**PARK CITY COUNCIL MEETING**
**SUMMIT COUNTY, UTAH**
**November 17, 2016**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, November 17, 2016.

**CLOSED SESSION**

2:00 p.m. To Discuss Property

**STUDY SESSION**

3:45 p.m. Recreation Facilities Master Plan Discussion PAGE 4

**WORK SESSION**

5:15 p.m. Council Questions and Comments

5:30 p.m. – Review Construction Mitigation Plans for Old Town and Main Street PAGE 6

5:50 p.m. – Drinking Water Quality Program Update with Regard to EPA Mandated Lead and Copper Rule Compliance PAGE 12

**REGULAR MEETING**

6:00 p.m.

**I. ROLL CALL**

**II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

**Staff Communications Reports:**

- National Accolades for Organizational Excellence in Community Engagement and Innovation PAGE 15
- Lifesaver Award PAGE 20

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

**IV. Mountainlands Community Housing Trust Presentation of the Annual Bob Wells Award** **PAGE 22**

## V. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from October 20, 2016 PAGE 23

## VI. CONSENT AGENDA

Request to Authorize the City Manager to Execute the Third Amendment to the Professional Services Agreement, in a Form Approved by the City Attorney, with CH2M Hill Engineers, Inc., for Judge and Spiro Tunnels Mining-Influenced-Water Treatment Evaluation Phases IB-2 and IC Engineering Services, and for an Increase to the Agreement in an Amount Not to Exceed $99,100 PAGE 40

## VII. OLD BUSINESS

Consideration to Approve Resolution 22-2016, a Resolution Amending the Special Event Advisory Committee by Adding Members to Advise Council on Hosting Events that Will Create a Diverse and Well Balanced Offering to the Local Community PAGE 51

## VIII. NEW BUSINESS

1. Consideration of Resolution 25-2016, a Resolution Proclaiming November 26, 2016, "Small Business Saturday" in Park City, Utah PAGE 65

2. Consideration to Approve the 2017 Sundance Supplemental Plan Including the Closure of Lower Main Street and 5th Street During the 2017 Sundance Film Festival PAGE 69

(A) Public Hearing ( B) Action

3. Consideration to Authorize the Purchase of a Mobile Command Trailer (MCT) from Stehno Technical Corp. in the Amount of $80,000 PAGE 86

4. Consideration to Approve Ordinance No. 2016-50, an Ordinance Approving the Stein Eriksen Lodge Common Area Third Supplemental Sheet for All Phases, Located at 7700 Stein Way, Park City, Utah PAGE 104

(A) Public Hearing ( B) Action

5. Consideration of Continuation of an Appeal of a Conditional Use Permit Approved by the Planning Commission for Retaining Walls Over Six Feet (6') in Height for the Alice Claim Project PAGE 147

(A) Public Hearing (B) Continue to a Future Date

6. Consideration of a Continuation of an Ordinance Approving the Ridge Avenue Plat Amendment Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney PAGE 149

(A) Public Hearing (B) Continue to a Future Date

7. Consideration of a Continuation of an Ordinance Approving the Alice Claim Subdivision and Plat Amendment Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney PAGE 150

(A) Public Hearing (B) Continue to a Future Date

**IX. ADJOURNMENT**

**X. HOUSING AUTHORITY MEETING**

**ROLL CALL**

1. Consideration to Approve the Housing Authority Meeting Minutes from June 4, 2015, and October 29, 2015 PAGE 151

2. Consideration to Approve Resolution HA 01-2016, a Resolution Establishing an Affordable Housing Production Goal for the Park City Housing Authority PAGE 174

**ADJOURNMENT**

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

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

## Mountain Recreation Facilities Master Plan Study Session

Park City, Basin Recreation and the Park City School District have been working cooperatively on a regional recreation facilities master plan. The plan is still in draft form. Staff and Landmark Design (the consultant) would like Council input on the draft plan so that comments can be included in the final plan.

This is the fourth cooperative study that Park City & Basin Recreation have completed together & the first study plan that has been completed with all three agencies. Below is a timeline & highlights of the past recreation studies.

**December 2011:** In partnership with Basin Recreation we completed the Recreation Facility Demand Study. This study looked at the number of facilities each entity had independently & together as compared to other Mountain Resort Communities. It determined the following additional facilities would be immediately beneficial:

2 Basketball Courts (Outdoor)
1 Full service fitness center (Basin)
2-3 Gymnasiums
1 Ice Rink
1 Indoor Field
2 Outdoor Fields
1 Indoor Aquatics
2-4 Indoor Tennis Courts

The complete study can be found at
http://www.parkcity.org/Home/ShowDocument?id=15811

**May 2012**: In partnership with Basin Recreation we completed a Community Interest & Opinion Survey. This was a statistically valid survey that was mailed out to 13,412 households. The goal was to get 1,200 completed but that was far exceeded with 2,284 submitted via mail & online. The level of confidence was 95% with a margin of error of +/- 2.1%. The purpose of the survey was to determine what recreation facilities & programs are important to the community.

The results identified the following facilities to be the most important to residents and to have the highest unmet needs: Ice sheet, Indoor Fields, Indoor Aquatics, and Outdoor Fields.

The results of the survey can be found at
http://www.parkcity.org/Home/ShowDocument?id=15813

**July 2013:** In partnership with Basin Recreation we completed the Mountain Recreation Strategic Action Plan. This used the results of the previous two studies to make recommendations on prioritizing future facilities for both the short & long term.

The study developed a set of 17 different criteria of which to evaluate the facilities. The top facilities identified were a second indoor ice sheet, indoor Aquatics, Indoor Fields, and Outdoor fields.
The complete plan can be found at
http://www.parkcity.org/Home/ShowDocument?id=15815
**December 2015:** City entered into a contract with Landmark Design to complete a Mountain Recreation Facilities Master Plan. The purpose of this plan was to look at city owned land to determine what facilities could go where & to determine how much they will cost to build, own & operate. The scope was expanded in January 2016 when Basin Recreation joined the process and then again when the Park City School District joined the efforts in April 2016.
The goal of the plan is to have a comprehensive regional recreation master plan that identifies facility locations and what they cost to own & operate. While the plan is key it also has to be flexible so we can adjust to opportunities as they arise.
A draft of the plan can be found at
http://www.parkcity.org/Home/ShowDocument?id=33858
The appendix to the draft plan can be found at
http://www.parkcity.org/Home/ShowDocument?id=33860
During the September 19, 2016 Joint Meeting of the Park City Council, Summit County Council and Park School District, the three entities asked their respective staff participants in this process to first present the draft plan to each individual elected body for feedback and to, thereafter, organize a joint meeting of the three aforementioned entities to further discuss the plan.

