigate this concept further and review all possible locations. If a Post Office site is best, conduct an in-depth analysis.
    - We should define the scope – produce conceptual plans (square footage, cost, capacity, intended use)
    - Needs to be supported with an updated public transportation and parking plan.
    - Need to review the parking impacts.
    - All contingent on a proper funding plan.

- Expanded Parking Structure
    - Consolidate needed parking supply to the existing China Bridge structure
    - Promote easier access between China Bridge floors with connection all the way through from Swede Alley to Marsac
    - Increase ease to reach the overflow Sandridge lots
    - Mixed-use square footage on front face of proposed garage?
    - Simple, clear message on where to park
    - Funding thoughts

- Other Parking Lot Enhancements
    - Sandridge improvements (lighting, stairs, make more friendly, signs)
    - Parking under Main Street Mall
    - Marsac to Swede Alley connection behind China Bridge structure
    - Comprehensive way finding program for parking (public and private)
        1. Electronic auto count
        2. Maps of available stock at every lot
        3. Mitigation plan for when no spaces are available

- Close Main Street
    - Start with event closure periods to test out

- Sidewalk improvements
    - Main Street – No push for widening of sidewalks
        - Leave alone. Fact of life in mountain town
    - Widen a little for added outdoor dining areas in certain areas
    - Swede – We should have at least one complete sidewalk (east or west) for the length of Swede Alley

- Lighting on Swede
  Replicate main street fixtures.

- Parking on Main Street
  - Maintain current pay system
  - Adjust pay system to traditional meters
  - Go with diagonal parking (lose 60 spaces, allows wider sidewalks)

- Refuse Buildings
  Should look into doing a cost estimate for enclosed structure adjacent to china bridge as:
  i) Part of new parking structure
  ii) Stand alone
  Cosmetic improvements to existing building- Mural / art

- Redevelop brewpub parking lot
  - Create mixed use to terminate commercial end of main st.
  - City should possibly lease or sell to private developer w/stipulations
  - Should maintain existing numbers of parking spaces in any suggested development here.

- Museum Expansion Project – Has positive influences on other downtown project ideas
  - Suggests promoting a sense of arrival as you leave the transit center coming towards Main Street (Signage and building painting)
  - Enhance the pedestrian links to Main Street (both from Transit center side and from Park Avenue side – Deffenbach land – creating an east-west link to Main.)
  - A good example of creating "destination attractions" for the downtown area.
  - Suggest Downtown Park City as an overall destination area – not just Main Street.
  - Resort /Tourism focus supports the notion of promoting "destinations"

- Add additional mixed-use development in Swede Alley
  - Create a live-work-play-shop/eat activity area
  - More pedestrian-oriented, more urban, mixed economy
  - Expand downtown retail / restaurant to Swede Alley
  - Provide for additional 2nd floor office space and third floor and above residential units.
  - Residential units for affordable housing? Assisted living? Upscale condo's?

- Expand off the idea of the Downtown Plaza concept

E. Suggestions on Program Development Ideas in the Downtown Area
   - Publish quarterly sales tax reports – differentiate by type use (rest v retail, etc)
   - Measure other indicators (wealth, # of 2nd home owners, etc.)
   - Promote better utilization of 2nd story & basement retail / office space
   - Look to create an umbrella organization to promote, stage events, and market the downtown area(ie vail valley association or DDA type of organization - events / marketing of downtown)

F. Funding Strategies
   - A Main Street RDA extension could be sought for a two year extension – per approvals from just the P.C. School district. A longer extension could be looked into for anywhere from 10 to 20 years extended. The longer term extension would require approvals from 5 of the 8 members of a RDA committee – consisting of (2) City appointments, (2) PC School District appointments, (1) State School Board representative, (1) Fire District member, and (2) County appointments.
   - Currently – a cap of $1.3 million a year is put on the RDA's funding – The current Main Street RDA area collects 8-10 times that. A request to increase the ceiling could be made if desired with decent arguments.
   - Of the $1.3 million/ year collected – an approx. $400,000/yr mitigation paymkent is made to the PC school district. Therefore, any extension of the Main Street RDA would produce a net gain of approx. $900,000/yr.
   - Other possible funding sources were itemized, but with little time for discussion. They included:
     - A possible increase to the TRT rate.
     - Increase of up to a ½ percent on the resort city tax
     - Special Improvement District area
     - Private / Public partnerships – with allowances for placing mixed-use development along with the public projects.
     - Sales Tax revenue bonds
     - Property tax increases
     - City CIP & general fund $$'s
     - RAP Tax / Restaurant tax $$'s
   - Generally speaking, the group was in favor of having multiple funding sources pay for the suggested projects. However – much of the discussion focused primarily on the concept of extending the Main Street RDA.
   - Thoughts were expressed at contacting the County early on to introduce the thought of the City's desire to do the extension of the RDA.

III. Recommendations of the Task Force

Overview

The task force started with a review of the ideas generated by the 1998 Downtown Action Plan (DAP) committee. While much of the previous committee's suggested projects have been completed, those that were not, have now become the focus of the current task force's primary recommendations.

Much foresight and creative energy was placed in the 1998 DAP and those who served on that committee should be commended for their action-oriented visions.

Listed below is a collection of new and old ideas put into categories of recommended:

- ✓ Capital Projects
- ✓ Program Ideas
- ✓ Funding Suggestions

The level of detail on many of the suggested projects is conceptual and broad in scope. It is felt that the City Staff could further analyze and report on such areas as cost projections, land-use impacts, and detailed funding options. If the current City Council also concurs on the appropriateness of the concepts put forward, it is strongly recommended by the task force members that these be acted upon in a swift, action-oriented way.

Rationale for Suggested Implementation – "Projects/Program Ideas are Linked Together"

Upon reviewing the ideas generated, the task force would like to stress the need to view and the suggested projects and program ideas as integrated.

Drawing upon previous studies & actions (1998 Downtown Action Plan, 2002 Hyatt Palma Study, HMBA plan to create a BID, 2002 OTIS Study, etc), this task force strongly suggests that both capital project and program development initiatives need to be made together in order for an effective implementation strategy to work. In other words, one suggested project needs another. One capital project needs another capital project. A brick and mortar project needs an effective program to best use it!

An overriding theme supported by the entire task force is the need to further enhance and promote Park City as an overall attractive "destination." The uniqueness of Park City is in its make-up of the town's three resorts and a Main Street that binds it all together. We should do more to articulate and brand our town with this unique destination message. Not only should we market these unique elements, but we should do more with our downtown infrastructure to give increased reasons for visitors and residents to spend more time here.

The elements suggested below either are destination elements themselves or enhance the ability to utilize and access the overall downtown destination area.

Recommended Capital Projects

1. Downtown Plaza Concept - (a strong, catchy name is needed for this!)
    a. The concept of providing a gathering space that can be utilized in many different creative ways is consistent with numerous City goals.
    b. The suggested location would be from the current Post Office, 5th Street to the steps up to City Hall.
    c. Possible uses could include:
        - Everyday green space enjoyable to both visitors and locals
        - Venue for holding events of all varieties
            i. Biggies – Art Fest, Jazz Fest, America's Opening, Sundance, etc.
            ii. Not so biggies – Wednesday night concert series, farmers markets, entertainers of all shapes and styles
            iii. Unknown – a place for any creative entity to come up with a good idea to host an event or approved display
        - Site for town gatherings, assemblies, peaceful demonstrations
        - Site for public art displays
        - A focal point for Main Street & all of Park City
    d. The scope of this concept should include:
        - Appealing landscape features: to possibly include a water feature
        - Sidewalks, "street/park furniture"
        - Enhanced lighting similar to Main Street
        - Stage with support infrastructure for permanent power & speaker wiring
        - Permanent restrooms
        - A long-term Post Office presence on Main Street – the location of the post office on Main Street is extremely important and would remain an integral part of any gathering space concept.
    e. It is the task force's opinion that further research should be done. To include potential impacts on parking and area businesses. The feasibility of this taking into account uses of the post office property and the costs associated with acquiring additional land. Cost estimates and potential funding sources per the scope outlined above would be a good next step.

2. An Expanded / More Accessible China Bridge Parking Structure
    a. Suggestion is to expand the existing China Bridge structure to:
        a. Improve the accessibility of existing floors of China Bridge

b. Improve the accessibility and ease of getting to the overflow Sandridge Lots
c. Consolidate lost surface parking from other downtown area projects
d. While constructing to improve the accessibility and to recover the lost surface spots due to the new downtown improvements, build as many additional parking spaces as possible in the area previously looked at in the OTIS study. Rough estimates project this to be an added 320 spaces with a loss of close to 100 spaces – therefore giving the downtown area a net gain of approximately 220 spaces.
e. Create an ability to simplify the parking directional signage by designating this parking facility as the primary parking lot for those who choose to drive downtown.
f. Concentrate on adding the parking supply and enhanced access ways without trying to add a mixed-use commercial component to it. Earlier thoughts of masking the added parking element with a public safety or commercial / residential mixed use component would seemingly be counterproductive in attempts to gain a parking supply. New commercial development would only generate new parking needs.

3. Improved and enhanced pedestrian walkways / features on Swede Alley, Main Street, and other thoroughfares leading to the downtown area.
   - ✓ Improved wayfinding signage
   - ✓ Added Swede Alley sidewalk along its west side
   - ✓ Widened sections of Main Street sidewalk to allow for added outdoor dining and small gathering spaces.
   - ✓ A new refuse structure near or in an expanded China Bridge structure

The task force is also very supportive of the planned expansion of the history museum. This project serves as a terrific example of creating an enhanced destination attraction.

Program Ideas

1. Look into setting up an organization that promotes, markets, and programs events for the downtown area.
   - ✓ With the fact that there is no clear cookie-cutter model to do this, attempt to piece together an organization that has a "board" that is made up of an assembled group – say of the City, Chamber, HMBA, restaurant association, etc – whoever had a vested interest.

- ✓ Suggest having a full-time Executive Director position who would execute a comprehensive strategy for promoting the downtown area.

Recent studies the City has commissioned have mentioned this before (Hyatt Palma). The recommendation would be to act on this as soon as possible.

Funding Suggestions

1. Look for multiple sources of funds to pay for the suggested projects
2. Favor as the most intriguing source of new funds, the thought of extending the Main Street RDA – minimum of 2 years. Desired 20.
3. Ideally have a dedicated funding source for the umbrella organization looking to program events and promote the downtown area.
   a. Perhaps corral a pool of existing funding sources (Rest tax, RAP tax, city tax, dues, fees, etc) to get a better bang for the buck with a cohesive long-reaching organization.
4. Look into putting the upper Main Street parking lot (Brew Pub lot) out for a sale / lease arrangement to solicit development proposals that could generate new funds while still maintaining the same amount of parking space.

Summary

In a nutshell:
1. Implement a capital project plan that creates a new downtown outdoor activity center while providing for a consolidated and expanded parking supply.
2. Create an operating organization that has a budget to promote, program and plan activities in the downtown area.
3. Strive to properly track and adjust to economic data trends.
4. Further define a multi-pronged funding strategy that can support these integrated projects and programs.

Vision

To provide long-term economic health for the greater Park City region through a proper balance of tourism initiatives and quality of life desires for those that live in and visit the area. As a guiding principle, all economic development initiatives will consistently strive to sustain a vibrant multi-seasonal destination resort community.

Goals (FY2004-FY2005)

Top Priority

- Further diversify the summer tourism initiatives with aggressive efforts to promote a broadened and more active summer season.
- Improve upon an already busy winter tourism season with efforts to maximize its full potential.
- Lengthen the tourism season to eight busy months a year.
- Facilitate the establishment of more "attractions/areas of interest" for both visitors and residents.
- Protect, preserve, and promote the historic Main Street downtown area as the heart of the region.
- Maintain and improve upon the Quality of Life

High Priority

- Further develop and market the uniqueness of Park City and why it is set apart from other mountain resort communities
- Foster and support cooperative partnerships & programs between the resorts, business community, Chamber of Commerce and local governments to promote increased business in all periods of the year.
- Smartly increase the sales tax revenue base.
- Make Park City more inviting and "User-Friendly" for organizers to throw events and for attendees to enjoy them.
- Proactively target business sectors that will fill voids left by departing companies or for smart redevelopment reasons.

Strategies

Strategy 1:	Work towards a balanced transportation and pedestrian infrastructure plan throughout Park City
Strategy 2:	Attract more festivals and events –winter & summer
Strategy 3:	Promote ways to sustain existing events
Strategy 4:	Add recreation space and facilities for attracting more tournaments and visitations
Strategy 5:	Develop a private foundation (i.e., Vail Valley Foundation) for events, festivals and performing arts underwriting
Strategy 6:	Provide greater participatory attractions
Strategy 7:	Provide additional Recreation Opportunities as Attractions
Strategy 8:	Provide more passive cultural tourism attractions
Strategy 9:	Promote greater diversity of the commercial mix
Strategy 10:	Strengthen the existing Commercial Mix (City-Wide)
Strategy 11:	Develop additional funding and marketing sources for events
Strategy 12:	Promote Park City as a year round mountain resort conference center destination
Strategy 13:	Extend visitor stays / fill beds
Strategy 14:	Improve the ease of permitting events
Strategy 15:	Enhance existing attractions
Strategy 16:	Create a cultural alliance
Strategy 17:	Promote Redevelopment within Park City
Strategy 18:	Target more Wasatch front (day visitors)
Strategy 19:	Retention and development of existing businesses
Strategy 20:	Apply the tag line "User Friendly" to projects and marketing programs geared towards showing how easy and fun it is to live and visit Park City.
Strategy 21:	Promote locally owned, independent businesses
Strategy 22:	Take advantage of the recent Olympic attention & pursue projects that keep those visions and connections going.
Strategy 23:	Update the Land Management Code to match priority goals of the economic development plan
Strategy 24:	Promote smart development at the Quinn's Junction area
Strategy 25:	

Projects / Programs

Top Priority Projects

1. "Downtown Plaza" – An activity area
2. Improved and Expanded China Bridge Parking
3. A Downtown Organization to:
   a. Plans & programs downtown events
   b. Further promote & market the downtown area

- Rockport Pipeline
- Spiro & Judge Treatment Plants

High Priority Projects

4. Swede Alley pedestrian improvements
5. Outdoor Municipal Recreation Complex
6. Regional Ice Rink
7. Smart Messaging signs for parking information / events
8. Improved Wayfinding Signage / Info Boards
9. Prospector Area Needs Assessment
10. Assist in finding a tenant for the Main Street Mall
11. Appointment of Special Events Committee
12. Provide a widely distributed monthly calendar of events
13. Streamline the event application process
14. Develop Park-n-Ride lots
15. Widened areas of sidewalk on Main Street
16. Assist PC businesses on retention & dvlpmnt initiatives
17. Do a market analysis of downtown businesses
18.

Others Projects

19. Relocating Overhead Utilities – Upper Park Ave
20. Olympic Legacies
21. Entry Corridor Improvements
22. Construct a 40,000-50,000 sq' convention center
23. Find a way to interconnect the in-town resorts
24. Promote activity displays in Main Street storefronts
25. Build a second golf course
26. Revisit regulations that are restrictive to outdoor dining, merchandising , and music
27. Continue building trail network infrastructure
28.

City Council Staff Report

PARK CITY
1884

Planning Department

Author Patrick J. Putt, Planning Director
Subject: Olympic Legacy Tower CUP Review
Date: November 20, 2003
Type of Item: Work Session

Summary Recommendations: Maintain Olympic Legacy Tower Conditional Use Permit as approved by Council on November 21, 2002.

Topic: One (1) Year Review of Olympic Legacy Tower Conditional Use Permit.