**Respectfully:**

Ken Fisher, Recreation Manager

PARK CITY 1884

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

Staff would like to provide an update to City Council regarding current construction mitigation efforts and plans for additional measures in the future throughout Park City, but specifically focused on Old Town and Main Street.
Mitigating construction impacts supports multiple objectives of the General Plan, most specifically helping to sustain the Community Core Values of Small Town and Sense of Community.

**Respectfully:**

Michelle Downard, Deputy Chief Building Official

# City Council
# Staff Report

**Subject:** Construction Mitigation
**Author:** Michelle Downard, Deputy Building Official
**Department:** Building Department
**Date:** November 17, 2016
**Type of Item:** Informational

## Executive Summary

Staff would like to provide an update to City Council regarding current construction mitigation efforts and plans for additional measures in the future throughout Park City, but specifically focused on Old Town and Main Street.

Mitigating construction impacts supports multiple objectives of the General Plan, most specifically helping to sustain the Community Core Values of Small Town and Sense of Community.

## Acronyms

IBC - International Building Code
CMP – Construction Mitigation Plan
MCPC – Municipal Code of Park City

## The Problem

While Park City has enjoyed a successful economy and property values, an unintended consequence has been the consistent amount of construction activity. Staff has been attempting to balance minimizing the impacts of construction, while not limiting it so much that the construction is prolonged.

## Background

- At the October 6, 2016 City Council Meeting, staff discussed vacancies on Main Street and the ongoing construction at specific properties. Minutes, pg. 5
- Municipal Code of Park City (MCPC) 11-14 regulates the hours of work, parking, deliveries, phasing, trash management and recycling, control of dust and mud, erosion control, noise, construction sign, temporary toilet facilities and trash containers.
- Applicants are required to submit a Construction Mitigation Plan (CMP) as a condition precedent to issuance of a building permit. MCPC 11-1-1(H) defines a CMP as "a plan that is submitted to the Chief Building Official that includes mitigation details on site specific projects."
- Section 105.5 of the International Building Code (IBC) allows a building permit to remain active if work is commenced with 180 days after its issuance. However, if work is suspended or abandoned for 180, the permit becomes invalid. The Utah State Legislature has adopted the 2015 version of the IBC. Cities and counties

within Utah are not allowed to adopt building codes that are more restrictive than the code the State has adopted. However, local jurisdictions maintain the right to interpret and apply the intent of the IBC. Meaning, local jurisdictions can not amend the clearly identified 180 day timeline, but they can define what suspended or abandoned construction means within an Administrative Policy. Administrative Policies are drafted at a staff level and help to define and clarify code interpretations but can not be more restrictive that the IBC or other State adopted codes.

## Analysis

Difficulties

Staff is unable to regulate construction timelines contrary to the regulations set forth in the International Building Code, as adopted by the State of Utah, and MCPC 11-3, allows a building permit to remain active unless work is suspended or abandoned for 180 days. The City does not have the ability to adopt its own building code or strictly require anything to the contrary. Staff has drafted an administrative policy (as identified in “Successes” below). However, this policy only applies to residential construction as commercial projects are more complex and it is difficult to apply one standard timeline.

Staff has been attempting to balance minimizing the impacts of construction, while not limiting it so much that the construction is prolonged.

Staff does not have the ability to regulate the number or scale of building permits when a complete application is received and if that application is consistent with the development rights of the property.

Code Enforcement has always prioritized education and has utilized enforcement only if needed to achieve compliance. Unfortunately, this can result in a perception of violations occurring without any enforcement action. Also, during any investigation, if there is no evidence of a violation, Code Enforcement is limited on their ability to take enforcement action. Likewise, Stop Work Orders must be supported by probable cause. For example, if the only witness of a violation does not want to provide a statement or if Code Enforcement cannot prove what construction site a vehicle originated from, Code Enforcement does not have the ability to take enforcement action.

Successes

Staff feels that we have had good success in minimizing immediate impacts of construction through CMP requirements that are necessary to promote the health, safety, and welfare of the public, along with CMP enforcement. Staff has been continually refining CMPs as a result of specific site locations, scope of work and anticipated impacts. However, staff intends to continue identifying mutually cooperate terms with contractors in an effort to further reduce construction impacts. Our highest priority is to shorten construction timelines.

Recent CMP enforcement actions include:

- 205 Main was issued two citations within the past 60 days for CMP concerns, including parking and lack of controls around cement washout areas.
- 221 Main Street has been prohibited from parking on the Main Street and has made accommodations for parking off site.
- 352 Main has been denied multiple road closure applications and notified that future parking violations on Main Street will result in citations.
- 825 Main (previously Mountain Body Spa) has a CMP which prohibits construction parking on Main Street. The contractor has made arrangements to park in the underground parking garage.
- Staff has drafted an Administrative Policy on Expired Permits clarifying our interpretation of the International Building Code regarding suspended or abandoned construction. See EXHIBIT A The policy identifies the required inspections and timeline for residential structures in order to be considered active permits vs. suspended or abandoned construction.

Future intentions include:

- Staff has had difficulty drafting an administrative policy for construction timelines on commercial sites due to the varying size and scale of projects. For example, 200 sq ft coffee shops have been constructed in a matter of a couple of months, while large hotels can be under active construction for multiple years. However, staff intends to more consistently identify construction timelines in specific CMPs, with a particular emphasis in Old Town and Main Street.
- Require that the CMP ensures that any impacts to city or public property are justified and in the public and City's best interest. For example, prohibiting any parking, delivery trucks or road closures on Main Street unless contractors identify and commit to a construction timeline or demonstrate that any approved construction impacts will result in a shorter timeline of construction.
- Right of Way Permits – Staff intends to add language to the Right-of-Way Permit so that it better supports the CMP. Ideas would be to put time limits on the permit so the work gets done quicker (at the time limit expiration, they would be required to re-apply and pay new fees). The ROW permit can also be used for the tight construction on Main Street to specify better and control the time the contractor spreads out into the ROW to do their work. This might incentivize them to program the work in a tighter time frame. Anything we do with the ROW permit should be to support the CMP implementation.

Impacts of staff further limiting construction impacts on city and public property include:

<u>Pros</u>

a. Construction would not significantly impact property owners, the tourist experience and general vibrancy on Main Street unless there is a defined benefit to the City and/or public.

<u>Cons</u>

a. This still does not provide staff with a clearly defined enforcement tool against prolonged construction.

b. If the contractor/developer fails to define justification to utilize the City or public property, the constraints may result in prolonged construction timelines.

## Furthering the Goals of the General Plan

This program aligns with three goals expressed in the General Plan:

In the section titled Small Town, under Goal 3, Objective 3A:
http://www.parkcity.org/home/showdocument?id=12387 (page 43)

**3A** Streets, pedestrian paths and bike paths should contribute to a system of fully connected and interesting routes to all destinations. Their design should encourage pedestrian and bicycle use by being small and spatially defined by buildings, trees, signs, and lighting; and by discouraging high-speed traffic.

In the section titled Natural Setting, under Goal 4, Objective 4D:
http://www.parkcity.org/home/showdocument?id=12386 (page 53)

**4D** Minimize further land disturbance and conversion of remaining undisturbed land areas to development to minimize the effects on neighborhoods.

In the section titled Natural Setting, under Goal 5, Objective 5A:
http://www.parkcity.org/home/showdocument?id=12386 (page 57)

**5A** Encourage development practices that decrease per capita carbon output, decrease vehicle miles traveled, increase carbon sequestration, protect significant existing vegetation and contribute to the community emission reduction goal.

In the section titled Sense of Community, under Goal 11, Objective 11B:
http://www.parkcity.org/home/showdocument?id=12388 (page 87)

**11B** Preservation of our community core values of Small Town, Natural Setting, Sense of Community, and Historic Character is essential to maintaining the unique Park City Experience for visitors and residents. Regulate design of new development to compliment the community's core values and protect the Park City Experience.

## Department Review

The Building, Planning, Engineering, Sustainability, Legal and Executive Departments have all reviewed this report.

## Funding Source

No funding is needed at this time.

## EXHIBITS

Exhibit A- Administrative Policy on Expired Permits

Park City Municipal Corporation

# Department of Building Safety

## Policy and Procedure Statement Revised

**FROM: Chad Root, CBO**

**SUBJECT: Residential IRC Permit/Project Suspension or Abandonments that exceed 180 days**

**DATE: February 22, 2016**
**Modified : March 30, 2016**

**Purpose:** This policy is to give guidance of what is considered an active permit/project within Park City Limits. The Building Code, as adopted by the State of Utah R105.5, states that a permit becomes invalid unless the work authorized by such permit is commenced within 180 days after issuance, or if the work authorized by such a permit is suspended or abandoned for a period of 180 days after the time the work has commenced. Projects are considered abandoned or suspended if the required inspections listed below have not been passed.

**Policy:** Below are the requirements to retain an active building permit/project. The following inspections are required every 180 days in order to maintain an active permit. Failure to pass the full inspection will not be considered a completed inspection and will not be considered in the 180 day requirement; at which time the permit will come to be expired. These inspections are whole and/or a full inspection; **partial or failed inspections will not be accepted**.

**180 Day Inspection Requirements**

**1st Foundation Inspection (Including Footings, French Drain, Stem Walls, Weather proofing)**
**2nd Rough Framing all Or Rough Electrical all or Rough Mechanical all or Rough Plumbing all**
**3rdInsulation all**
**4th Drywall all**
**5th Final Electrical, Plumbing, Mechanical, Final Building**
**6th Certificate of Occupancy**

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

This report is intended as a high level briefing on Park City's Water Quality Program specific to Lead and Copper Rule compliance.

**Respectfully:**

Michelle DeHaan, Water Quality & Treatment Manager

# City Council
# Staff Communications Report

| | |
|---|---|
| **Subject:** | **Drinking Water Quality Program Update – EPA Mandated Lead and Copper Rule** |
| **Author:** | **Michelle De Haan, Water Quality and Treatment Manager** |
| **Department:** | **Public Utilities** |
| **Date:** | **November 17, 2016** |
| **Type of Item:** | **Information** |

This report is intended as a high level briefing on Park City's Water Quality Program specific to Lead and Copper Rule compliance.

Park City's Compliance with the Lead and Copper Rule

In light of the Flint, MI health crisis with lead exposure in drinking water, it was important that staff reassess Park City's EPA and Utah Division of Drinking Water (DDW) required Lead and Copper monitoring program. Per regulation lead and copper samples are required from customer taps every three years with Park City's most recent sampling due in 2016. Staff reassessed original rule requirements which were promulgated in 1992 and evaluated recent EPA guidance in consideration of the following efforts. See http://www.deq.utah.gov/Pollutants/L/lead/LeadinWater.htm.

1. Conducted a water system materials inventory to determine the following:

    - Are there lead pipes or residential lead service lines in the water distribution system or house hold service lines?
    - Determine where single family and multifamily structures have copper pipe with potential for lead solder based on when constructed.

    Many parties participated in the evaluation: Water Operators who have worked for City since 1984, Water Billing Analysts, Building Dept Inspectors, and Building Dept Analysts. Additionally the City's GIS expert developed year by year parcel information with a live mapping app.

    Results of the analysis:
    - There are no known existing lead water lines or residential service lines.
    - Copper pipe on customer meter side has highest potential for lead solder throughout 1980s-1990.
        - Building Dept. verbal reporting of routine lead solder use before the 1988 Utah Solder Lead Ban and for a couple of years later until supply diminished. This was a very common practice throughout U.S.
        - Records do not identify solder materials; therefore, sample site selection was determined based on best information available.

As stated in our DDW Lead and Copper Site Sampling Plan Revision, Park City has performed the best due diligence possible in revisiting Lead and Copper Rule sampling locations.

2. Site Selection and Sampling

   By rule samples had to be collected within single family or multifamily residences that met the following criteria.

   - ✓ Copper pipe within home
   - ✓ Built between 1983-1988 or before 1983
   - ✓ House has been occupied within last couple of months
   - ✓ House does not have a Reverse Osmosis (RO) system throughout entire home (under sink RO ok)
   - ✓ House has water softener on hot water but not cold water

   It was difficult to locate 20 homes that met these criteria with success after phone calls, walking door to door and door hangers. Residents collected samples after water remained stagnant over night to represent water with highest potential lead or copper results.

3. Sampling Results

   **All of Park City's samples for 2016 are below the EPA required lead and copper action level.** Therefore, Park City is not required to take any action other than continuing sampling every 3-years. All residents were notified of their individual sample results.

<u>Why Park City is Different than Flint, MI?</u>

As a water industry leader I have closely followed the Flint, MI tragedy. I take my role at the City very seriously with a continual commitment to protection of public health. Our staff shares the same commitment. Flint is different than Park City because:

- Flint's Lead and Copper Rule sample results would have been above the EPA Action Level compliance reporting of the Lead results had been accurate. Lead results were well above the EPA action levels when researchers resampled. Park City's sample results are all below EPA's Lead and Copper action levels.
- Flint residents exposed to high lead levels in drinking water had residential lead service lines. Park City has no known existing lead water lines or residential service lines.
- Flint's water became corrosive after they switched water sources. Corrosion control chemicals were not applied as they had been with the previous water supply. Over time the pipes corroded and released lead into drinking water. Park City's water supplies are scale-forming, not corrosive.

DATE: **November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

**National Research Center 2016 Voice of the People Awards**

Each year, local government excellence and change-making are recognized with The Voice of the People (VOP) Awards. Presented by National Research Center, Inc. (NRC) in collaboration with the International City County Management Association (ICMA), these are the only awards given in local government based on the opinion of residents. Jurisdictions are nominated based on the highest resident ratings from The National Citizen SurveyTM (The NCSTM).