Background: On November 21, 2002, Council approved a conditional use permit for the installation of the Olympic Legacy Tower in the Olympic Welcome Plaza located at the intersection of SR 224 and SR 248. The tower is located in the RCO District and within the Frontage Protection Zone. Council's approval overturned the Planning Commission's recommendation to deny the project. Council's approval included a condition of approval that required a one-year review by the City Council for on-going compliance with the requisite Land Management Code conditional use permit requirements. The tower was erected December 2002. The City approved lighting for the structure in June 2003.

Analysis/Discussion : The Olympic Legacy Tower was installed in compliance with all conditional use permit requirements set forth in the Land Management Code, Section 15-1-10(D): Conditional Use Permit Review Process—Standards for Review. No changes, other than the approved code-compliant lighting, have been made to the tower. No changes to the Olympic Welcome Plaza have occurred since the tower approval that would affect the tower's compliance with the LMC, compatibility with surrounding uses or structures. The Planning Department has received no complaints regarding the tower to date. Staff has not identified any additional issues which require mitigation.

Recommendation: The Planning Department finds that no circumstances exist in regards to the Olympic Legacy Tower that have not been mitigated. Staff recommends that the November 21, 2002 Conditional Use Permit stand as approved by Council.

City Council
Staff Report

PARK CITY 1884

Public Works Department

Author: Kent Cashel, Asst Pub. Wks Dir.
Eric Nesset, Transportation Manager
Subject: ADA PARA-TRANSIT PROGRAM AMMENDMENTS
Date: November 20th, 2003
Type of Item: Discussion

Summary Recommendations:
The Mayor and City Council should review and comment on proposed changes to the City's current ADA Para-transit program. Staff will return on December 4th with draft revisions to the current para-transit program and a public hearing should be held on that date. Staff will prepare a final ADA Para-transit program and request Council adopt that program at the December 11th City Council meeting.

Background:
The American with Disabilities Act (ADA) requires any entity that provides public transportation to also provide a complementary para-transit service to individuals that meet eligibility criteria defined in the act.

The ADA requires that para-transit service provide(at a minimum):

1. Curb-to-curb service must operate the same hours as fixed route service.

2. Service must be provided to any ADA eligible individual that resides within ¾ mile of any fixed route operated by the transit provider.

3. Service area must include all areas within ¾ mile of any fixed route operated by the transit provider.

4. The program must allow individuals to schedule next-day trips (within one hour before or after their requested time). Recent court cases have interpreted denial of any trip within this one-hour time frame a violation of the regulations.

Eligibility requirements included in the ADA:

1. Any individual who as a result of a specific physical or mental impairment is unable to independently ride or disembark from an accessible fixed route vehicle.

2. Any individual who as a result of a specific mental or physical impairment cannot independently travel to or from a bus stop on a regularly scheduled route.

Although it is not required by the ADA the City's current program includes anyone 65 years of age or older (Seniors) in its eligibility criteria. The ADA does not restrict public transit providers from expanding the eligibility requirements for para-transit service. However, if a program includes expanded eligibility criteria (e.g., Seniors) this inclusion must not result in untimely pick-ups, trip denials, missed trips or excessive trip lengths for individuals meeting ADA eligibility requirements.

Park City Transit currently operates its para-transit service using one full time bus driver, and one para-transit bus. To control costs weekend and evening hours service is provided utilizing supervisors or on-call drivers. Para-transit service is provided to, and paid for by, Summit County under an inter-local agreement. Summit County is responsible for Seniors transit needs for County residents. However, under the current para-transit program all County Seniors qualify using the age based qualification criteria.

Seventy-three individuals are currently certified to utilize the City's para-transit program. Fifty-nine (80%) of the certified riders have qualified under the current age criteria (65 years or older). A sample of recent trip logs indicate that Seniors account for approximately 85% of the approx. 3500 annual rides provided by Park City's para-transit service.

The Transit Development Plan adopted by Council on October 30th of 2003 recommended considering the removal of the age based eligibility requirement from Park City's ADA program.

Analysis:

The inclusion of an age based eligibility criteria within the City's para-transit program significantly increases the likelihood that current capacity will be unable to service all requests within the 1 hour time frame required by the ADA during peak times. This exposure will become more acute as the City begins to provide service deeper into Summit County and travel distances become greater. For example, one trip to and from the Silver Lake area to Pinebrook can take 50-60 minutes to service depending on traffic and road conditions.

It is important to note that Summit County pays a portion of the para-transit programs operating expenses based upon ridership generated by County residents. However, Park City residents generate a large portion of all para-transit trips in Summit County.

A cost-effective approach to maintain ADA compliance (while still providing a rich level of service to Park City's Seniors) is to remove the current age eligibility criteria from the City's para-transit program. This would be accomplished by creating two separate programs (ADA para-transit and the Seniors Mobility program). The same vehicle and driver would serve both of these programs until service demands require additional resources.

The table below details key elements of the current and recommended programs. This table provides a quick view of service changes Staff is recommending.

The table shows that the only service change for Park City Seniors is that reservations will be guaranteed only on a space available basis. (i.e., outside the one-hour window required under the ADA if necessary).

	ADA Para-Transit Requirements	Current Para-Transit Program	Recommended Para-Transit Program	Recommended Seniors Mobility Program
Eligibility	Any individual with a physical or mental impairment that restricts their ability to travel to and from bus stops or to board, ride and disembark traditional fixed route service.	- ADA eligibility requirements -Any individual within the service area 65 years of age or older.	- ADA eligibility requirements.	-Any Park City resident 65 years or older.
Service Hours	Same as fixed route service.	Same as fixed route service.	No Change	No Change
Service Area	All areas within ¾ mile of any fixed-route service.	All areas within ¾ mile of any fixed-route service.	No Change	No Change
Service Characteristics	Door to Door or Curb to Curb	Door to Door	No Change	No Change
Next-day reservations	Required	Guaranteed	No Change	Ride provided as close to requested time as space allows.
Same day reservations	Not required	On Space Available Basis (Mon-Fri)	No Change	No Change
Allowable variance from requested reservation	Ride must be provided within one hour before or after requested time	Ride must be provided within one hour before or after requested time	No Change	Ride provided as close to requested time as space allows.

The development of two programs (Seniors and ADA para-transit) will enable the City to continue to adhere to ADA requirements and control costs with minimal, if any, impact to Park City's Senior's mobility needs. These changes while minor in nature will provide Staff with much more flexibility in managing peak loads while limiting the need to add additional equipment and drivers.

It is important to note that those Seniors that have a physical or cognitive condition that prevents them from being able to ride fixed-route service will be eligible to re-certify under the revised ADA para-transit program and will experience no-change in service. Staff anticipates that this will have little if any impact on Senior riders. However, Staff will record and monitor the number of service requests that cannot be served within one-hour of requested reservation time and will take appropriate action if these numbers become significant.

If Council should agree to the separation of the ADA para-transit and Seniors transportation programs Staff will prepare draft program plans and return to Council with those on draft plans on December 4th.

Department Review:

The City Manager's Office, The City Attorney's Office and Public Works have reviewed this report.

Alternatives:

Approve the Request:

The Mayor and City Council should review and comment on proposed changes to the City's current ADA Para-transit program. This is Staff's recommendation.

Deny the Request:

The Mayor and City Council could direct Staff to make no changes to the City's current ADA Para-Transit program. Staff does not recommend this alternative.

Continue the Item:

The Mayor and City Council could continue this item. Staff does not recommend this alternative.

Do Nothing:

The Mayor and City Council could continue this item. Staff does not recommend this alternative.

Significant Impacts:

Creating two separate programs for Seniors and ADA eligible riders will mitigate the City's exposure to violating the no trip denial provision of the ADA. However, it may not delay or eliminate the need for additional drivers and equipment to provide both services. This uncertainty exists as many riders currently certified using the age requirement may also be eligible under ADA defined eligibility criteria. The cost savings of these changes will only be clearly known after current riders are required to re-certify under the new program criteria.

Consequences of not taking the recommended action:
If Council should choose to not take the recommended action the City will continue to be exposed to violating ADA requirements. Staff will likely need to include a budget request for an additional vehicle and drivers as part of the 2004 budget process (approx. $55,000 for a vehicle and $75,000 annual operating costs).

Recommendation:
The Mayor and City Council should review and comment on proposed changes to the City's current ADA Para-transit program. Staff will return on December 4th with draft revisions to the current para-transit program and a public hearing should be held on that date. Staff will prepare a final ADA Para-transit program and request Council adopt that program at the December 11th City Council meeting.

City Council Staff Report

Author: Mark Christensen
Subject: CDBG PLANNING GRANT
Date: November 20, 2003
Type of Item: Informational

PARK CITY 1884

BUDGET, DEBT, AND GRANTS

Summary Recommendations: Authorize staff to submit a CDBG Planning Grant Application for $60,000 (50/50 City/MAG match).

Description:

Topic: CDBG Planning Grant Recommendations Based on Public Hearing

Background:
On November 6, 2003 the City held a public hearing soliciting public comment for the CDBG Grant Pre Application. At that meeting several recommendations were made for this funding program. Proposals included projects designed to aid Senior Citizens in the Community, the People's Health Center, and Affordable Housing. During the public hearing the most commonly discussed issue was Affordable Housing Planning.

Analysis:
Pursuant to the public comment received on November 6, 2003, Staff has begun preparing a Planning Grant application for the FY2004 CDBG funding cycle from Mountainland Association of Governments (MAG). As part of that application Council directed Staff to identify the funding requirements for the planning grant. Staff is recommending a Planning Grant in the amount of $60,000. This would be a 50/50 match to assist Park City in the analysis and prioritization of affordable housing needs to meet the housing needs of its growing low/moderate income persons (LMI). The City's 50 percent match will come from the Affordable Housing CIP.

The City's Housing Strategies Document based on the 2000 Census highlights several issues associated with affordable housing and the needs of Park City residents.

Demographic Changes between 1990 and 2000

- Park City's population increased 65 percent over the past decade.
- There are 2,705 households. Sixty-one percent are owner-occupied and 39 percent are renter households, slightly lower than the national homeownership rate of 68 percent.
- The median household income in 2000 was $65,800, an increase of 67 percent during the past decade. While this is dramatic, increases in income did not keep

pace with increase in housing costs. Median cost for owner-occupied housing increased 170 percent over the past decade to $450,900. Median rent costs increased 52 percent to $898 in 2000.

- 10 percent of our population is living below the poverty level (742).

- A household is cost-burdened if it pays more than 30 percent of gross income for housing costs. Thirty-nine percent of renter households are cost-burdened; nearly one-in-three renters pay more than 35 percent of their income for rent. Similarly, 37 percent of homeowners are cost-burdened with nearly one-in-three paying more than 35 percent of their income for mortgage, taxes and insurance. The level of cost-burdened households increased in the past decade. In 1990, 21 percent of homeowners and 27 percent of renters paid more than 35 percent of income.
- Approximately 13 percent of Park City's population is over 55 years of age; five percent is age 65 and older. High housing costs, particularly rents, take a high proportion of elderly household income. Moreover, for those retired on fixed incomes, the costs of homeownership, particularly maintenance, generally constitute a much larger portion of monthly income than that of employed homeowners.
- Special needs of individuals with disabilities vary depending upon the particular disability. Seven percent of Park City residents report a disability.
- Park City is fortunate that of its almost 300 publicly assisted units, only one project is at risk of conversion. That project, the Parkside Apartments, is under contract for purchase with Mountainlands Community Housing Trust. The other properties, including Iron Horse, Aspen Villas, Silver Meadows and Holiday Village have long-term deed restrictions that will not expire for decades. Of greater concern are units that are not assisted, but provide affordably priced housing.

These issues represent a proven need in the community. The planning study will look at Park City as well as incorporate the relative housing issues of the surrounding region to gain a better understanding of the population and affordable housing needs. This study will provide the information and resources necessary to set long term affordable housing goals and strategies. The CDBG Pre Application is due on December 1, 2003.

The City has not applied for CDBG funds for the past few years. The CDBG funds are distributed within MAG based on need, prior year funding, and other ranking criteria. A copy of the application and criteria is available for public review through the Budget, Debt, and Grants Department.

Department Review:
City Manager, Customer and Technical Services, and Budget, Debt, and Grants

Alternatives:
Approve the Request: Council can approve a request and direct staff to submit an Affordable Housing Planning Grant application.
Deny the Request: Council could direct staff to apply for another CDBG eligible project or to not apply for funding this year.

Continue the Item: Council could continue the item. Failure to authorize staff to submit the planning grant will result in a lost opportunity to apply for 2004 CDBG funding.
Do Nothing: This option will result in a lost funding opportunity.

Significant Impacts: Park City is eligible to receive CDBG funds through MAG. By submitting an application for the pre application process the City will be eligible for potential funding.

Consequences of not taking the recommended action: Park City has historically not received CDBG funds in the past few years. Failure to submit an application will prevent Park City from potentially receiving CDBG funding in the FY2004 CDBG cycle.

Recommendation:

1. Authorize staff to submit an Affordable Housing Grant application for the FY2004 CDBG Funding.

Janet M. Scott, City Recorder

City Council Staff Report

PARK CITY 1881

Planning Department

Author: Jonathan Weidenhamer
Subject: 405 ONTARIO PLAT AMENDMENT
Date: November 20, 2003
Type of Item: Legislative

Summary Recommendations:
Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving the Plat Amendment according to the findings of fact, conclusions of law and conditions of approval outlined in this staff report.

Description:

B. Topic:

Project Name:	Kincaid Subdivision Plat
Representative:	Lance Kincaid
Owner of Property:	The Kincaid Family
Location:	405 Ontario Avenue
Zone:	Historic Residential (HR-1)

C. Background:

The applicant is requesting a plat amendment to combine all of Lots 31 and 32 of Block 55 of the Park City Survey into one lot of record, for the purpose of constructing an addition to the existing historic home on the site. If approved, the plat amendment will create a lot of approximately 3,750 square feet. In addition to the historic home on the site, a contemporary single-family structure also exists. The Kincaid Family owns both homes. A condominium conversion would be required if the Kincaid's ever wished to sell either structure separately. Access to the contemporary home is from Ontario Avenue. Access is provided to the historic structure via the 4th Street Stairs. It has no parking or legal access to an improved City street. The certified survey of the land shows a minor encroachment onto the site near the northwest corner in the form of a concrete walkway. The applicant is encroaching to the south onto the 4th Street right-of-way with stairs to the front porch, and also with a few small retaining walls. Any existing or future encroachments will require an encroachment permit.

D. **Analysis:**
The historic home crosses the lot line between lots 31 and 32. The contemporary home also straddles the lot line. Although the proposed addition does not increase the footprint of the building, the lot line should be removed prior to any future work to either of the homes. The property is located in the HR-1 zone. The proposed addition and remodel of the home is an allowed use in the HR-1 zone provided it meets the criteria in LMC Chapter 15-2.2, and the Historic District Design Guidelines. The applicant has submitted an application for Historic District Design Guideline review, which is currently being reviewed by staff. The proposed lot complies with all required LMC lot size, lot arrangement, lot dimension and access requirements. Because one of the existing homes is historic, the Land Management Code Section 15-2.2-4 exempts it from off-street parking requirements (not including lockouts and accessory apartments). When the Kincaid's built the contemporary home in 1995 they also provided a third parking spot intended for allocation to the historic home (in addition to the LMC required 2 parking spaces for the contemporary home).

E. **Notice**
Notice of this hearing was sent to property owners within 300' on October 30, 2003. Staff has received no comments from the public at the time of this writing.

F. **Department Review:**
The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on September 30, 2003, where representatives from local utilities and City Staff were in attendance.