Park City Municipal Corporation was recognized as the winner in Excellence in Community Engagement and Excellence in Recreation and Wellness categories, and was named a finalist in the Excellence in Transit and Mobility category.

**Excellence in Community Engagement**

Based on high marks received in the area of community engagement from our citizens in the 2015 National Citizen Survey, and the Council's commitment to community engagement by deeming it a Top Priority in 2014, Park City Municipal was honored for the new "Taking it to the Streets" citizen participation initiative. The "Taking it to the Streets" initiative was designed to increase both information flow to the community and create meaningful opportunities for community collaboration in decision making. This new initiative was applied to engage and inform our citizens and businesses on the Main Street Enhancements, Lower Park Avenue Redevelopment Project, and through the "What's Next Park City" community presentations.

**Excellence in Recreation and Wellness**

Park City Recreation receives support from City Council and City staff in their efforts to meet the goal of world-class recreation facilities and opportunities. Support of recreation happens in a number of ways, but one of the most significant has been the quick action and risk involved with 'pilot programs'. When faced with an issue or opportunity, the City has been willing to take a chance on pilot programs that have led to a number of successes. For example, in a town where seemingly every other household owns a dog, our trails and parks were often places where dog owners exercised their pets and clashed with non-dog owners. The City recognized the lack of enforcement by the County division of animal control and entertained a large number of negative comments from the public, but was willing to act quickly to resolve the issue as opposed to "paralysis by analysis". Input from both sides of the issue was sought and effective January 2016, Park City Municipal Corporation has established two off-leash dog areas within city limits.  A dog task force made up of members of the recreation department and community members is still in effect to monitor the areas and ensure the goals of the program are being met.

**Finalist - Excellence in Transit and Mobility**

Serving and improving the mobility of our community is at the forefront of everything we do. Park City places a very high value on input from the community and is constantly seeking ways to engage the public and to listen to the needs of the people, whether through a quick and easy feedback option in the Transit app or through an open house meeting.

One example is our response to public input received during three open houses on our Short Range Transit Development Plan. The purpose of the Short Range Transit Development Plan is to determine community transit and mobility needs for the next 5-7 years. The attendees' comments produced a common theme of creating an earlier transit route for workers to get to their jobs and extending transit hours to midnight so the bus would be more accessible to later shift workers and visitors. In the meetings our response was we will wait and see what the study says before we increase service. After the public meetings we reevaluated our stance, ran the budget numbers, and decided to run a pilot for the winter season as suggested by our attendees. This pilot program was put together and implemented in under one months' time. The response from the public was overwhelming and for the winter season we had an increase of 38,156 riders during the expanded hours.

Park City continues to be a leader in recreational and urban trails development and policy initiatives. Over the past two years, the City has continued to implement walking and biking infrastructure based on recommendations by the Walking and Biking Liaison Committee (WALC). These improvements are funded by a $15M Walking and Biking General Obligation Bond passed in 2007. Most recently, the construction of multi-use pathways, along the City's entry corridor and in the Lower Deer Valley area, have been improved to elevate the safety and connectivity of the entire network.

**2016 Alliance for Innovation - Innovation Academy Award**

Over the past nine years, the Alliance for Innovation and Arizona State University have collaborated to promote innovation in local government.  In 2013 they created the Innovation Academy, comprised of six teams of participants from local governments across North America.

Park City Municipal participated in the 2016 Innovation Academy.  The team was comprised of staff from various departments which included Building, Engineering, Information Technology, Economic Development, Recreation, Budget, and the Ice Arena. The Innovation Academy is designed to provide support for developing an innovative community project and encourages participants to recommend ways to strengthen the culture of innovation within their organizations.

As part of their final project, the Park City Team took on the challenge of addressing and reducing the City's amount of electronic waste in support of the City's goals for our municipality to become net-zero by 2022, and our community to become net-zero by 2032. Conducting a thorough analysis of the City's current electronics replacement schedule and disposal methods, the team identified and recommended a new cell phone policy, participation in a Dell buy-back program, and implementation of a new electronic device replacement test program administered by the City's IT Department.

The team's Innovation Project resulted in a 450lbs reduction of e-waste and a carbon footprint reduction of 2515lbs.  The details and results of the project were presented at the 2016 Transforming Local Government Conference in Saint Paul, Minnesota.

**Respectfully:**

Linda Jager, Community Engagement Manager

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

Park City Municipal Corporation has been fortunate to receive recent accolades highlighting organizational excellence in the areas of community engagement and innovation.

Each year, local government excellence and change-making are recognized with The Voice of the People (VOP) Awards. Presented by National Research Center, Inc. (NRC) in collaboration with the International City County Management Association (ICMA), these are the only awards given in local government based on the opinion of residents. Jurisdictions are nominated based on the highest resident ratings from The National Citizen SurveyTM (The NCSTM).

In September, Park City Municipal Corporation was recognized at the Voice of the People Awards as the winner in the Excellence in Community Engagement and Excellence in Recreation and Wellness categories, and was named a finalist in the Excellence in Transit and Mobility category.

The Alliance for Innovation and Arizona State University created the Innovation Academy, comprised of six teams of participants from local governments across North America. The Innovation Academy selects a few communities from across the US to participate in this program and is designed to provide support for developing an innovative community project and encourages participants to recommend ways to strengthen the culture of innovation within their organizations.

Park City Municipal participated in the 2016 Innovation Academy, fielding a team comprised of staff from various departments which included Building, Engineering, Information Technology, Economic Development, Recreation, Budget, and the Ice Arena. Jason Glidden was the force behind participating in the Innovation Academy, wrote the application and led the team.

The Park City Team took on the challenge of addressing and reducing the City's amount of electronic waste in support of the City's goals for our municipality to become net-zero by 2022, and our community to become net-zero by 2032. The Park City Team's Innovation Project resulted in a 450lbs reduction of e-waste and a carbon footprint reduction of 2515lbs. The team presented the details and results of the project in April at the 2016 Transforming Local Government Conference in Saint Paul, Minnesota.

We extend our congratulations to the participating staff and departments on their recent honors.

**Respectfully:**

Linda Jager, Community Engagement Manager

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

A lifesaver award was presented to Park City Municipal Corporation, along with a check for $5,000, because staff worked efficiently when inspecting a residential fire alarm, and for the quick response time by law enforcement when a fire occurred at the residence.

**Respectfully:**

Michelle Downard, Deputy Chief Building Official

## City Council
## Staff Communication Report

**Subject:** Lifesaver Awards
**Author:** Michelle Downard, Deputy Chief Building Official
**Department:** Department of Building and Fire Safety and Public Safety
**Date:** November 17, 2016
**Type of Item:** Informational

In 2007, **Senior Building Inspector Rich Novasio** completed a building inspection of a new single family home located at 2451 Iron Canyon Drive. He inspected and approved the fire alarms.

At approximately 1:00 AM on September 13, 2016, the resident of 2451 Iron Canyon, Jim Hailey, heard his fire alarm siren. Assuming it to be a false alarm, he attempted to disarm the system. In the meantime, his wife, Phoebe entered their 8 year old daughter's bedroom and discovered their daughter's bed on fire. She screamed for Jim, quickly gathered their two children and ran out of the house. Jim stayed behind and attempted to extinguish the fire. When he realized the flames were too much for him, he also evacuated.

**Sargent Jay Randall** and **Officer Zach Nakaishi** were the first to arrive. After confirming that everyone had evacuated the Hailey home, they ran to neighboring homes to evacuate those residents. The officers assisted in shutting off the natural gas service and helped Mr. Hailey retrieve some items from the home.

The **Park City Fire Department** quickly responded and had the fire controlled within approximately 10 minutes.

**Fire Marshal Kurt Simister** and **Fire Code Official Chad Root** conducted the fire investigation and determined that the fire was accidental and the result of a reading lamp that had been left on, which made contact with the bed linen and eventually accumulated enough heat to ignite.

Park City has since been contacted by the security company who monitored the residence. They communicated their appreciation for Park City's actions before and after the fire. They expressed their belief that the thorough installation of the fire alarm system ensured that the residents were alerted early, possibly saving their lives. Additionally, the quick response from first responders (Police and Fire) helped to limit structure damage. Had it not been for all of these combined efforts, the result of this incident could have been very different. Both Park City Municipal and Park City Fire Department have received Lifesaver Awards and $5,000 rewards for their efforts. The funds will be used towards the City's future safety initiatives.

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

Mountainlands Community Housing Trust will be presenting the Bob Wells Award at this meeting.

**Respectfully:**

Michelle Kellogg, City Recorder

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

Attached for your approval, please find the minutes for the October 20, 2016 City Council meeting. Thank you for your consideration.

**Respectfully:**

Katie Madsen,

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

**October 20, 2016**

The Council of Park City, Summit County, Utah, met in open meeting on October 20, 2016, at 4:00 p.m. in the City Council Chambers.

Council Member Beerman moved to close the meeting to discuss property, personnel, and litigation at 4:00 p.m. Council Member Gerber seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

**CLOSED SESSION**

Council Member Gerber moved to adjourn from Closed Meeting. Council Member Henney seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

**WORK SESSION**

**Council Questions and Comments:**

Council Member Matsumoto visited the Sewer Board meeting. She said everything was on schedule for their treatment plant. She attended most of the Library luncheon and said it was very nice. She attended the Senior Lunch and there were visitors from San Francisco who liked visiting the Senior Center whenever they were in Park City.

Council Member Gerber met with the Youth City Council. They would like to shadow Council. They were interested in coming to part of Work Session. They wanted a tour of City Hall and would like to meet with the Police Department too. Council Member Gerber attended Planning Commission where they discussed Treasure Hill. She also attended the Friends of the Farm meeting on Monday and they talked about the possible uses of the farm after the structural upgrade is completed.

Council Member Henney thanked Staff for updating the Council Goals & Priorities posters in Council Chambers and on the website. He attended the Leadership graduation banquet and said the Leadership program was invaluable. Council Member Henney was on a panel that discussed the two transit and transportation tax plans. He stated that HPCA was doing better now that Michael Barille had taken over. He also attended the BOA meeting.

Council Member Worel loved the Friends of the Farm event. She attended the JTAB meeting and received a great update. She stated that the Peace House would have a fundraiser. Council Member Worel attended the PC Tots board meeting and they were excited for the money from Rob Katz. She talked with Ember Conley about the events in town and also attended the Library Board meeting.

Council Member Beerman wanted to thank Worel for bringing the Katz foundation into the PC Tots fund. He attended the Leadership dinner and saw Jane Patten receive the Citizen of the Year award from the Leadership program. Council Member Beerman attended the Utah League of Cities and Towns meeting and commented that they were being audited. He was excited about the Climate Reality Project and said that Moab would like to do something similar.

Mayor Thomas wanted to compliment the Council on the relationships they had with the non-profits in the community. He stated that he and Diane were taking their Spanish class. He met with a group called America's Council and they wanted to come to Park City's Latino Advocate meeting. Mayor Thomas had looked at graphics that Jed and Linda were working on regarding the complete community concept. He said the Leadership event was amazing.

Linda Jager, Community Engagement Manager, wanted to follow up on the proposed community outreach series, which was a combination of coffee, après, and backyard events with Council over the next eleven months.

Council Member Henney stated he was very excited about this series. He said he wished he could attend all the meetings, but after looking at his schedule he realized he could not.

Jager presented a schedule and Council Members decided on the days they could attend.

Lynn Ware Peek, Community Engagement Liaison, discussed engaging the Latino community by inviting them to the Coffee with Council meetings. She suggested going to the locations that the Latino community already gathered such as McPolin Elementary and Anaya’s Market and bringing a translator. Peek also suggested meeting with seniors and millennials. She said Deanna Perez, the Latino outreach person from UVU, had suggested inviting the community to an event where people could practice speaking Spanish to each other, listen to speakers, and talk about the Latino culture.

**1. <u>Woodside Park (Former Fire Station) Architectural Concepts and Senior Updates:</u>**

Jonathan Weidenhamer, Economic Development Director, stated they had moved forward with Council’s direction given on August 25 to do the following:

1. Pursue Option 3, which was the most dense and included footprints for four single family homes ranging in size from 869 – 1,800 sf; and four townhomes, each with an accessory apartment; and a shared parking lot at 1364 Woodside.

2. Create additional accessory units where possible; and

3. Consider different approaches to parking including parking across street in a possible underground garage and/or parking reductions (contingent upon a planning process).

Weidenhamer stated that the design of this option had been further developed and would be presented to City Council at this meeting. Staff sought affirmation that staff and the design team were moving in the right direction in terms of scale, streetscape and design. If Council supported this direction, a next step would be to begin the planning process.

Craig from Elliott Work Group presented their preliminary architecture proposal to Council.

Council Member Matsumoto asked if the accessory apartments could be opened up to connect to the townhomes if the owners wanted more space and wanted to use it themselves. Craig stated they were not currently designed to have that capability, but that they could discuss the possibility.

Council Member Beerman asked if they could have carports with solar on top and also storage sheds for the smaller apartments where they could keep skis and bikes in. Craig said it was possible that they could have carports with solar on top and storage sheds, but that there would be additional costs associated with those. Council Member Beerman stated he thought it was important that as the apartments became smaller they provide storage even if it wasn't full garages and that the extra buildings with more solar would create a win-win.

Council Member Matsumoto asked what they meant by "built-in." Craig said the couch was built-in and there was storage underneath it. He said this built-in concept was good for young people who were coming to the community without any furniture and other stuff.