Alternatives:

E. **Approve the Request:**
Consider approving the plat as proposed or modified; or
F. **Deny the Request:**
Consider denying the plat; or
G. **Continue the Item:**
Request more information

Recommendation:
Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and approve it according to the findings of fact, conclusions of law and conditions of approval outlined below:

Findings of Fact:

1. The property is located in the Historic Residential (HR-1) zone.
2. The HR-1 zone is a residential zone characterized by a mix of larger contemporary residences and smaller historic homes.

3. The plat amendment will combine all of Lots 31 and 32 of Block 55 of the Park City Survey into one lot of record.
4. The purpose of the plat is to allow construction of an addition to the existing historic home on the site.
5. The plat amendment will create a lot of approximately 3,750 square feet.
6. In addition to the historic home on the site, a contemporary single-family structure also exists. The Kincaid Family owns both homes. A condominium conversion would be required if the Kincaid's ever wished to sell either structure separately.
7. Access to the contemporary home is from Ontario Avenue. Access is provided to the historic structure via the 4th Street Stairs. It has no parking or legal access to an improved City street.
8. The certified survey of the land shows a minor encroachment onto the site near the northwest corner in the form of a concrete walkway. The applicant is encroaching to the south onto the 4th Street right-of-way with stairs to the front porch, and also with a few small retaining walls.
9. No remnant lots will be created as a result of this application.
10. The Planning Commission forwarded a unanimous recommendation to approve this plat amendment at their November 12, 2003 meeting

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

Conditions of Approval:

City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.

Prior to the receipt of a building permit, the applicant shall submit an application for review for compliance with the Historic District Design Guidelines.

No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.

Any existing or future encroachments will require an encroachment permit prior to issuance of full building permits.

The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

EXHIBITS

Exhibit A – Ordinance

Exhibit B - Location Map

Exhibit C - Proposed Plat Amendment
Exhibit D - Photograph of site

Exhibit A

Ordinance No. 03-

AN ORDINANCE APPROVING A PLAT AMENDMENT TO COMBINE ALL OF LOTS 31 AND 32, BLOCK 55 OF THE PARK CITY SURVEY LOCATED AT 405 ONTARIO AVENUE.

WHEREAS, the owner of the property known as 405 Ontario Avenue, has petitioned the City Council for approval of a plat amendment; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on November 12, 2003 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to remove one lot line between two lots of record creating one lot of record; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

11. The property is located in the Historic Residential (HR-1) zone.
12. The HR-1 zone is a residential zone characterized by a mix of larger contemporary residences and smaller historic homes.
13. The plat amendment will combine all of Lots 31 and 32 of Block 55 of the Park City Survey into one lot of record.
14. The purpose of the plat is to allow construction of an addition to the existing historic home on the site.
15. The plat amendment will create a lot of 3,750 square feet.
16. In addition to the historic home on the site, a contemporary single-family structure also exists. The Kincaid Family owns both homes. A condominium conversion would be required if the Kincaid's ever wished to sell either structure separately.
17. Access to the contemporary home is from Ontario Avenue. Access is provided to the historic structure via the 4th Street Stairs. It has no parking or legal access to an improved City street.
18. The certified survey of the land shows a minor encroachment onto the site near the northwest corner in the form of a concrete walkway. The applicant is encroaching to the south onto the 4th Street right-of-way with stairs to the front porch, and also with a few small retaining walls.
19. No remnant lots will be created as a result of this application.

20. The Planning Commission forwarded a unanimous recommendation to approve this plat amendment at their November 12, 2003 meeting

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

5. There is good cause for this plat amendment.
6. The plat amendment is consistent with the Park City Land Management Code and applicable State law.
7. Neither the public nor any person will be materially injured by the proposed plat amendment.
8. As conditioned the plat amendment is consistent with the Park City General Plan.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the receipt of a building permit, the applicant shall submit an application for review for compliance with the Historic District Design Guidelines.
3. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
4. Any existing or future encroachments will require an encroachment permit prior to issuance of full building permits.
5. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 20th day of November, 2003.

PARK CITY MUNICIPAL CORPORATION

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Dana Williams, Mayor

Attest:

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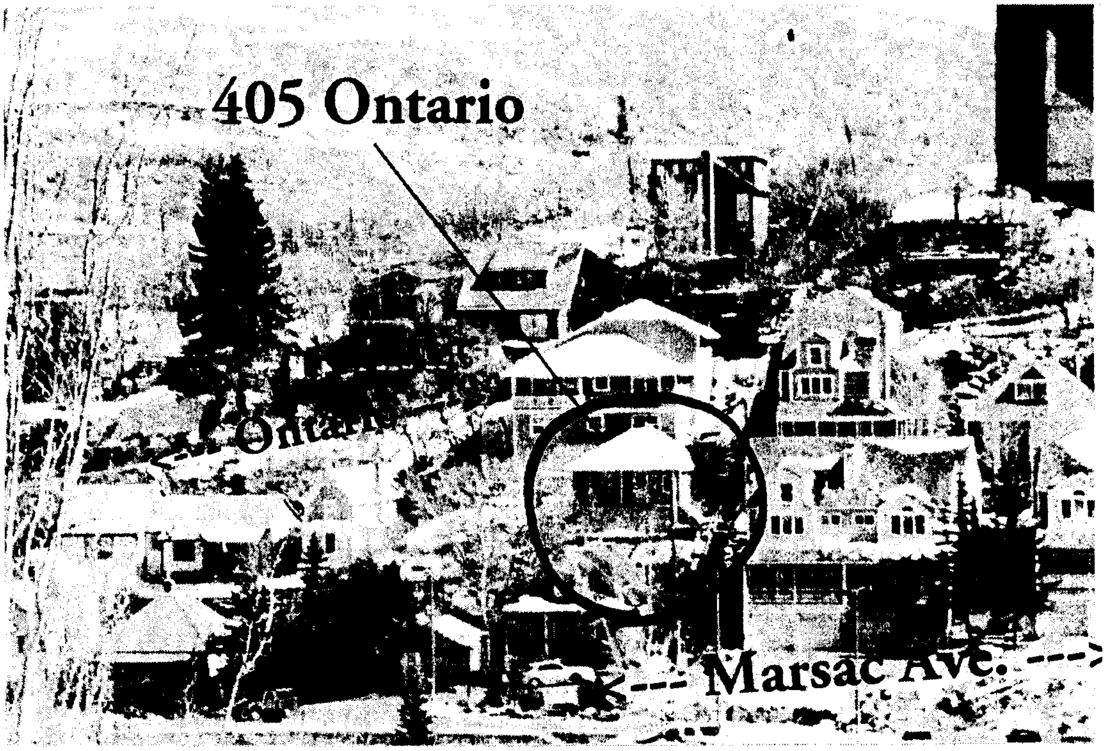
Janet M. Scott, City Recorder

Approved as to form:

____
Mark D. Harrington, City Attorney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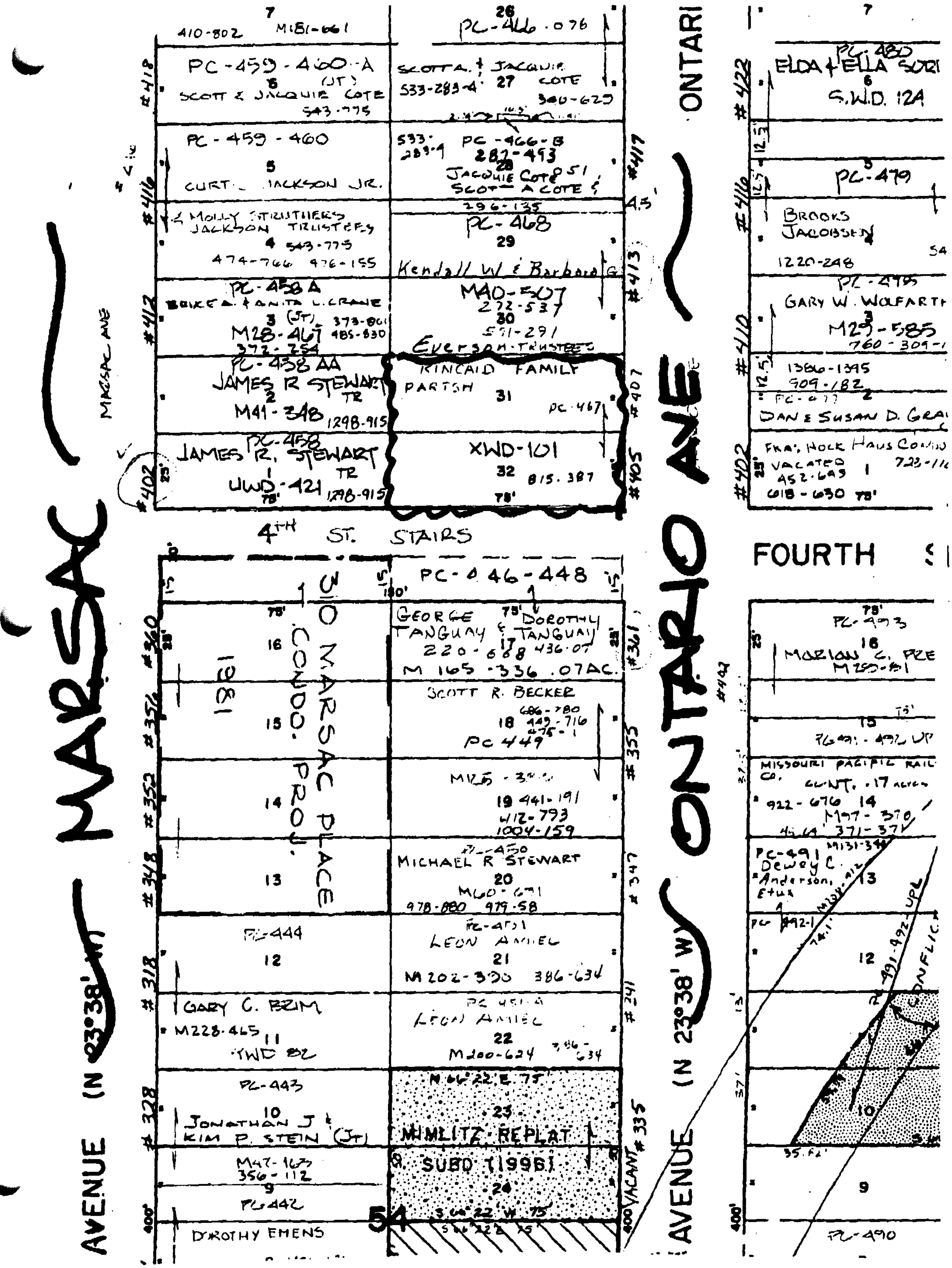
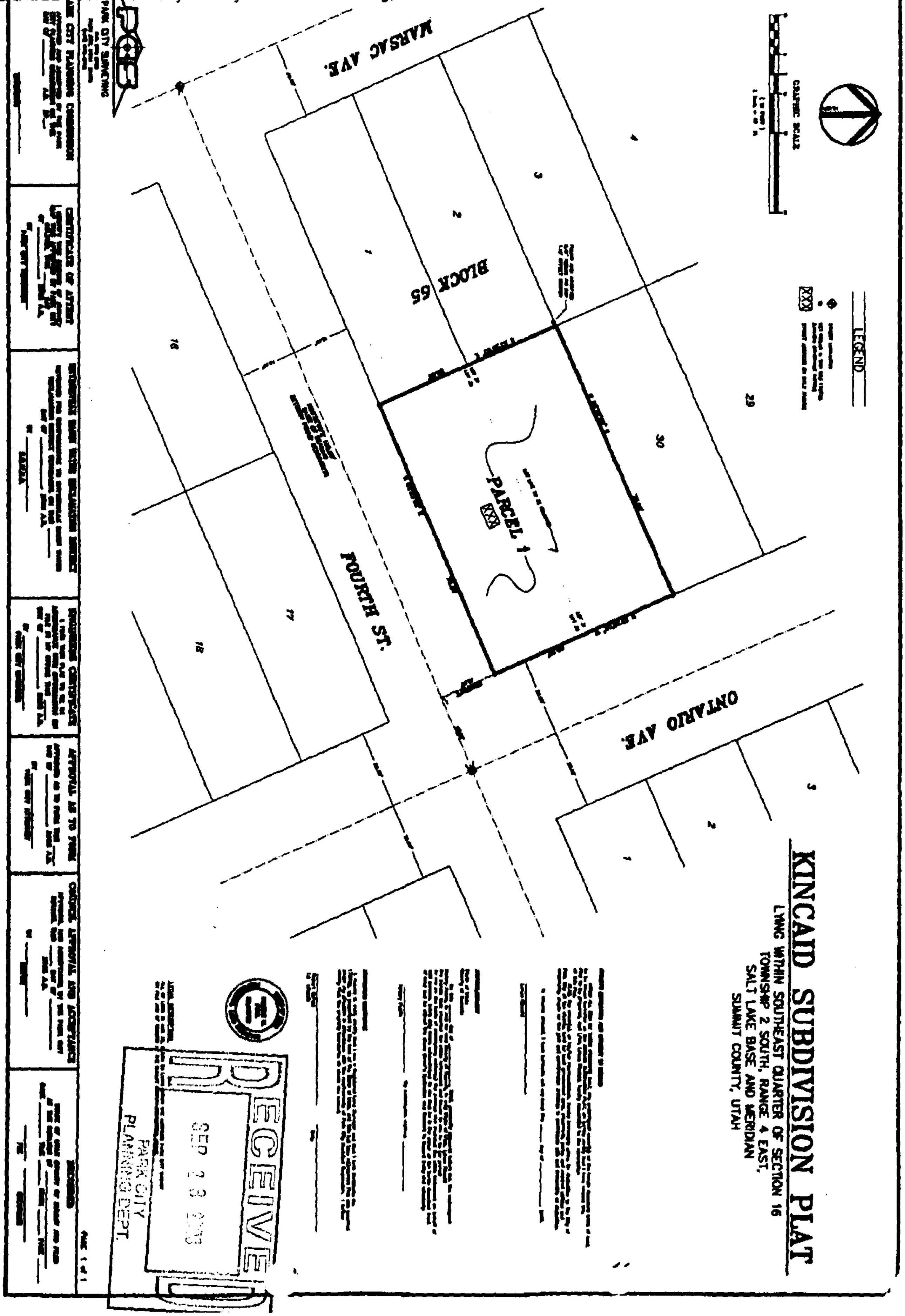
Ontario
Marsac Ave.


MARSAC AVENUE (N 23°38' W)
ONTARIO AVE
AVENUE (N 23°38' W)
4TH ST. STAIRS
FOURTH
PC-459-460-A
SCOTT & JACQUIE COTE
PC-459-460
CURT L. JACKSON JR.
MOLLY STRUTHERS JACKSON TRUSTEES
PC-458 A
M28-467
PC-458 AA
JAMES R STEWART TR
M41-348
JAMES R. STEWART TR
UWD-421
PC-466.076
SCOTT A. & JACQUIE COTE
PC-466-B
PC-468
Kendall W & Barbara
M40-507
Everson TRUSTEES
KINCAID FAMILY PARTSH
XWD-101
ELDA & ELLA
S.W.D. 12A
PC-479
BROOKS JACOBSEN
GARY W. WOLFARTH
M29-585
DAN & SUSAN D.
VACATED
PC-446-448
MARSAC PLACE CONDO. PROJ.
GEORGE TANGUAY & DOROTHY TANGUAY
M 165-336 .07AC.
SCOTT R. BECKER
PC 449
MICHAEL R STEWART
LEON AMIEL
GARY C. BRIM
M228-465
JONATHAN J. & KIM P. STEIN (JT)
MIMLITZ REPLAT SUBD (1996)
DOROTHY EMENS
MARION C.
MISSOURI PACIFIC RAIL CO.
PC-491 Dewey C. Anderson, Etux
CONFLICT
PC-490


KINCAID SUBDIVISION PLAT
LYING WITHIN SOUTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
SUMMIT COUNTY, UTAH
LEGEND
GRAPHIC SCALE
MARSAC AVE.
ONTARIO AVE.
FOURTH ST.
BLOCK 55
PARCEL 1
29
30
4
3
2
1
17
18
16
PARK CITY SURVEYING
PARK CITY PLANNING COMMISSION
CERTIFICATE OF ATTEST
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
ENGINEERS CERTIFICATE
APPROVAL AS TO FORM
COUNCIL APPROVAL AND ACCEPTANCE
RECORDED
PAGE 1 of 1
RECEIVED
SEP 2 3 2003
PARK CITY
PLANNING DEPT.