Council Member Matsumoto asked if the apartments each had a washer and dryer. Craig said they did each have them, but the accessory apartments did not. Council Member Matsumoto asked if the apartments were ADA accessible. Craig answered that any that had a bedroom on the first floor could be ADA accessible. She asked if the rooms all accommodated queen beds. Craig answered that they did accommodate queen beds and the master bedrooms all accommodated king beds.

Council Member Worel asked if the roof deck was a live use in that zone and Craig said it currently was.

Council Member Gerber asked if residents would be able to expand onto the roof deck in the future and Craig responded that that was up to Council's direction whether they would allow future expansion or not. He said that zoning would allow it, but that it was up to Council's vision.

Council Member Matsumoto asked if the green roofs had access to them. Craig explained that they did not have access to them—they were just green roofs.

Council Member Henney asked if the angle of the roofs would be favorable to solar and Craig responded that the pitch is very favorable to solar.

Council Member Gerber asked if the apartments on the ends had more windows and that was why they were able to have an extra bedroom. Craig confirmed that the end units had another bedroom whereas the middle units could have an office, but not another bedroom because of egress, although they had skylights.
Mayor Thomas stated the overhangs could be an issue. He pointed out that because of the angle and pitch of the roofs, metal could be problematic because of the velocity of snow when it slides.

Council Member Matsumoto stated she was not a fan of flat roofs and would rather have them all be pitched, but that she wasn't there to change it. Mayor Thomas pointed out the flat roofs were a secondary form on the design and Craig stated the gabled roofs were primary. Council Members Beerman and Worel said they liked the flat roofs. Craig explained that flat roofs created a reduction in the run-off by soaking up the snow and rain and that it was a benefit regarding the stormwater issues cities were experiencing.

At this meeting staff would also present preliminary options for relocation of both the senior program/use and current senior building. The footprint of the current Senior Center building was insufficient to meet the current or future senior program. Additionally, to meet Council's housing goals, staff believed relocation of the current building was necessary. Council discussions to date had focused on keeping the Senior Center and associated programming in the general vicinity of the current building location, therefore relocation options were limited. While there was not yet a defined scope or budget to accomplish a move, this report was a step along the path to accomplishing that. This issue would be a high focus as a next step in this process.

Weidenhamer stated the current footprint of the Senior Center does not work for their programming, so a new building and relocation to the new space at City Park is necessary.

Council Member Worel asked about the gap time when the new facility was being built. She wondered where the seniors would meet during that time. Weidenhamer replied that the time frame depended on who would be using the current building and when they started construction. They could start as early as the upcoming fall.

Council and Staff agreed to continue the discussion on the November 3rd Council meeting as they were short on time.

**2. Main Street Paid Parking Progress Update:**

Blake Fonnesbeck, Public Works Director, gave an update on the Main Street Parking Implementation Plan. One of the recommendations of the plan was to put together a task force. Fonnesbeck stated there were a lot of people working together on the task force. As they looked at the complexities of the technologies they were working with as informing and engaging the public, the task force concluded they would not be able to have the plan implemented by December. Their revised goal is to have it implemented by June 1.

Mayor Thomas stated a June 1 goal would ensure they had sufficient public input as well. Fonnesbeck agreed and stated the advantages to the June 1 goal would be more time to get it right, time to get the message out to employees and customers, ensure there would be multiple transit and parking alternatives for the employees on Main Street, time to develop incentive programs for employees, and time for a testing period as well. Fonnesbeck stated the timing of the electric bus fit well into the June 1 goal because it would be running by then and would provide another means of transportation. He also suggested that when the plan is implemented there would be bugs to work out and the summer season would be a better time to work out the bugs than trying to fix things in December.

Fonnesbeck mentioned that in the last Council meeting there had been public concern that the 9-5 employee was not considered in the plan at all, but he explained that the 9-5 employee had been considered quite a bit and that they were taken into account. He explained that in the new plan an employee value pass for China Bridge ($121) would be less expensive than the current annual pass ($150). He explained that the weekends, evenings, and special events would have the highest rates, so it would not affect the 9-5 worker as much. Fonnesbeck explained that Sandridge would still be free for everyone with this plan.

Council Member Beerman thanked Fonnesbeck for the work he had done. He was disappointed it would not be ready for implementation for this winter season, but understood the need to get it right. Council Member Beerman thought the demand based system was great, but questioned whether the pricing was fitting the demand very well. He thought the July and August pricing should look more like the winter pricing and the November pricing should be the lowest whereas it was currently very high in the plan. Fonnesbeck agreed the demand based parking prices needed to be tweaked and said they would continue to change those rates. He said the numbers were based on data from consultants over the last few years, but that they would look at the numbers again.

Council Member Worel stated she liked the concept. She asked when the new transit center at Kimball Junction would be finished. Fonnesbeck said it will be partially operational by Nov 18th and fully open by December 6th. Council Member Worel asked if it would be operational before the parking plan was implemented and Fonnesbeck replied that it would be.

Council Member Gerber stated she also liked a lot of what she was seeing. She said one thing she was not seeing was a carpool program. Fonnesbeck explained that it wasn't highlighted in his latest update, but that it was mentioned in the plan. He said carpooling would be part of the incentive plan for employees and they could receive a credit on their payment card for carpooling.

Mayor Thomas asked how often they would receive updates and when the public would have another opportunity to give input. Alfred Knotts, Transportation Planning Manager, replied they would give updates monthly. Diane Foster, City Manager, explained they were working with Linda Jager, Community Engagement Manager, on a Public Communication Plan in order to educate the community on the parking plan.

Council Member Henney wondered how staff knew the timeline for implementing the parking plan was correct. He wanted the implementation to happen more quickly and wondered how staff could be sure it would happen by this summer. Knotts replied that one part of the project would not hold up the other parts of the project, so he felt good about the June 1 date. He suggested that because Park City already had a free transit system, it enabled the City to move forward with the parking plan more quickly. Knotts said he was also hiring an employee to focus on the project. Council Member Henney suggested staff should put extra focus on the Old Town portion of the project, ensuring the other parts of the plan would not hold up the parking plan for Old Town and the Historic District.

Council Member Henney suggested having free parking times that would be determined by the demand statistics. Fonnesbeck replied that there would be free times. Council Member Henney would like to expand the free times. Fonnesbeck replied that this program was made to change depending on the demand. Council Member Henney suggested the narrative needed to include the verbiage of free parking, which would spread the message that this paid parking plan could be less expensive for many. Foster explained that in the report it said that at least 1/3 of the time would be free.

Council Member Beerman suggested staff should implement more surveys this winter in order to gather baseline information on who was using the parking. Knotts replied that staff would be tracking using the data from sensors and the tracking would begin in the next couple weeks.

Council Member Gerber asked if Blyncsy could be used to track the number of cars that were coming to Main Street and which direction they were coming from. Knotts replied that Blyncsy could track that information and that staff was already gathering that information.

## REGULAR MEETING

### I. ROLL CALL

| Attendee Name | Title | Status |
|---|---|---|
| Jack Thomas | Mayor | Present |
| Andy Beerman | Council Member | Present |
| Becca Gerber | Council Member | Present |
| Tim Henney | Council Member | Present |
| Cindy Matsumoto | Council Member | Present |
| Nann Worel | Council Member | Present |
| Diane Foster | City Manager | Present |
| Mark Harrington | City Attorney | Present |
| Matt Dias | Assistant City Manager | Present |
| Katie Madsen | Deputy City Recorder | Present |

### II. COMMUNICATION AND DISCLOSURES FROM COUNCIL AND STAFF

- **FY 2017 First Quarter Budget Report**

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

Mayor Thomas opened the meeting for those wishing to comment on items not being addressed on the agenda.

Michael Barille, Executive Director of the Historic Park City Alliance (HPCA), wanted to compliment Craig Elliott on the floor plans for the Lower Park Avenue development. He said the HPCA supported any development of smaller units in Old Town that could be occupied by the local business owners and their employees. He also said the parking plan seemed to be going in the right direction. Barille agreed with Council Members Beerman and Gerber regarding the collection of as much information as possible in order to know who was using the parking and when. He also suggested having a trial period before fully implementing the paid parking plan in order to learn what works and what does not. Barille would like to include some Main Street employees on the subcommittee as well in order to learn from the users how it was working.

Bob Peek, owner of an electric car, stated that there were not many charging stations in town. He explained that the China Bridge stations were usually full. Peek said that at Kimball Junction they have a charging station at Backcountry, but it's next to a handicap parking stall. This setup made it so that if someone else was already in the stall, he could not pull up next to it and charge at the station. Peek suggested Council should look at more opportunities for providing charging stations for electric cars in the City.

Council Member Beerman agreed with Peek that it was hard to find available charging stations. He thought there would be a wave of electric vehicles coming soon and it would be important to provide stations for them. He said that as a part of Rocky Mountain Power's plan to focus on clean energy they had talked about providing more stations and Council Member Beerman thought Council should address the issue again.

Mayor Thomas closed the public input portion of the meeting.

## IV. CONSIDERATION OF MINUTES

1. **Consideration to Approve the City Council Meeting Minutes from September 22, 2016, and October 6, 2016:**

Council Member Beerman moved to approve the Council Meeting minutes from September 22 and October 6 2016. Council Member Henney seconded the motion. Council Member Matsumoto abstained from approving the October 6 minutes because she was not present at the meeting.

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| **RESULT:** | **APPROVED** |
| **AYES:** | Council Members Beerman, Gerber, Henney, Matsumoto, and Worel |

## V. CONSENT AGENDA

1. **Request to Authorize the City Manager to Execute the Construction Agreement with Alder Construction, Inc., in a Form Approved by the City Attorney, for Construction Services for the Quinns Junction Water Treatment Plant Upgrades Project for a Total Amount Not to Exceed $3,878,465.00:**

Council Member Worel moved to approve the Consent Agenda. Council Member Henney seconded the motion.

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| **RESULT: APPROVED** |
| **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto, and Worel |

## VI. OLD BUSINESS

**1. Consideration to Approve the Modification of the Current Real Estate Purchase Contract (REPC) for the Southern Portion of 1251 Kearns Boulevard (The Yard) in Order to Extend the Due Diligence Deadline from November 1, 2016 to December 9, 2016:**

Jonathan Weidenhamer, Economic Development Director, explained that staff wanted to extend the due diligence deadline in order for staff to complete massing and feasibility work that would show possible options for what could be built on this site. The extension would also provide staff more time to educate and inform the neighborhood of the possible options.

Council Member Matsumoto moved to approve the modification of the current real estate purchase contract. Council Member Gerber seconded the motion.

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| **RESULT: APPROVED** |
| **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto, and Worel |

## VII. NEW BUSINESS

**1. Public Hearing for the Purpose of Receiving Public Input on the $25 Million Bonanza Flats General Obligation Open Space Bond Initiative that Will Appear on the November 8, 2016, Ballot and the Economic Impact that the Facilities and Property Financed with the Bonds Will Have on the Private Sector:**

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

**2. Consideration to Approve Ordinance 2016-32, an Ordinance Approving the Lilac Hill Subdivision Located at 632 Deer Valley Loop, Park City, Utah, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:**

Anya Grahn, Historic Preservation Planner, stated that at the September 22 Council meeting, Council looked at different conditions of approval that Council might want to consider as part of the plat amendment and Council had directed staff to choose a medium restriction. Grahn stated that the applicant would only consent to the condition of approval number six regarding the 40% open space if Council added the condition of approval regarding compliance with LMC 15-2.15-3. Staff was not willing to add that condition unless it was qualified that the condition was not actually vesting any zoning because staff cannot do that as part of a plat amendment or plat note.

Grahn said that the neighbors had also recommend conditions of approval and the properties they referenced are part of Master Plan Development that got approved in 1991 and the plat notes were reflective of that development agreement. Council also received public comment in their emails this week about the public use and driveway access off of Rossi Hill. Grahn said staff had talked to Engineering about that and it was really hard for the City to regulate where a driveway would be located when they did not know what future development would look like. She explained that the conditions of approval that were proposed with this plat were mechanisms to control where that driveway could go to ensure the safety of the community.

Council Member Henney asked for clarification on entitling development rights through zoning. Grahn explained the reason staff felt it was redundant was because when there was a planning application it was vested on the day the application was submitted. She stated that a condition of approval did not vest the property. She explained that if Council passed the plat amendment and later the City decided to change the zoning, the plat amendment could not be vested because a plat note could not do that. Council Member Henney asked if it would be possible to do both—to 1) do something that is redundant just for the sake of doing it because it would not harm, and 2) make the provision so it would not carry any zoning implications to the future. Grahn stated Council could and the condition would say something about how the condition would comply with the Land Management Code (LMC) and staff would also add the line that it would not limit the Council from changing the zoning in the future. She stated staff would put both in as the same condition. Grahn also pointed out that Council had considered changing the zoning of this property during the September 22 meeting and Council had decided not to change the zoning for this parcel. Council Member Henney asked Matt Mullin, applicant, how he felt about this aspect of the conditions of approval.

Matt Mullin, applicant, replied that he was not thrilled with the conditions of approval. He said that one of the conditions was a commitment to 40% open space, which was made after staff had created a condition of approval tying the property to that LMC section. He stated that if the property would never be tied to the LMC section and the reason was so that Council could change the zoning of the property in the future, then why were the applicants being asked to hold their offer to a perpetual standard. He suggested it could not go both ways and that it was necessary to have both the offer the Mullins made and the condition that was part of making that offer in the conditions of approval or both of them out. Mullin stated they made that offer in reliance on that condition being in there and said it was proposed by staff in the July 14 meeting as part of their recommendation of approval. He said that this change to the conditions to not have it in either for redundancy or because it needs to be changed at some point in the future was news to the Mullins as to the last week and they had made their commitment to the 40% open space when it was not a debatable topic.