RESOLUTION ACKNOWLEDGING THE BENEFITS AND CONTRIBUTIONS MADE BY WILD OATS NATURAL MARKETPLACE AND WELCOMING THIS BUSINESS TO THE PARK CITY AREA

WHEREAS: Wild Oats Natural Marketplace was founded in 1987 on the vision of enhancing the lives of their customers and their people with products and education that support health and well-being; and

WHEREAS: Wild Oats Natural Marketplace's commitment to quality is unparalleled in the grocery business. Using rigorous criteria based on scientific research, it ensures its stores feature a wide selection of products that are made naturally without artificial flavors, colorings, preservatives or other additives. Wild Oats features products that contribute to their customers' health and well-being and they partner with vendors that meet its environmental and social standards; and

WHEREAS: Wild Oats Natural Marketplace supports local and global communities by providing programs, and supporting non-profit organizations with small budgets and big hearts, benefiting motivated, innovative groups striving to combat hunger and promote health and wellness, education, sustainable agriculture, environmental preservation and animal rights; and

WHEREAS: Wild Oats Natural Marketplace will open its first Park City store on December 3, 2003 at 1748 West Redstone Center Drive, Park City, Utah, thereby providing new jobs for area residents.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Park City, Utah do hereby congratulate **Wild Oats Natural Marketplace** on its Grand Opening and express sincere appreciation for its dedication and commitment to promoting health and wellness among customers, employees, local communities and the environment.

PASSED AND ADOPTED this 20th day of November, 2003

PARK CITY MUNICIPAL CORPORATION

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Mayor Dana Williams

Attest:

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Janet M. Scott, City Recorder

City Council Staff Report

Author: Jerry Gibbs, Pace Erickson

Subject: RACQUET CLUB ROOF
Date: November 20, 2003
Type of Item: Contract Approval

Public Works

Summary Recommendations:
Authorize the City Manager to amend the Racquet Club Roof Project contract with the Mark B. Garff Construction Company in the amount of $59,429, from $454,280 to $513,709.

Description:
Topic:
Racquet Club Roof Contract Amendment

Background:
Park City Municipal Corporation purchased the Park City Racquet Club in 1987 for $450,000. In 1989 the facility was expanded to include larger locker rooms, expanded restaurant space, new check-in area, lap pool, gymnasium, aerobics / dance room and staff office space.

Severe deficiencies in the roof were identified by our Building Department and confirmed by an analysis from our structural engineering consultant Bsumek Mu. The analysis showed the current live load the roof would support is approximately thirty pounds per square foot whereas the structural code calls for one hundred and ten pounds per square foot. Estimates showed the roof could flex as much as five inches generating stress to the connecting screws which directly attached the roof sheeting to the metal structure below. The screw holes were enlarging because of roof movement allowing water to leak through to the purlins and tennis courts below.

Rod Coles was retained as the architect and Reinhardt Bsumek as the structural engineer to determine the upgrades necessary to improve live load capacity and minimize leaking. Working with the Building Department, the consensus was to replace the metal seamed roof, add a beam and columns to support the peak of the roof and add additional purlins to better distribute the roof live loads to the main structure supports.

Timing was critical to completing the structural up-grade and installation of the new roof. Summer was preferred because the indoor tennis courts are utilized less during the summer and it is much easier for a contractor to perform the work under more favorable conditions. The constraint was the Racquet Club tennis program had a large tennis tournament scheduled for Labor Day weekend and a national tournament the following week. The contractor was confident the work could be completed prior to Labor Day.

The City Council awarded a contract to Garff Construction in the amount of $454,280 on June 5, 2003. The next low bid was Culp Construction at $499,630. The notice to proceed was issued June 16, 2003.

Analysis:
Weekly construction meetings were held to respond immediately to issues. Meetings were attended by Park City staff (Recreation & Public Works); Rod Coles, architect; Reinhardt Bsumek, structural engineer; Garff Construction and other as needed.

A total of eight change orders were issued and list below.

Change order #1	Deleted net posts	deduct	($ 2,520)
Change order #2	Existing lights rewired	add	$ 4,446
Change order #3	Move Roof Fan conduit	add	$ 1,714
Change order #4	Roof Panels 22 to 24 gage	deduct	($ 5,820)
Change order #5	replace roof membrane over restaurant (add 2 days to contract)	add	$13,871
Change order #6	deduct building permit fees	deduct	($ 5,597)
Change order #7	Column straps	add	$ 935
Change order #8	purlin straps and remob	add	$52,400
Total change orders issued			**$59,429**

Change order #5 replaced the existing twenty-five year old roof covering the restaurant. It was decided the roof would need to be replaced within the next five years and the proposed pricing would be less expensive as part of the larger project.

Change order #8 added strapping to the purlins for better support of the floating roof system. Our structural engineer was concerned the roof movement would cause greater torsion (twisting motion) on the purlins than originally anticipated. He requested an additional connect be made to support the purlins. The Building Department concurs this change was needed to provide adequate purlin support.

The project began about three weeks from the cut off date of the Labor Day Tournament. Garff Construction was not confident the work could be completed in its entirety prior to the tournament. It was agreed the contractor would complete as much as possible, cleanup and return after the tournament was completed. Because of these unknowns, all the parties agreed, a time and material approach would be fair. The subcontactor for Garff responsible for the metal work estimated the additional cost at $24,000 but indicated the plastic vapor barrier would be a problem. He would need to do one or more straps to determine the additional labor impact.

The subcontractor had difficulties finding a welding company that would pull off of an existing job and meet our time frames. The company he selected charged $13 more per hour than he had estimated. The subcontractor completed the work and submitted a request in the amount of $44,400. Garff Construction estimated they would need until the third week in September to complete this additional work and finalize their items after the welding contractor was completed. Two choices were available, ask the Tennis Department to move both of their tournaments or have the contractor stop work and remobilize after the tournament. The national tournament bid had been approved three years previous. Park City would not be able to host a national event in the near future if the event was canceled. It was decide to remobilize the contractor at an approximate cost of $8,000.

The structural engineer has agreed to waive billing fees in the amount of $4,500 on other City projects to help offset some of the additional cost. He had thought he should have caught the purlin straps earlier in the project.

The combination of these events caused the project change order amounts to exceed staff's authorization of $45,428 by $14,001. The additional funds will need to be taken from the five year CIP and budget adjustments will be made during the next budget cycle in the amount of $36,000.

Department Review:
The Public Works, Recreation and Building Department have been involved in the project discussions.

Alternatives:
Approve the Request:
Authorize the City Manager to amend the original contract from $454,280 to $513,709. (This is the staff recommended alternative.)
Deny the Request:
This is not the recommended alternative.
Continue the Item:
This is not the recommended alternative.
Do Nothing:
This is not the recommended alternative.

Significant Impacts:
The work has been completed. Park City is obligated to fairly compensate the contractor. Workmanship and cooperation has been excellent from all parties. The accumulative effects of a number of actions contributed to the overage.

Consequences of not taking the recommended action:
Continuing the item may or may not result in any additional changes to the change order. Denying or doing nothing is not a real option since the work had been completed.

Recommendation:
Authorize the City Manager to amend the original contract with the Mark B. Garff Construction Company from $454,280 to $513,709 for the Racquet Club Roof Project.

City Council
Staff Report

Public Works

Author:	**Jerry Gibbs**
Subject:	**Director of Public works**
Date:	**November 20, 2003**
Type of Item:	**Agreement**

Summary Recommendations:
Authorize the Mayor to sign an agreement with Weber Basin Water Conservancy District, Park City Water Service District, Summit County and Mountain Regional to extend the 1996 MOU an additional six months.

Description:
Topic:
Weber Basin Water Agreement

Background:
Weber Basin, Park City and the County have been discussing a water project since an MOU was signed November 27, 1996. The MOU reserved water until November 27, 2003. Weber Basin identified 5000 acre feet of water from Smith - Morehouse and other Weber Basin surface sources in addition to 1600 acre feet of underground water to be used under exchange contracts.

Reservation fees have been charged by Weber Basin for each acre foot of reserved water. The MOU provides that the Park City and Mountain Regional must contract for the water by November 27, 2003. It further provides that each party has 60 days following the expiration of the MOU to contract for water not contracted for by the other party. Reservation fees are to be use by Weber Basin for design, engineering, construction and other uses related to the development of underground and surface sources.

A committee of staff members from Park City and Summit County formed in 1999 to finalize the details of an interlocal agreement. Numerous meetings were held with the county and Weber Basin. By the end of 1999 the county and the city had decided to move forward with Weber Basin in a 5000 ac-ft designed to import water from Weber Basin sources.

In 2000, the committee was increased to include two representatives from the city council (council members Erickson and Jones) and one representative from the county commission (Commissioner Schifferli). The county hired a water manager to help identify their needs and changed Atkinson name to Basin Regional Water Service District and later to Mountain Regional Water Special Service District. A long term look at Basin demand showed a need of 10,000 ac-ft. In February 2000 the county developed a Long Range Strategic Water Plan which called for the development of the Upper Weber River Project.

The Upper Weber River Project used a groundwater approach to meet the initial demands for the county. The surface diversion was planned in Phase IV of the Upper Weber River Project; it would be constructed only if the wells did not produce a sufficient amount of water.

During the spring of 2002 Mountain Regional decided to pursue the Lost Creek Canyon Pipeline to convey surface water and culinary water to the Promontory area. The Project has been funded and is underway. In late 2002 the Mt Regional agreed to let the city move forward with Weber Basin on its own. The county wanted only the opportunity to rejoin the project prior to construction if Weber Basin had water available. The City did not execute this agreement.

Analysis:
The current MOU expires November 27, 2003. The County and Park City haves paid reservation fees for seven years in the amount of $1,155,000. Some monies have been spent for miscellaneous studies and pilot programs. A substantial amount remains.

The proposed agreement extension would require the continuation of reservation fees and set a deadline of six months to complete a three party agreement by the respective agencies. The Bureau of Reclamation is expected to conduct a feasibility study to determine the best project to import water (East Canyon, Rockport, Jordannelle, etc) into the Snyderville Basin area. They will not start the study until Congress has released the funds, a scope of service has been negotiated with Weber Basin and Park City and the County has entered into an agreement with Weber Basin for the purchase of water. It is estimated the study will begin in approximately six months if these conditions are met.

All parties have committed to complete a final agreement to replace the expired MOU and allow the feasibility study to proceed. The proposed "bridge" agreement allows the parties to work through all the issues over the next six months without losing our rights to reserved Weber Basin water.

The final water agreement between Park City, Mountain Regional and Weber Basin should be completed by March or April 2004.

Department Review:
The City Manager, Deputy City Attorney, Public Works Director and Council Members Jones and Erickson have been involved in discussion with the County over the last four years.

Alternatives:
Approve the Request:

Authorize the Mayor/Chair to enter into an agreement between Park City Water, Park City Water Service District, Weber Basin Water Conservancy District, Summit County, and Mt. Regional to reserve 5000 ac-ft of Weber Basin Water through April 30, 2003. (Staff recommended)

Deny the Request:
Let the MOU expire, forfeit the water currently reserved with Weber Basin and pursue the importation of water from other entities.

Continue the Item:
The agreement needs to be adopted by November 27 to keep our rights with Weber Basin in place. A delay beyond November 27th would be a denial of the agreement.

Do Nothing:
Park City would no longer have water rights reserved through Weber Basin.

Significant Impacts:
Authorizing the Mayor to extend the agreement will preserves Park City's rights in an importation project. Weber Basin has the water rights and the ability to seek Federal funding, bond capability and the expertise to build a project. By approving this "bridge" agreement, the City Council will have another opportunity within six months to decide if moving forward with Weber Basin is the right choice.

Consequences of not taking the recommended action:
Park City would forfeit approximately $420,000 in reservation fees. The Basin remains closed to new appropriations or exchanges. Future water must come from outside of the Synderville Basin or drastic cuts will be required in water use and demand of current customers to meet approved build out obligations. Park City would need to examine why it should remain in the Weber Basin Water Conservancy District if very little benefit is be derived from taxes be paid to the entity.

Recommendation:
Authorize the Mayor to sign an agreement with Weber Basin Water Conservancy District, Park City Water Service District, Summit County and Mt Regional to extend the 1996 MOU an additional six months.

CITY COUNCIL
Staff Report

PARK CITY 1881

PLANNING DEPARTMENT

Planner:	**Kevin LoPiccolo**
Subject:	**203 Heber Avenue**
Date:	**November 20, 2003**
Type of Item:	**Zone Change/Legislative**

Summary Recommendation:
Staff is requesting that Council hold a public hearing and provide staff with the appropriate direction on whether a zone change is warranted for the subject property. No action is being requested.

Topic:

Applicant:	Fandango Resorts
Location:	203 Heber Avenue
Proposal:	Zone Change
Zoning:	Historic Recreation Commercial District - HRC
Adjacent Land uses:	Commercial/Residential
Date of Application:	February 20, 2003

Background:

The applicant submitted to the Planning Department a Conditional Use Permit application on February 20, 2003 requesting to construct thirty-six (36) multi-unit dwellings with lockouts at 203 Heber Avenue (Exhibit A). The applicant submitted the CUP with the understanding that the parcels have zoning designation of HRC and HCB. The discrepancy is due to the City's Zoning Map that reflects both HRC and HCB on the subject property. The City Zoning Map depicts the front portion of the property fronting Heber Avenue as HRC and the rear of the property as HCB. The applicant submitted the CUP application reflecting both zoning designations. Through research on the HRC zone, the Planning Department determined that the zoning was in fact HRC following a review of property files (Exhibit B). The Zoning Map was never corrected to identify the subject property as HRC. On April 10, 2003, Staff prepared a letter explaining to the applicant that the zone was HRC. Staff, at a later date, prepared a chronology (Exhibit B) of actions that occurred from 1982 to 1998 that demonstrated that the zone was never HCB, but remained HRC even though the City's Zoning Map showed two different zones.

The City Council reviewed this request at their October 9, 2003 meeting during Work Session. The applicant presented to the Council why their project should be considered for a zone change and explained why the present zone of HRC is no longer consistent with its original purpose. Due to the Work Session time constraints, the Council did not discuss the zone change request at their Work Session (Exhibit E). A public hearing is scheduled for the November 13, 2003 meeting to take comment on this project and possible Council direction.

Staff is currently working on Land Management Code amendments that include revising the LMC to allow Master Planned Developments in the historic zones. By allowing MPD's in the historic zones, it would allow the property owner and Planning Commission greater flexibility when it comes to mixed use developments in terms of design, setbacks and height, provided that the applicant demonstrates a superior plan in regards to access, parking, circulation, historic preservation, and architectural compatibility with adjacent properties.

201 Heber Avenue

The property is situated on 1.09 acres along Heber Avenue and Easy Street. Located on the Heber Avenue lot is the recently renovated historic building housing Easy Street Brasserie. Located on the north lot along Easy Street is the historic structure that recently housed Loyola Design. The surrounding properties located on the north side of Heber Avenue and Main Street are zoned HRC. Properties located on the south side of Heber Avenue are zoned HCB. Properties along the west side of north Main Street are both HRC and HCB.

Planning Commission Recommends Denial

At the July 9, 2003 and August 13, 2003 Planning Commission meetings, the Commission reviewed a zone change request at 203 Heber Avenue (Exhibit F). The applicant requested that the zone be changed from Historic Recreation Commercial (HRC) District to Historic Commercial Business (HCB) District. Following the conclusion and closing of the public hearing, the Commission expressed its preliminary findings that the proposed hotel project could be accommodated with the underlying HRC zone. The Commission stated that the purpose of the HRC is to allow development that is sensitive to historic structures and characteristics of the Historic District. By approving a zone change, the maximum building height would increase to a maximum of 45 feet, zero lot line development would be possible, and the mass and scale of the proposed development could be incompatible with nearby historic buildings. The Planning Commission stated that the proposed zone change lacked a demonstrated net public benefit.

Purpose Statements for HRC & HCB - The HRC zone was created in 1985. Prior to 1985, the Historic District was primarily comprised of HCB (commercial) and HR-1 (residential) zoning. The HRC District was primarily created as a transition zone between the Old Town residential and commercial uses. It was established to accommodate commercial and resort base uses while protecting the numerous historic buildings in the area. The following is a synopsis of the purpose statements of the HRC and HCB Districts.

Historic Residential Commercial (HRC) District

The purpose of the Historic Recreation Commercial (HRC) District, Land Management Code, Section 15-2.5-1 is to:

(A) maintain and enhance characteristics of Historic Streetscape elements such as yards, trees, vegetation, and porches,

(B) encourage pedestrian oriented, pedestrian-scale Development,

(C) minimize the visual impacts of automobiles and parking,

(D) preserve and enhance landscaping and public spaces adjacent to Streets and thoroughfares,

(E) provide a transition in scale and land uses between the HR-1 and HCB Districts that retains the character of Historic Buildings in the Area,

(F) provide a moderate density bed base at the Town Lift,

(G) allow for limited retail and Commercial Uses consistent with resort bed base and the needs of the local community,

(H) encourage preservation and rehabilitation of Historic Buildings and resources.

Historic Commercial Business (HCB) District

The purpose of the Historic Commercial Business (HCB) District, Land Management Code, Section 15-2.6-1 is to:

(A) preserve the cultural heritage of the City's original Business, governmental and residential center,

(B) allow the Use of land for retail, commercial, residential, recreational, and institutional purposes to enhance and foster the economic and cultural vitality of the City,

(C) facilitate the continuation of the visual character, scale, and Streetscape of the original Park City Historical District,

(D) encourage the preservation of Historic Structures within the district,

(E) encourage pedestrian-oriented, pedestrian-scale Development,

(F) minimize the impacts of new Development on parking constraints of Old Town,

(G) minimize the impacts of commercial Uses and business activities including parking, access, deliveries, service, mechanical equipment, and traffic, on surrounding residential neighborhoods,

(H) minimize visual impacts of automobiles and parking on Historic Buildings and Streetscapes, and

(I) support Development on Swede Alley which maintains existing parking and service/delivery operations while providing Areas for public plazas and spaces.

The primary distinctions between the two zones are as follows:

	Height	Setbacks	Floor Area Ratio	
HRC	32'	10/5/10	N/A	
HCB	45'	zero	4.0 maximum	

Applicant's Request

The applicant requested that the City Council review the following:

The property is zoned Historic Recreation Commercial (HRC) District. The surrounding properties located on the north side of Heber Avenue and Main Street are zoned HRC. Properties located on the south side of Heber Avenue are zoned HCB. Properties along the west side of north Main Street are both HRC and HCB. The applicant requested that the Council review the intent of the HRC Ordinance and evaluate the zone with the proposed use and the surrounding zones. The applicant requested that the zone be changed to Historic Commercial Business (HCB) District. The HRC and HCB zones are similar when it comes to uses, but differ in that the HCB zone allows multi-family dwellings as an allowed use, a greater building height, does not require a setback, and includes a floor area ratio of 4.0.

The applicant questions whether HRC is the appropriate zone for his property given that much of the development in the area is HCB. The applicant suggested that the project would comply with all of the HRC zoning requirements, but is requesting that the height be consistent with the HCB zone. The only true difference between the two zones with this particular request is a zone height differential of thirteen (13') feet.

The applicant has submitted a letter (Exhibit G) explaining their reasoning why the property should be rezoned from HRC to HCB . In summary, the applicant asserts that:

1) Much of the original purpose for HRC zoning no longer applies to the subject property. One of the primary purposes of the HRC District is to provide a transition in scale and land uses between the HR-1 and HCB Districts;

2) At the time the HRC zoning was established for the property, Master Planned Developments were permitted in order to create appropriate uses that varied from HRC guidelines; and

3) The proposed project adds transient bed base to the key economic area centered around Main Street and the Town Lift. The subject property to this application is within an area of relatively high density.

City Council Discussion Points
As part of the Council's Work Session, the applicant is requesting that the Council entertain the following issues:

1) Is the request to consider a rezone to HCB appropriate? The purpose statement of the HRC zone, the applicant feels, is inconsistent with what the HRC zone is, and due to the conflicting purpose statements that the zone is intended to be a transition between residential and commercial, and that the zone no longer allow MPD's, the zone of HRC should be reconsidered.

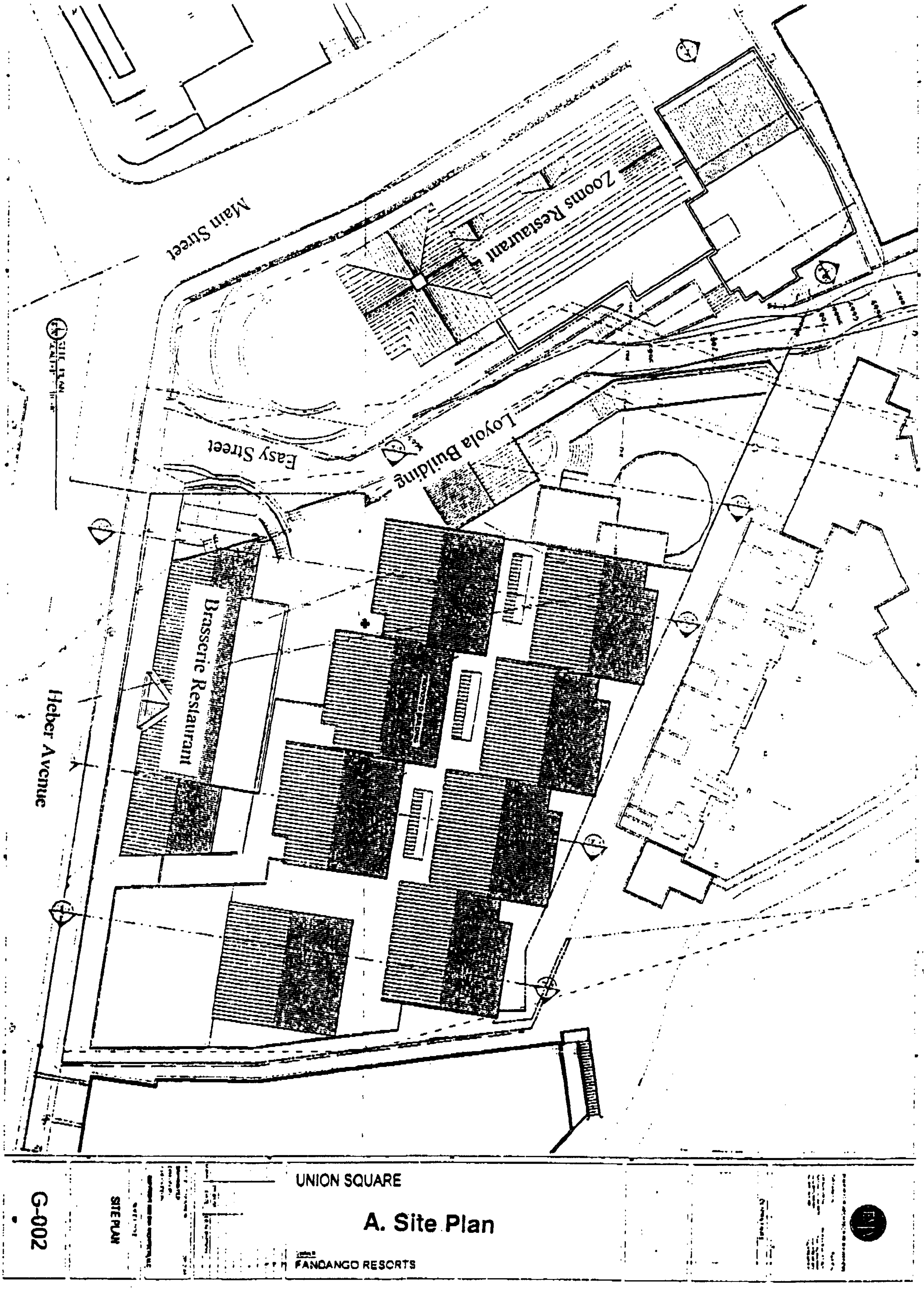
2) The applicant is requesting that the City Council compare the purpose statements in both zones and discuss the purpose of the HRC zone in relationship to their request of HCB. The applicant feels that when the HRC zone was created, it was intended to create a transition zone between the commercial district and the residential district for Old town. As for the HRC/HCB Districts and their intent to preserve Historic buildings, the applicant asserts they have met the required standards.

3) The request to HCB would allow the applicant to increase the building zone height to 45' feet from 32' feet which is the zone height of the HRC zone. The applicant's proposal would be at the same height level of the Poison Creek Mercantile (HRC) building due to the applicant's terrain, which is approximately 16 feet below the grade of Heber Avenue.

Staff Recommendation
Staff is requesting that the Council hold a public hearing and provide staff with the appropriate direction on whether a zone change is warranted for the subject property.

Exhibits
A. Site Plan
B. Staff's Letter on Zoning Designation
C. HRC Zone

D. HCB Zone
E. October 9, 2003 City Council Minutes
F. July 9 and August 13, 2003 Planning Commission Minutes
G. August 6, 2003 Craig Elliott Letter
H. Letter from property owner
I. Letter from Crosby Collection
M:\KL\CC 2003\203herberzonechangeph1.doc


Main Street
Zooms Restaurant
Easy Street
Loyola Building
Brasserie Restaurant
Heber Avenue
UNION SQUARE
A. Site Plan
FANDANGO RESORTS
SITE PLAN
G-002

PARK CITY

1884

Department of Community Development
Engineering • Building Inspection • Planning

April 10, 2003

Fandango Resorts
Att: Todd Reeder
P.O.Box 680127
Park City, Utah 84060

Dear Mr. Reeder:

On April 2, 2003, Derek Satchell and Kevin LoPiccolo met with you and Craig Elliot to discuss the proposal for a mixed use development that consists of residential condominiums and retail space at 201 Heber Avenue. During our discussion, one of the primary issues that was not fully addressed was the zoning of the property. The City's zoning map indicates that your property possibly has two zoning designations, but after further research, we have determined that the zoning for the project has been identified as HRC. A 1992 amendment to the 1982 Town Lift Development Agreement allowed Marriott to use certain HCB criteria as part of their Master Planned Development. However, the zoning was never officially changed. There is no record of any zone change from HRC on your property.

I would be happy to review any documentation that you might have that suggests otherwise. If you have any questions, Kevin LoPiccolo be reached at 615-5068, and Derek Satchell at 615-5070.

Sincerely,

Patrick J. Putt
Planning and Zoning Administrator

B. Staff's Letter on Zoning Designation

PARK CITY MUNICIPAL CODE
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TITLE 15 - LAND MANAGEMENT CODE

CHAPTER 2.5 - HISTORIC RECREATION COMMERCIAL (HRC) DISTRICT

C. HRC Zone

PARK CITY 1884

TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.5 - HISTORIC RECREATION COMMERCIAL (HRC) DISTRICT

Chapter adopted by Ordinance No. 00-51

15-2.5-1. PURPOSE.

The purpose of the Historic Recreation Commercial (HRC) District is to:

(A) maintain and enhance characteristics of Historic Streetscape elements such as yards, trees, vegetation, and porches,

(B) encourage pedestrian oriented, pedestrian-scale Development,

(C) minimize the visual impacts of automobiles and parking,

(D) preserve and enhance landscaping and public spaces adjacent to Streets and thoroughfares,

(E) provide a transition in scale and land uses between the HR-1 and HCB Districts that retains the character of Historic Buildings in the Area,

(F) provide a moderate density bed base at the Town Lift,

(G) allow for limited retail and Commercial Uses consistent with resort bed base and the needs of the local community,

(H) encourage preservation and rehabilitation of Historic Buildings and resources.

15-2.5-2. USES.

Uses in the HRC are limited to the following:

(A) ALLOWED USES.

(1) Single Family Dwelling
(2) Duplex Dwelling
(3) Secondary Living Quarters
(4) Lockout Unit[1]
(5) Accessory Apartment[2]
(6) Nightly Rental
(7) Home Occupation
(8) Child Care, In-Home Babysitting
(9) Child Care, Family
(10) Child Care, Family Group[3]
(11) Child Care Center
(12) Accessory Building and Use

---

[1] Nightly rental of Lockout Units requires a Conditional Use Permit

[2] See LMC Chapter 8.19, Supplementary Regulations for Accessory Apartments

[3] See LMC Chapter 14 for Child Care Regulations

TITLE 15 - LAND MANAGEMENT CODE

CHAPTER 2.6 - HISTORIC COMMERCIAL BUSINESS (HCB) DISTRICT

D. HCB Zone

TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.6 - HISTORIC COMMERCIAL BUSINESS (HCB) DISTRICT

Chapter adopted by Ordinance No. 00-15

15-2.6-1. PURPOSE.

The purpose of the Historic Commercial Business (HCB) District is to:

(A) preserve the cultural heritage of the City's original Business, governmental and residential center,

(B) allow the Use of land for retail, commercial, residential, recreational, and institutional purposes to enhance and foster the economic and cultural vitality of the City,

(C) facilitate the continuation of the visual character, scale, and Streetscape of the original Park City Historical District,

(D) encourage the preservation of Historic Structures within the district,

(E) encourage pedestrian-oriented, pedestrian-scale Development,

(F) minimize the impacts of new Development on parking constraints of Old Town,

(G) minimize the impacts of commercial Uses and business activities including parking, Access, deliveries, service, mechanical equipment, and traffic, on surrounding residential neighborhoods,

(H) minimize visual impacts of automobiles and parking on Historic Buildings and Streetscapes, and

(I) support Development on Swede Alley which maintains existing parking and service/delivery operations while providing Areas for public plazas and spaces.

15-2.6-2. USES.

Uses in the Historic Commercial Business (HCB) District are limited to the following:

(A) <u>ALLOWED USES</u>.

(1) Single Family Dwelling
(2) Multi-Unit Dwelling
(3) Secondary Living Quarters
(4) Lockout Unit[1]

[1] Nightly Rental of Lock Units requires a Conditional Use Permit

pointed out that this project is anticipated to be longer term because of property line issues. Dave Staley stated that RAB has discussed basketball moving to this area, and the subcommittee will discuss an integrated plan to bring back to Council with input from the City Engineer.

With regard to soliciting input for neighborhood parks, Ken Fisher explained that RAB is suggesting distributing information about parks and meetings through hang-tags, public service announcements, *The Park Record*, and the City's website. He discussed a strategy for feedback on neighborhood amenities and added that all information will be published bi-lingual. Jim Hier discouraged offering a water feature. Mark Harrington encouraged Mr. Fisher to consider notifying residents through our water bills or other mailing, rather than hang tags. The Prospector neighborhood is the first choice and Council agreed to direct RAB to explore the City owned lot in Prospector Park.

Mark Christensen advised that the $475,000 amount consists of impact fees which can be used anywhere for parks or field complexes, etc. There is $420,000 in the MBA Fund from bond proceeds earmarked for City Park and neighborhood parks, and about $24,000 from the lower Park Avenue RDA, which must be allocated to improvements in the area and will be used first. Dave Staley stated that the subcommittee is now prepared to proceed with public input on neighborhood parks.

5. Bransford zoning application – 203 Heber Avenue. Kevin LoPiccolo explained that the property, consisting of 1.9 acres, is located in the Historic Recreation Commercial District (HRC) between Heber Avenue and Easy Street. The surrounding properties on the north side of Heber and Main Street are zoned HRC; properties located on the south side are zoned Historic Commercial Business (HCB). Properties along the west side to the north of Main Street are both HRC and HCB. He continued that Fandango submitted a conditional use permit application in February to construct 36 multi-unit dwellings. The application was submitted with the understanding that the parcels have a zoning designation of HRC and HCB but the planning staff determined that the subject property is solely zoned HRC. The confusion arose in the City's zoning map, which depicts the front portion on Heber as HRC and the rear of the property as HCB. On April 10, staff mailed a letter to Fandango explaining that the parcel is zoned HRC and not HCB. At a later date, staff prepared a chronology, outlining zoning actions from 1982 through 1988, demonstrating that the zone was never designated HCB. Mr. LoPiccolo continued that the applicant then submitted a zone change application. At meetings held on July 9 and August 13, the Planning Commission rendered findings that the proposed hotel project could be accommodated but under the underlying HRC Zone. The Commission stated that the purpose of the HRC is to allow development, which is sensitive to the Historic District. By approving a zone change to HCB, the maximum building height could be increased to a maximum height of 45 feet with zero lot line allowances. The Planning Commission was concerned with the project's mass and scale and felt it is incompatible with adjacent historic structures and stated that the proposed zone change lacked public benefit.

The HRC Zone was created in 1985 as a transition zone between Old Town residential and commercial uses. The purposes of both zones are included in the meeting packet and the main differences are height and setbacks. The applicant is requesting that the proposed project meet the HRC standards but be allowed the height under the HCB zone, a difference of 13 feet. The applicant submitted a letter, included in the meeting packet, asserting that the original purpose of the HRC Zone no longer applies to the subject property and the primary purpose of the HRC provides a transition in scale and uses between the HR-1 and HCB Districts. The HRC zone was established for the property in master plan developments. As part of the Council's work session, the applicant is requesting that the City Council entertain the following issues: (1) reconsider a rezone to HCB. Mr. LoPiccolo explained that the purpose of the HRC Zone is consistent with the provisions of the zone; (2) compare the purpose statements in both zones in relationship to Fandango's request of HCB; and (3) increase building height from 32 feet to 45 feet, provided for in the HCB Zone.

In response to a question from Fred Jones about process, Mr. LoPiccolo explained that the Planning Commission forwarded a negative recommendation to the City Council on the zone change. This is not an appeal, because the City Council takes final action on zoning. Tim Twardowski agreed and added that this is a de novo review.

Bill Shoaf, President Fandango Resorts, stated that they view Old Town as an attraction, which supports the ski resorts and named several signature hotels in other ski resort communities. Fandango's criteria specify that new buildings are sensitive to the old and to ensure a pedestrian connection between upper and lower Main Street; many people are unaware of the existence of Easy Street. Lastly, this project must have a sense of place in a historically commercial part of town with a railroad. He continued to point out title problems and confusion over the 1982 agreements. Rather than focusing on this, they decided to take the approach of presenting the merits of the project. The project was criticized by the Planning Commission for lacking net public benefit. Mr. Shoaf explained that Fandango has either purchased properties or have them under contract. Philo Smith, owner of the Utah Coal & Lumber Building and Depot Property is a partner. Fandango is pursuing acquiring the Wally Wright property and Easy Street so that all of the parcels are under one ownership to create an integrated master redevelopment plan. They are very proud of their award-winning renovations and have held community workshops with the merchants and modifications reflect input received. This project is consistent with six of the eleven goals identified in the City's Economic Development Plan. Features include Union Square, which will encompass the Heber Avenue and Main Street corner; the Bransford condominium-hotel project, and the historic downtown arts foundation. He commented in detail about his experience working for Sundance Institute and his associated background in art and commerce. It is proposed that the art foundation will be run with a representative board of directors, who will make annual grants available. The foundation will be funded with $1,000 from every ownership unit, totaling 210 and on an on-going basis, the Bransford Hotel would provide $5 for every paid room night with an opportunity for patrons to participate. This would generate about $325,000 of revenue in the first five years.

The project proposes two signature restaurants, two bars with live music, bakery and coffee shop on Easy Street, a 4,000 square foot destination spa in the hotel, and a 5,000 square foot conference facility. Mr. Shoaf stated that this will be a five star property, connected by Easy Street where outdoor art displays can be showcased. This will increase revenues to the City and help the downtown business community. Mr. Shoaf emphasized that these are truly vacation second-home units. Fandango has budgeted $2 million to market this hotel which will generate a flow of approximately 33,000 hotel guests a year, which translates into $66 million annually in net economic benefit to the community.

Architect Craig Elliott discussed the history of the zoning in the area, specifically the HRC as a transitional zone. He stated that the intent of the zone was to limit commercial activity on Park Avenue, zoned HR-1, but the Heber Avenue area is to the east and functions as a commercial zone. The Town Lift is energizing business activity and this statement has been deleted from the Code. He discussed the commercial historic buildings and uses in the project area. Additionally, there are HCB uses in the HRC transitional zone, which began emerging in 1991. In 1998, the zoning map designates their property as HCB. He continued that staff advised that this zoning is actually HRC with HCB attributes. The setbacks in the HRC Zone are ten feet on the front, five feet on the side, and ten feet in the rear. Fandango is proposing to move its underground parking under the setback.

Through illustration of a model, Mr. Elliott demonstrated the three-dimensional look of various building envelopes. Fandango is trying to create an architecture that is compatible in scale and use and their buildings are under the height of surrounding structures. He discussed the minimal visual impacts of the development from different viewpoints. He pointed out the differences between the Planning Commission project model and the current proposal. The City Manager explained that this will return to City Council on October 30 for a formal public hearing on the zone change application.

Support of tax initiative for expansion of Basin transit system – There wasn't adequate time to discuss this in work session; see regular meeting minutes.

Prepared by Janet M. Scott, City Recorder

PARK CITY PLANNING COMMISSION
WORK SESSION NOTES
JULY 9, 2003

Present: Chair Andrew Volkman, Bruce Erickson, Chris Larson, Bob Powers, Patrick Putt, Ray Milliner, Eric DeHaan, Tim Twardowski

WORK SESSION ITEMS

201/203 Heber Avenue, The Bransford at Union Square - Rezone and Conditional Use Permit

Due to a conflict of interest, Commissioner Erickson recused himself from discussing this item.

Planning and Zoning Administrator Patrick Putt presented the staff report for a proposal involving a zone change, Conditional Use Permit, and subdivision application for redevelopment of a currently vacant parcel at 201 Heber Avenue that includes a number of historic buildings. The property is located in the HRC zone, is slightly larger than one acre in size, and currently consists of two legally subdivided lots along Heber Avenue and Easy Street. The applicant is requesting action on the zone change, CUP, and subdivision to construct a 36-nit multi-unit dwelling with lockouts which would be operated as a hotel. The residential units are intended to be sold as fractional units. The project includes two meeting rooms, a reservation desk, and limited support commercial uses, along with redevelopment of the existing historic buildings on the site. This proposal constitutes Phase II of the overall redevelopment of the property. This property is currently zoned HRC, and the surrounding zones on the north side of Heber Avenue and Main Street are also zoned HRC. Properties located on the south side of Heber are HCB, and properties along the west side of north Main Street are HRC and HCB. Administrator Putt referred to a letter from the applicant explaining the reason for requesting a zone change. Administrator Putt explained the distinctions between the HRC and the HCB zones and noted that they have less to do with permitted land uses than with overall square footage and setbacks. He stated that the applicant has prepared an overview of the project, and the Staff and applicant would like feedback from the Planning Commission on the rezone request.

Chair Volkman asked if the lockout units would affect the parking requirement. Administrator Putt replied that there is an absolute parking requirement in the parking section of the Code based on the number of units and the unit size and configuration. Since this will be processed as a CUP, the applicant intends to ask the Planning Commission to consider a reduction in the overall parking. Chair Volkman clarified that the number of units in the proposal increases to 80+ when taking the lockout units into account. He asked if the parking requirement in the Code would increase based on that configuration. Administrator Putt offered to research that information.

Craig Elliott, representing the applicant, suggested that the Planning Commission discuss the HRC/HCB zone during the work session and the merits of the design concept during the regular meeting. He reviewed the process to date and the issues they had dealt with regarding HRC versus HCB zoning. He stated that they have developed a project they feel is comfortable on the site and meets the mass, character, and scale in Old Town. He commented on the discrepancies between the law and the zoning map and complimented the Staff on their effort to research the history of the zoning maps. He noted that the original zone for the property was HCB, and then it moved to HRC. He noted that there is no longer an HR-1 zone in this area which allows the Planning Commission to consider a rezone from HRC.

Commissioner Larson explained that MPD's were removed from the HRC zone because they are growth inducing, and the Planning Commission did not want that in the Historic District. MPD's require 60% open space, making the chances for an MPD impossible because they cannot meet the open space requirement. Commissioner Larson stated that he would not consider a parking reduction for this area. He believed the applicant would have a difficult time coming up with a net public benefit for a parking reduction since they will lose net parking as a result of developing this parcel.

Chair Volkman echoed Commissioner Larson's comments and stated that he could not see a compelling reason for an upzone. There is no trade-off benefit to the City, and he believed this parcel of land was tailor made for an HRC zone.

Commissioner Larson commented that the purpose of the HRC zone is to, maintain and enhance the characteristics of historic streetscape elements, such as yards, trees, vegetation, and porches, which is accomplished through setbacks. It encourages pedestrian-oriented, pedestrian-scale develcpement by reducing heights. It also preserves and enhances landscaping and public spaces adjacent to streets and thoroughfares through setbacks. It provides for a transition in scale and land uses and allows for limited retail and commercial uses. Commissioner Larson stated that, looking at the adjacent structures, he would have a difficult time finding a public benefit for an upscale to HCB on this parcel.

Commissioner Powers agreed that there would be no public benefit in granting this rezone and stated that he was opposed to additional density. He believed the parking request was ridiculous and disagreed with the anticipated numbers considering the number of bedrooms per unit with lockouts. He noted that Park City does not have enough parking now, and there is a large deficit in this area.

Mr. Elliott stated that the applicant has engaged Fehr and Peers to do a traffic and parking study. He hoped to address the public benefit in the public hearing this evening.

Administrator Putt responded to the earlier question about parking requirements for lockouts and explained that parking for a building of this nature would be calculated on the overall unit size. A lockout unit is part of the overall unit size and does not have a separate parking requirement.

801-817 Park Avenue

Administrator Putt asked if the Planning Commission would consider looking at a parking reduction based on the Parking and Master Plan section of the CUP uses based on the fact that the uses would overlap the commercial spaces and serve those residing in the area. Commissioner Erickson stated that he was willing to look in that direction. However, in terms of studying the other malls, he would like to know the current tenant mix and what the required parking was for that tenant mix. He hoped to be able to find a perfect ratio between too much and too little parking.

Administrator Putt recommended that the Planning Commission continue this item to the first meeting in August to allow the applicant sufficient time to conduct the parking study.

MOTION: Commissioner Erickson moved to CONTINUE this item to August 13. Commissioner Larson seconded the motion.

VOTE: The motion passed unanimously.

4. **201/203 Heber Avenue, the Bransford at Union Square - Rezone and Conditional Use Permit**

Due to a potential business conflict, Commissioner Erickson recused himself from discussing and voting on this item.

Administrator Putt noted that the Planning Commission discussed this item during work session this evening and the applicant is prepared to make a formal presentation to the public before the public hearing. The Staff and applicant would like the Planning Commission to provide input and direction. The applicant is Fandango Resorts, and the location of the proposed project is 201 Heber Avenue. Administrator Putt reviewed the application for a zone change that is tied to a CUP in a subdivision. The applicant is requesting that the zone be changed from HRC to HCB to construct a 36-unit multi-unit dwelling, with lockouts to be operated as a hotel and residential units sold as fractional units.

Bill Schiff, representing the applicant, clarified that there are two lots on this property, not one. When the property was first purchased, it was a back lot and a series of residential standard Old Town lots with the Utah Coal and Lumber building running over the property line. Mr. Schiff noted that they have been working with the Staff since August of last year and have always had the same scheme in mind, which is to take the model originally planned for another developer and put in a five-star condominium/hotel project.

Mr. Schiff provided a brief background on Fandango and their operations. He noted that their corporate headquarters are located in Park City. He stated that they are aware of the sensitivity of this site. He discussed what has occurred throughout the application process. The first item was to clean up the fragment parcels that were not lots. They determined that the back lot is HCB according to the City Plan, and the front lots are HRC. When they re-did the Easy Street Brasserie it was replatted. The front lot lines were erased, creating one big lot in the front and one big lot in the back. Over a period of time they have gone through four generations of building to land mass planning, space planning, elevations, and models, being as careful as they could and realizing that they are at the epicenter of the commercial center of downtown Park City. Mr. Schiff remarked that they need to develop something that is in keeping but also accept the fact that this is a commercial mixed-use development in a commercial section of Old Town that needs to have more commerce so fellow businesses will have enough business to stay here.

Mr. Schiff commented on the zoning issue and his frustration with what happened during the work session. He noted that they have a point of disagreement that has been created by a series of overlays, laws, and thoughts that have happened on this piece of property over the last 100 years. He explained that they are trying to put a thoughtful development on this piece of property, and it has certain impacts they have tried to address. He commented on the community meetings held with the neighbors and various organizations and stated that they have had nothing but positive support from business owners and citizens. He explained that the requested rezone came about because they are trying to solve a problem that was created by the City plat map. He understood that parts of the development are in the HRC, but they do not want to put density on the edge of Easy Street at Heber and Main and would prefer to pull it back to create a cascade going up.

Mr. Schiff commented on discussions during the work session about the greater good and stated that he believed they were doing the greater good, which is to make sure that downtown Park City does not lose being downtown Park City. He stated that the zoning issue is not a matter of trying to grab more density. If the property is developed under the HRC, it would have 87,000 square feet, and the present property is 86,000 square feet. He explained that they are not asking for an HCB designation without a plan. The intention is to build a quality product to mimic the execution of the Zoom and Brasserie which will become an icon for Park City and Historic Downtown.

Craig Elliott, project architect, provided a PowerPoint presentation on the concepts and amenities proposed. He showed examples of historic architecture and explained that they tried to create a character that was interesting and dynamic. He reviewed the site scheme and images taken from the model to help the Planning Commission see their perspective. He identified the parking structures and parking garage entries and explained how they would take Easy Street into the project, combine it into the lots, and clean up a number of easement issues. He presented and reviewed the building design and elevation drawings. He commented that there is more complexity to the project and a lot of underlying zoning. In designing the project, they tried to relate to Park City and bring people with money to the corner of Main Street. They hoped to see the same type of success Mr. Schiff has had with Easy Street in this project.

Mr. Schiff stated that this project will generate approximately $1 million a year in tax revenue for Park City and approximately $16 million worth of discretionary spending by people who come to Park City. He believed that, in order to survive in Park City, they must move from being a winter resort to a year-round resort. He believed in the impact of art and how it can help a town like Park City provide year-round bed base and interest. He explained that the art gallery space will be a non-profit, non-retail, non-revenue generating space and will be programmed by various arts councils to display the works of local artisans. They are also developing a downtown historic arts foundation which will be funded on two levels.

Chair Volkman stated that he understood the zone change must occur before the project can move forward. If the applicant disputes that, the issue must be addressed with the Staff and the Legal Department, not with the Planning Commission.

Administrator Putt commented that the Staff has had a good working relationship with the applicant through redevelopment and renovation of the Easy Street Grille. Unfortunately, when the property was acquired, the current property owner based some of his decisions on the current zoning map, which does show the rear half of the property as being zoned HCB. Prior to moving forward with a formal submittal, the Staff did lengthy and in-depth research into the zoning history of that part of town. They re-assembled the ordinances which constituted the formal actions that created the zones in place and determined that the zoning for the entire property is HRC. Administrator Putt explained that he does not have the luxury of overlooking the factual basis of the ordinances that were approved and adopted by City Council a number of years ago. An unfortunate series of circumstances led to the mistake on the zoning map, but the City's position is that the underlying zoning on the entire property as adopted per ordinance is HRC. In discussions with Mr. Schiff and his team, they indicated that the only alternative would be to move forward with a zone change request and, through the public hearing process, champion the public and the Planning Commission to accept the concept that this would work and that the zone change would be appropriate.

Mr. Schiff believed it was important to remember that they submitted this request because they believed a certain thing in good faith based on documents that were made available at the time. They were then presented with an interpretation of documents that were not available at the time they made other decisions. He commented that the zoning change is one way to work through an issue that was created without malicious intent on anyone's part.

Chair Volkman assured Mr. Schiff that no one believed he pursued the project knowing there was a discrepancy in the zoning. Unfortunately, there is an issue, and the Planning Commission needs to base its decision on facts and the best use of the property.

Chair Volkman opened the public hearing.

Simone McGinnis stated that she is the developer of Poison Creek Mercantile, which is the project next door to this lot. She stated that when she purchased her property, there were two properties in the Heber Avenue subzone, hers and Nick Powell's. A number of people were well aware of the needs and issues and the reason what the zoning is. It is a transition zone. This last piece of property is beautiful and sensitive, and the Planning Commission should consider why the zoning is as it is. Height is an issue, and no historical building was ever 45 feet tall. Her building is two levels above ground, yet the pictures presented by the applicant showed her building as being taller than their three-story building next door. She has gables that are 33 feet tall measured from natural grade, not from street. She has a flat roof that tapers off in the back. She noted that the applicant wants to build four stories above grade. She stated that she built her building following the zoning, and parking drove what she could build. She has 29 parking stalls for her building, and the applicant has proposed 46. Her building is one-third the size of what is being proposed. Ms. McGinnis discussed property lines and noted that, if the applicant is allowed to change the zoning, their building will be five feet from hers. She has condominium owners screaming about what they purchased and how this will affect them. After the time she spent trying to conform to all the requirements, allowing this to move forward as requested would hurt her business.

Commissioner Larson recalled the Poison Creek development and discussions about the bike path. Ms. McGinnis's building steps down with grade, and he asked if she made any concessions for the bike path in terms of visibility. Ms. McGinnis replied that she donated eight feet to the City.

Joe Tesch, represented the residents at Poison Creek, stated that they believe their views will be ruined if this zoning change is allowed. He noted that the highest unit at Poison Creek is 32 feet, which is 13 feet less than the 45 feet the applicant is asking for with a new zone. He did not understand why this project could not move forward with less mass under the HRC zone the same way as Poison Creek. In allowing this zone change, the Planning Commission would be giving more mass and ultimately more money to a developer, which in turn would devalue the property of the people who relied on zoning when they purchased their units. He did not believe this was done intentionally by the developer. He liked the development and the direction it is going, but consideration should be shown to the citizens. He believed there was no mistake as to the zoning of the front part of the property and, in his opinion, changing a zone is similar to changing the constitution. Zones are put in place for a reason and should not be changed lightly. People have invested money depending on the zone in place, and it is not right to make a change that will hurt them. Mr. Tesch commented on the parking discrepancy and setbacks and felt they should be clearly explained so people could get a clear idea of what is being requested in an area that is severely under-built for parking. He believed this development could be good for the City, but only if it is scaled down to fit the existing zone. Mr. Tesch referred to the summaries of the Historic Residential Commercial District contained in the staff report and explained that he used the list from that district to compare it to what does not exist in the HCB District. He noted that there are 13 criteria, and only one went away. The remaining should be enforced to protect the people who relied on those zones when buying, building, and developing. He noted that this development and the zone do not comply with the criterion of maintaining and enhancing the characteristic of the historic streetscape elements, such as yards, trees, vegetation, and porches. He also did not believe the development or the HCB zone comply with the criterion of preserving and enhancing landscaping and public building spaces adjacent to streets and thoroughfares. Another criterion is to provide and maintain a transition and scale. He commented that people live in Poison Creek, and the intent of that transition should be respected as a valid, logical consideration. With regard to the criterion to provide a moderate density bed base at the Town Lift, Mr. Tesch noted that the HCB zone does not have this requirement, and the proposed density is not moderate but rather intense density. With regard to allowing for limited retail commercial uses consistent with the resort bed base and needs of the local community, Mr. Tesch pointed out that the HCB zone allows intense commercial. He noted that the criterion of encouraging preservation and rehabilitation of historic buildings and resources is not contained in the HCB zoning requirements. He noted that setbacks are greater in the HRC zone, and that would change if the zone is changed to HCB. Height is another issue, as well as how things are measured. Mr. Tesch addressed two exhibits presented by Mr. Elliott. He indicated the model showing what is next to Poison Creek and noted that the height of the wall creates a problem. He stated that the picture showing the view down Heber Avenue showed Poison Creek higher than it actually is.

Moira Roswell stated that she sold one of the units in Poison Creek. They always knew something could be built next door, but they never thought it would be five feet from two of the major windows in this condominium. She stated that this development will have a severe economic impact and encouraged the Planning Commission to consider the impacts of this zoning change. She believed the project in its conceptual form had value, but some of the condominium residents are primary residents, and their value will be hurt. She noted that the owner of the condominium she sold was not contacted and knew nothing of a neighborhood meeting or of this project.

Kate Dornan stated that she is an employee at the Crosby Collection, which has two locations on Main Street. She believes it was evident from this process that the zoning ordinance should be cleaned up. She did not understand how a zoning map could say one thing and a group of ordinances say another. She noted that Mr. Roswell had remarked that Main Street had been hurting this year, and she was delighted to see this project. As presented, she favored having this project move forward.

Mike Sweeney stated that his family has spent the last 25 years helping to develop the lower part of Main Street, and they strongly felt that more activity was needed on lower Main Street. He spent the better part of this year on four economic development committees for the City, and the idea of getting this kind of project for Historic Main Street was discussed. This will bring more bed base into Main Street, which will help build vitality. He understood that the property next to his would be developed and that at some point the setbacks would be less than five feet, but he liked that idea because it would benefit the community by bringing more people to Park City. Mr. Sweeney supported "user friendly" and believed this developer has come up with a concept that is valid and would help lower Main Street. Regarding parking, Mr. Sweeney noted that a million dollars was spent on underground parking at the base of the Town Lift, and to date, the only time that parking garage was filled was during the Olympics. Most days the parking garage is empty, and they cannot entice people to park there. He stated that there is plenty of parking in Lower Main Street, and the studies presented have indicated that the parking problem is on Upper Main Street. He believed this project could help Upper Main Street where they do need the parking. Mr. Sweeney remarked that Park City needs this type of project because the additional bed base in Old Town will generate revenue.

William Winstead stated that he was involved in the planning of Poison Creek, and they were always told that this was a Heber Avenue subzone. Two properties fell into this category and had certain limitations. It is unfortunate if this applicant purchased their property without knowing that. Mr. Winstead stated that everyone is looking for economic viability for Park City, and he believed this project had potential but needed to be down scaled. The City does not need to rezone this piece of property, but it needs to work through how to make it work for Park City. Mr. Winstead asked the Planning Commission to look at the overview of what is best for Park City and take this into perspective.

Chair Volkman closed the public hearing.

Chair Volkman noted that no action is requested this evening, and the Planning Commission should provide direction to the developer. He commented that the points in the PowerPoint presentation are what the Planning Commission is trying to achieve. However, based on the renderings presented, it appears that the applicant is trying to maximize development. Chair Volkman agreed with trying to promote the arts and pedestrian access, but he differed in how to accomplish that. Based on what he had seen and considering the neighborhood, he could not find a compelling reason to upzone this property. He believed the 32-foot height requirement and the setback requirements were appropriate. He felt it was unfortunate that the applicant was in this position and would have preferred to see this earlier in the process to possibly minimize the time, effort, and expense the applicant has incurred. However, the Planning Commission has the responsibility to plan what is best for Park City, and he could not support a rezone.

Commissioner Larson felt there were many opinions about Main Street viability. He believed significant mistakes were made with the Summit Watch and Town Lift developments. He hoped they had learned from those mistakes, because that is part of the reason lower Main Street does not operate well as a commercial street. He understood the desire to increase the viability of Main Street and the importance of preserving their historic heritage and fabric. If this were zoned HCB, he believed there would be a long discussion about what to do with the volumetrics of this building, preserve the Heber Avenue streetscape, Easy Street, the bike path, and the compatibility with adjacent structures. The easiest approach would be to not change the zone. He believed the HRC zone preserves the character he wants to see in this location, and he could not support moving forward with the rezone. He felt the Commissioner had made it clear during the work session that they would not consider a parking reduction, and the first step would be to meet the parking requirements. While lower Main Street has empty parking structures, this area is very difficult, and reducing the parking would not be in the best interest of the public.

Commissioner Zimney believed the HRC zoning should remain as well as the 32-foot height. She believed additional parking should be considered for the lockout units and requested that a parking study be considered.

Commissioner Powers could not see any value to a rezone. He had a problem with the parking and felt strongly about a parking study. He agreed with Commissioner Larson that the volumetrics do not work, and he believed a wonderful development could be built in that area with the required height and setbacks.

Administrator Putt asked where the applicant should go from here. He summarized that the Planning Commission does not support moving forward with a zone change from HRC to HCB. He noted concerns about volumetrics and parking and remarked that the applicants are working on a parking study which should provide a more factual background on the parking situation in the area and the positive and negative impacts of this project. He believed the parking study would help provide answers about the design, how big, and how much. He clarified for the applicant and the public that the Planning Commission only makes a recommendation on a zone change, and the final decision is made by the City Council. If the Planning Commission directs the Staff to prepare findings for denial, the applicant has another step in the process at the City Council level.

Chair Volkman noted that the comments expressed in this meeting did not differ from the work session, and he felt the Planning Commission should move forward with findings for denial.

MOTION: Commissioner Larson moved to CONTINUE 201/203 Heber Avenue to the next meeting with direction to the Staff to prepare findings for denial on the rezone. Commissioner Powers seconded the motion.

VOTE: The motion passed unanimously. General Plan Discussion re. Quinn's Junction/Highway 40 Corridor

Chair Volkman suggested that, since two Commissioners were absent and because Quinn's Junction is an important matter, two Planning Commissioners be appointed to work with Administrator Putt on a platform pertaining to Quinn's Junction for the entire Planning Commission to discuss at their next meeting. Commissioners Erickson and Larson offered to meet with Administrator Putt.

The Planning Commission meeting adjourned at 9:20 p.m.

Approved by Planning Commission____________________________

MOTION: Commissioner O'Hara moved to CONTINUE this item. Commissioner Erickson seconded the motion.

VOTE: The motion passed unanimously.

4. **<u>203 Heber Avenue, the Bransford at Union Square - Rezone</u>**

Due to a conflict of interest, Commissioner Erickson recused himself from discussing and voting on this item.

Planner LoPiccolo reviewed the request for a zone change from HRC to HCB for property located at 201 Heber Avenue. He recalled that the Planning Commission reviewed this application on July 9 and held a public hearing. The applicant is requesting the zone change to construct 36 multi-unit dwellings with lock-outs. The owner plans to operate the building as a hotel, and the residential units are intended to be sold as fractional units. Based on discussion at the last meeting and the fact that approving this zone change would increase the maximum building height, allow zero lot line development, and allow development incompatible with nearby historic buildings, the Planning Commission directed the Staff to prepared findings of fact and conclusions of law to forward a negative recommendation to the City Council. On August 7, the applicant met with the Staff and presented a letter outlining their position and why the zone change is needed. The letter is in the staff report, and the applicant requested that the Planning Commission postpone action this evening to discuss the merits of the zone. Planner LoPiccolo explained that the applicant's position is not that the zone is HRC, but whether the purpose statement of the HRC fits this property. The applicant would like to discuss the purpose of the HRC zone with the Planning Commission to receive clarification as to whether the purpose statement is consistent with the zoning. The applicant believes a zone change would allow a single use, which is consistent with the overall floor area. The applicant acknowledges that the main issue that differentiates the two zones is height and setbacks. They are willing to adhere to the HRC setback requirement but would like additional height. Planner LoPiccolo stated that the Planning Commission may grant the applicant's request to further discuss the information outlined in the letter prior to taking action.

Craig Elliott, representing the applicant, reviewed and explained the major points in the letter he had submitted. He noted that the intent of the letter was to provide data for the Planning Commission to determine if a rezone is appropriate.

Chair Volkman called for discussion on the applicant's request for height and setback changes.

Commissioner Larson stated that his position had not changed, and that he finds no basis for a rezone based on the reasons outlined at the last meeting.

Commissioner O'Hara stated that he did not attend the last meeting and requested that the Commissioners provide some background for their opinions. Commissioner Larson explained that their decision came down to preservation of the historic nature of that block. Secondarily is the fact that they held Poison Creek to the underlying HRC and Heber Avenue Subzones. He named adjacent properties and noted that none of them are large volumetric buildings. Given those reasons, Commissioner Larson found no basis for rezoning this property to a higher density with no setbacks and additional height. Chair Volkman referred to the minutes and comments from the Poison Creek residents who felt they would be negatively impacted by this zone change. Commissioner O'Hara stated that Poison Creek is one of the better approvals that came from the Planning Commission, and understanding the concerns with this rezone, he could support denial.

Commissioner Powers stood by his comments from the last meeting.

Commissioner Zimney was confident that this applicant would do a good job with the project, but she could not come up with enough findings to support a rezone. She hoped the applicant could find a way to make the building work under the existing zone, because it would be a beautiful building.

MOTION: Commissioner Larson moved to forward a NEGATIVE recommendation to the City Council for a zone change request at 201 Heber from HRC to HCB with the findings of fact and conclusions of law outlined in the staff report. Commissioner Powers seconded the motion.

VOTE: The motion passed by a vote of 3 to 1, with Commissioners Larson, O'Hara, and Powers voting in favor of the motion and Commissioner Zimney voting against the motion.

Findings of Fact for Denial - 201 Heber Avenue

1. The subject property is located at 201 Heber Avenue.
2. The property is situated on l.09 acres and consists of two lots along Heber Avenue and Easy Street.
3. The property is zoned Historic Recreation Commercial (HRC) District. The surrounding zones located on the north side of Heber Avenue and Main Street are zoned HRC.
4. The applicant asserts that the site includes both HRC and HCB zoning based upon the City zoning map.
5. Three (3) historic structures are located on the subject property.
6. At the July 9, 2003, Planning Commission meeting, the Commission reviewed at work session and public hearing a request from the applicant to change the zone at 201 Heber Avenue from Historic Recreation Commercial (HRC) District to Historic Commercial Business (HCB) District.

7. The purpose of the Historic Recreation Commercial (HRC) District is to maintain and enhance characteristics of Historic Streetscape elements such as yards, trees, vegetation, and porches.
8. The purpose of the Historic Recreation Commercial (HRC) District is to facilitate the continuation of the visual character, scale, and streetscape of the original Park City Historical District.
9. The purpose of the Historic Recreation Commercial (HRC) District is to encourage the preservation of Historic Structures within the district.
10. The purpose of the Historic Recreation Commercial (HRC) District is to encourage pedestrian-oriented, pedestrian-scale development.
11. The purpose of the Historic Recreation Commercial (HRC) District is to minimize the impacts of new development on parking constraints of Old Town.
12. On July 9, 2003, the Planning Commission expressed a concern that a zone change to HCB would allow greater height, zero lot line setbacks, and potentially create inappropriate mass and scale adjacent to the three historic structures on the property.
13. On July 9, 2003, the Planning Commission expressed a concern that a zone change to HCB would potentially create additional density which would further impact the parking needs and magnify the parking problems that the Historic District currently experiences.
14. On July 9, 2003, the Planning Commissioner directed Staff to prepare findings of fact and conclusions of law for denial.
15. A Developer of Poison Creek Mercantile was in opposition to the proposed zone change because it would allow a building height increase. Neighbors and Poison Creek residents complained about height, mass, and scale.
16. Lower Main Street residents were supportive of the zone change.
17. The zone height for the HCB zone is 45 feet.
18. The zone height for the HRC zone is 32 feet.
19. The HCB zone allows for zero lot line development.
20. The HRC zone requires a front yard setback of 10 feet, side yard setback of 5 feet, and a rear yard setback of 10 feet.
21. The HRC zone has no floor area maximum in the Heber subzone.

<u>Conclusions of Law for Denial - 201 Heber Avenue</u>

1. The zone change request is inconsistent with the purpose statements for the HRC district found in Land Management Code Section 15-2.5-1.
2. The proposed zone change is inconsistent with Park City's General Plan (Park City Neighborhoods) historic district, Page 56, that states building height and mass of new structures should be compatible with the historic structures. Consider further limiting building heights and floor area ratios.
3. The proposed zone change is inconsistent with Park City General Plan (Park City Neighborhoods) historic district, Page 56, that states the Historic District Design Guidelines, design standards, and zoning regulations must be reviewed and modified to deal better with issues including, but not limited to, snow shedding on adjacent structures, heights, mass, and contextual compatibility.

4. The proposed zone change is inconsistent with Park City's General Plan (Park City Neighborhoods) Historic District, page 56, that states all new development should provide adequate on-site parking. A comprehensive parking plan for the historic district needs to be developed and implemented.
5. The proposed zone change is not in the best interest of the community.

The Park City Planning Commission meeting adjourned at 8:00 p.m.

Approved by Planning Commission______________________________

PLANNING • ARCHITECTURE • INTERIORS

August 6, 2003

Park City Municipal Corporation
Planning Commission and Planning Staff
445 Marsac Avenue
Park City, Utah 84060

Re: The Bransford at Union Square
Zone Change Application

Commissioners and Staff:

In a previous Planning Commission work session and public hearing concerning the project located along Heber Avenue and Main Street known as the Bransford at Union Square, very little discussion occurred about the appropriateness of the change of zone. Part of this is my fault for not understanding that the original dual application of Zone Change and Conditional Use Permit had been separated. As I have come to understand, the Park City Municipal Corporation legal staff has dictated that the application be split and the zone change application be processed independently of the design, independently of the CUP and processed first. With this in mind, I apologize to the Commission and my Client for a lack of clarity in the presentation about the issues at hand. This letter is intended to provide the information needed to understand the appropriateness of the zone change application.

I. Existing Conditions:

1. There are multiple easements running through and around the proposed site.
2. The proposed combined site includes three historic structures.
3. The zoning map identifies the front half of the site as Historic Recreation Commercial (HRC).
4. The zoning map identifies the rear half of the site as Historic Commercial Business (HCB).
5. Planning Staff has indicated that the map is incorrect and that the rear half is HRC.
6. The rear parcel access is believed to be through an Easy Street easement.
7. The existing historic structure on Heber Avenue underwent an expensive, extensive renovation and improvement increasing the long term viability of the structure.
8. The existing historic structure on Main Street and Heber Avenue also known as the depot building also underwent an expensive, extensive renovation and improvement increasing the long term viability of the structure.

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G. August 6, 2003 Craig Elliott Letter

Don Mahoney, AIA principal Craig Elliott, AIA principal Kurt Daenitz, AIA senior associate

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II. Zoning of Properties Neighboring the site:

1. The parcel to the east known as Poison Creek Mercantile was constructed to the maximum height and setback standards of the HRC and the underlying Heber Avenue Sub-zone. (In fact, it has areas of the structure that are out of compliance with the height standards)
2. The parcel to the east generally sits on a noll and the majority of the site natural grade was approximately ten feet (10"-0") higher than the majority of the Bransford site natural grade.
3. The parcels (Gateway and Silver Queen Hotel) across Heber Avenue to the south are designated HCB on the zoning map.
4. To the north of the site are the Aquacade and the Mariott Summit Watch projects which are designated as HCB on the zoning map.

III. Analysis of the Zoning of the site:

The site along Heber Avenue is identified as HRC and also in the Heber Avenue Sub-zone.

1. *The purpose of the Historic Recreation Commercial (HRC) District is to:*

(A) maintain and enhance characteristics of Historic Streetscape elements such as yards, trees, vegetation, and porches,

This site is surrounded by uses of HCB. Yards, trees, vegetation, and porches are virtually non-existent in the immediately surrounding properties.

(B) encourage pedestrian oriented, pedestrian-scale Development,

This item can also be found in the purpose statement of the HCB as Item E.

(C) minimize the visual impacts of automobiles and parking,

This item can be found in the purpose statement of the HCB as part of a larger statement as Item H.

(D) preserve and enhance landscaping and public spaces adjacent to Streets and thoroughfares,

This item is similar to Item I in the purpose statement of the HCB. This site has had virtually no landscaping or public space since it opened as a lumber site. The deck along Heber Avenue and Easy Street has been significantly improved in the renovations of the Easy Street Brasserie. Additionally, the patio area at the rear of the Easy Street Brasserie was created to enhance the pedestrian thoroughfare known as Easy Street. This deck and patio has created quasi-public spaces. The outdoor dining area along the depot building at the corner of Heber Avenue and Main Street is a significant statement that enhances the city. This patio area is also a prime location for development.

(E) provide a transition in scale and land uses between the HR-1 and HCB Districts that retains the character of Historic Buildings in the Area,

The HR-1 District is not adjacent to this parcel and thus can not create a transition in scale between the land uses described. The closest HR-1 district is approximately three hundred feet (300') away , and is across Main Street and Park Avenue to the district.

(F) provide a moderate density bed base at the Town Lift,

The proposed use provides beds within walking distance of the Town Lift. Similar to the Marriott Summit Watch project in the HCB zone.

(G) allow for limited retail and Commercial Uses consistent with resort bed base and the needs of the local community,

The site currently houses two restaurants that are consistent with the needs of the resort bed base. Additionally, meeting rooms are proposed which will be consistent with the local community and city council vision of creating a four season use.

(H) encourage preservation and rehabilitation of Historic Buildings and resources.

This item is similar to Item D in the purpose statement of the HCB. The proposed project maintains and rehabilitates the three primary historic structures on the site.

2. Heber Avenue Sub-zone Requirements:

Properties fronting on the north side of Heber Avenue, and east of Main Street, are included in the Heber Avenue Sub-Zone for a depth of 150 feet (150') from the Street Right-of-Way. Within the Heber Avenue Sub-Zone, all of the Site Development standards and land use limitations of the HRC District apply, except:

(A) The Allowed Uses within the sub-zones are identical to the Allowed Uses in the HCB District.

The uses proposed are consistent with HCB Allowed Uses. The project is allowed as a Multi-Unit Dwelling, a Nightly Rental and Restaurant.

(B) The Conditional Uses within the sub-zone are identical to the Conditional Uses in the HCB District.

The conditional uses of an underground parking structure (which is encouraged) and potential fractional ownership (Timeshare Project) would require review but as described are allowed through the CUP process.

(C) The Floor Area Ratio limitation of the HRC District does not apply.

This limits the project to setback, and height limitations without a maximum floor area requirement.

3. Summary to the purpose statement of the HRC and Heber Avenue Sub-zone Requirements:

   (A) Items A&E which are the most definitive, have limited application to this site.

   (B) Items F&G are associated with the proximity to the Town Lift. Other HCB uses closer to the Town Lift follow these support uses based on economic viability, not planning district requirements.

   (C) Items B, C, D&H are either duplicated or a similar statement exists in the HCB purpose Statement.

   (D) The uses in the Heber Avenue Sub-zone are identical to the HCB District.

So if the most definitive requirements don't apply, the location dictates support of the Town Lift, the remaining items and uses are the same as HCB, what really changes with a zone change to HCB for the parcel?

IV. Analysis of the Proposed Zoning of the site:

Since the uses are the same between the proposed zoning designations and there is no minimum floor area associated with the site, the primary difference between the HRC and HCB zoning districts boils down to setbacks and heights.

Setbacks - The setbacks in the HRC are 10' from the street, 5' on the sideyard and 10' at the rear. The setbacks in the HCB are property line. The design submitted respects the front yard setback and the sideyard setback adjacent to the east at Poison Creek Mercantile. Whether or not the rear parcel is HCB or not, the adjoining parcel to the north is designed as HCB and is built to the property line. It seems that the setback adjacent to an HCB zone is relevant to use more than distance. The revised design suggests a 5' setback to an HCB designated property and is designed with a significant variation in form.

Height - The difference in height between HRC and HCB are approximately thirteen feet (13'-0"). The HCB allowed height for a sloped roof is fifty feet (50'-0") above natural grade. The HRC allowed height for a sloped roof is thirty seven feet (37'-0") above existing grade. The revised design pushes the increased height to the rear of the property adjacent to the HCB zone. Additionally, the height of the building is below the highest point of Poison Creek Mercantile, Marriott Summit Watch and the Siver Queen Hotel.

OK, one more time on Density - Although, it could be argued that the change to an HCB zone could increase the density for the site, it is not likely because the site is home to three historic structures that are significantly smaller than allowed in even the HRC/Heber Avenue Sub-zone. The existence of the historic structures minimizes the impact of density on the site. This is one of the reasons that reviewing a CUP for the project design simultaneously with the zone change made sense. It would have allowed for contextual review of the impacts of a zone change. Nonetheless, the owners of historic structures should not be penalized for maintaining Park City's link to the past. If these structures are underdeveloped on a site, one way to assist and encourage the owner to maintain and develop new uses for the historic structures is to allow additional height in less critical areas on the site. This is the underlying philosophy of the design submitted.

Analyzing the potential floor area (density) for a project on this site is relatively simple. Using the setbacks of the HRC the developable site area is approximately 38,085 square feet. The potential floor area at 3 stories is approximately 114,255 square feet. The revised total project including the depot building is approximately 104,082 square feet. The revised project is 10,000 square feet less than the maximum area allowed under the HRC zone.

The project submitted is a sensitive, sophisticated well thought out design that enhances Main Street and the Town Lift areas. The developer is asking for a zone change from HRC to HCB as directed by staff, but is not asking for increased densities, or to remove significant historic structures. The primary difference is the height allowed. With this in mind, the revised design has placed all of the HCB designated heights within the rear portion of the site. This portion of the site is adjacent to HCB zoning and is the area designated on the zoning map as HCB.

Respectfully Submitted,

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October 1, 2003

Honorable Mayor Williams and City Council Members,

I am writing to extend my sincere apologies for not being able to personally attend the workshop meeting of October 9, 2003 regarding The Bransford on Union Square project. Unfortunately, I had a long planned family wedding event that required my presence, which I could not reschedule or miss.

As you may know, my wife Diane and I have been residents of Park City since 1992. We were first drawn to Park City by its small town feel, its remarkable physical beauty and the interesting and diverse architecture. Our decision to become a part of the community was due to the kind people we met here and their commitment to their town. As time has passed we have been pleased to see that each of these attributes continues to be preserved and nurtured.

For over 20 years, Diane and I have had a personal and business interest in rehabilitating and preserving historic buildings of unique and interesting architecture. In Laguna Beach, California, we have rehabilitated over a dozen buildings that have been recognized by the Laguna Beach Beautification Council for several awards. These properties include 212 N. Coast Highway (The Villa Apartments - circa 1925), 446 - 450 S. Coast Highway (The Peppertree Lane - circa 1934), 370 Glenneyre Street (Sorrento Grille - circa 1946) and 684 Glenneyre Street (circa 1927). In Park City, we purchased the Depot Building at 660 Main Street (circa 1886) in 1991 and, after extensive renovation, it has been operated by Sundance Partners as the Zoom Restaurant. Most recently, we purchased the Utah Coal and Lumber Building (formerly the Morrison & Merrill Lumber Company - circa 1925) in September of last year and, with the help of Fandango Resorts, renovated it to accommodate the Easy Street Brasserie. In both of these projects we have been selected to receive awards for our efforts from the Historic District Commission.

I give you this background to provide you with a sense of who we are and our commitments to the towns we call home. Since our initial involvement with the Depot we have been pursuing the goal of consolidating the various parcels of land that comprise the current project of Union Square and the Bransford Hotel. We have, after 11 years, achieved that goal. This has afforded us the opportunity to assemble a team of local "Parkites", Craig Elliott of EMA, and Matt Bailey and Bill Shoaf of Fandango Resorts, to create an integrated redevelopment scheme for these five different parcels in the heart of historic Old Town. The guiding vision during this process was simple but bold:

> *"To create a world class mixed use tourist destination that would physically and spiritually connect upper and lower Main Street and serve as a catalyst for the reenergizing all of Historic Downtown."*

Since November of last year we have been working with the Park City Planning Staff to refine our development concepts and the architectural modeling. In addition, we have given several community presentations to the retail & commercial community, lodging community, arts community and interested neighbors to show our concepts and discuss our plans. From those meetings we have received valuable feedback which has been incorporated in the current plans and programming.

All of the members of our team are keenly sensitive to the importance of this location and our goals are achieving a sensitive balance when integrating historic and new structures, developing a vibrant pedestrian connection between upper and lower Main Street, and creating a "sense of place" that respects the historic nature of the site but acknowledges the urban context of this area. I believe this team has achieved these goals.

I would like to thank you in advance for taking the time to study and understand this project. I believe that it represents an opportunity to bring new energy into our Historic Downtown. I hope you agree.

Sincerely,

Philo M. Smith, Jr.

Philo M. Smith, Jr.

President

TO: Park City Council
FROM: The Crosby Collection
RE: Fandango Resorts Project
DATE: October 13, 2003

We are pleased to see the Fandango Resorts Hotel Project come before you and hope that you will vote approval. We believe the Bransford will be a major enhancement to the area of lower Main Street, which we now refer to as The Village on Main. It appears there will be improvements to the Easy Street access that will open up that pathway, directing more people to the plaza area. Frankly, we're particularly interested in that aspect since we operate The Crosby Collection; one of our two Main Street locations is on that plaza.

Businesses in that area have suffered from isolation and many of our colleagues, on the plaza as well as on the other side of Main Street, have been excited by the Bransford plans. As retailers of Native American art of all kinds, we look forward to the additional retail that will come with the project and we are supportive of the arts foundation concept with its gallery space that should appeal to our clientele.

To put it plainly, the businesses in The Village on Main Street area need help. A good number of them have had to close. We have worked very hard for five years to make a success of both our business and this area. We fully expect to continue working with our neighbors to improve our future. The point I'm making is that we're not relying only on outside intervention and we don't believe the project is a panacea. But there are very real problems here and we need a cooperating hand from the City.

We recognize there are issues remaining but we encourage you to work with Fandango Resorts to ensure this project happens. We believe the Bransford will be a significant and worthwhile addition to the historic downtown area, benefiting the WHOLE of Main Street.

Thank you.

Bing Crosby

Bing Crosby

I. Letter from Crosby Collection