Council Member Henney asked if else had insight to offer on the subject. Bruce Erickson, Planning Director, said he believed the recommendation that Grahn was putting forward was correct. He explained that there were some timing issues involved as well because the original recommendation to tie it to the zone setbacks was part of the low, medium, high scenario staff presented months ago. Erickson explained that the applicant and the neighbors had continued to negotiate and at the same time staff went through the staff report review by the Legal department and it was the Legal department that identified the fact that the action of taking a plat cannot vest in a previous zone. He said the staff report may have not spoken correctly about the redundant nature of it, but he believed the review by Legal had identified that the proposed July solution was not appropriate on this plat.

Council Member Beerman asked about what could be built on the lot under the proposed conditions. Grahn stated that as one lot the historic house falls under the historic district design guidelines. If the lot were to be subdivided, the new lot without the historic house would also have to follow the historic district design guidelines. She stated that no homes could be built in front of the historic home, which would block the view of it. Grahn stated she thought it was important for Council to move forward with the suggested conditions of approval in order to preserve the historic nature of Rossi Hill. She also explained the City did not know what the Mullin's development would look like and that they would review the plans as they came in.

Council Member Matsumoto pointed out that the conditions of approval language said 'Park City design guidelines' and she did not know which guidelines it was referring to. Grahn stated the official term was the 'design guidelines for historic sites and structures' and that staff could amend the language in the conditions of approval. Council Member Matsumoto asked if the historic site guidelines differed from the LMC and Grahn stated that they were in addition to the LMC. Council Member Matsumoto stated these guidelines were much stricter than the LMC and wondered if the applicant was okay with the guidelines. Mullin stated that they were in agreement that any development on this property would follow the Historic District Design Review (HDDR). He said they had tried to not have that be part of the conditions of approval because they don't know what the development will be and that Planning Commission had agreed with the applicant on that point. He said the based on Council's input they had backtracked from that position and that currently they were willing to follow the HDDR guidelines. Council Member Matsumoto supported having the historic guidelines in the conditions of approval and was happy the applicant had agreed to it.

Council Member Gerber asked if there was anything in addition to what was already in the conditions of approval that could limit the maximum footprint of the development. Mark Harrington, City Attorney, said there were two additional ways beyond what had been proposed in the conditions of approval: 1) add a finding that the 40% open space was necessary to ensure a transition zone between the historic zone and the new construction, 2) add an additional qualifier to condition 6 that states if the area was rezoned in the future, Council, staff, and the applicant could revisit the conditions of approval. Mullin asked if it would be better to remove all the language and just deal with it at a later date. Harrington said that if there was agreement on the zone staying the same, that 40% open space was achievable and there was no reason to not have that language in the conditions. He said that if something were to happen down the road Council and the applicant could revisit it. Mullin explained that his fear was that Council could change the zoning on his property.

Council Member Beerman stated he still was not clear that if there was a subdivision what would be allowed as far as density, footprint, and number of units. Erickson stated the zoning was RM, so without the HDDR requirements the development could look like the condominiums that surround the site. He explained that under the current zoning, without the restrictions found in the proposed conditions of approval, it would be a fairly dense site. Council Member Beerman asked what it could look like with the proposed conditions of approval and Harrington explained that Council was currently deciding on specific legal boundaries and that in the future when the applicant brought forth the site application further scrutiny would take place with the Council and the Planning Commission. Erickson added that if the historic home had to remain where it stood—according to the relocation guidelines—the possible density on the site would be reduced.

Mullin stated they were trying their best to find a good balance with the City's concerns and what the City had asked for.

Mayor Thomas opened the public hearing.

Mary Wintzer talked about the history of the site. She stated that they gave up footage because of restrictions on their site. She was thinking about equity. The Dennis family sold a home that underwent restrictions. She was in favor of giving the property owner restrictions because the Rossi Hill owners had to do the same. Wintzer wanted Council to consider the access to the development and how it would affect the families. She stated this was a genuine issue of public safety. She wanted access restricted to the lower road.

Jennifer Gurss, 645 Rossi Hill, read a letter from Mark Hare and stated it also represented her views. She said Rossi Hill was the perfect mix of residential and historic. Gurss stated the Rossi Hill Alliance tried to work with the Mullins, but that the neighbors were the only ones to make concessions.

Jack Koson, real estate developer in Park City for twenty years, said this was an important topic for general purposes. He stated the property was purchased thinking the property was a certain zone and code. He thought it was a dangerous precedent to change the rules after someone had made a commitment. It should not be retroactive. Koson wanted Council to approve the development.

Richard Dennis wondered how others could tell him what to do with his own homes and property. He would sell his property for fair market value to Park City if they would buy it. He thought people should be able to do what they would like with their property.

Sean Kelleher, Park City resident, thought the applicant's development should be approved. He stated the Mullins had worked with the neighbors and done things they didn't have to do.

Katy Patterson, Woodside, supported the applicant. She did not see why we were here today.

Bob Martin, 595 Deer Valley Loop, had lived below the historic house since 2003. He felt the City should start over. He stated these historic homes were the last left. Thought the piece should be bought by the City and the City should by the Mullin's property back from them. He explained that the road was almost impassable in the winter and it becomes one lane sometimes.

Diane, Save Rossi Hill Alliance, said they were not able to reach an agreement. She stated the Mullins would not compromise any more with them. She suggested the City permit access only from Deer Valley Loop and that they preserve the historic density of the lot. She also suggested that any development should rebuild historic buildings that were not in existence any longer.

Allison Kitching, 670 Deer Valley Loop, said she was Mullin's immediate neighbor. She wanted to include the condition of only having the driveway come off of Deer Valley Loop.

Kristine stated the applicants should only be able to have a driveway from Deer Valley Loop.

Jeff Camp, who lives adjacent to the applicant's property, stated the City was dealing with a property that was not created through regular channels. He stated this sets precedence for future development on Rossi Hill. He wanted Council to consider leaving the property as open space and suggested it was a wildlife corridor. He asked Council to preserve this land.

Bob Gurss, Rossi Drive, Save Rossi Hill Group, said the majority of people who signed their petition own property in Park City. He stated it was the last chance to protect historic homes on the site.

Charlie Wintzer, 320 McHenry, owns 1/3 of an acre and he said they were restricted to 80% open space. He stated all of their four houses all had similar restrictions.

Morgan Hull, 310 McHenry, said developers say they were going to do one thing and then they do another and they wanted to save the open space.

Paula Bond stated the City should approve the Mullin's development.

Mayor Thomas closed the public hearing

Council Member Matsumoto asked if staff's recommendation was to not restrict driveway access in the conditions of approval. Grahn replied that they would base restrictions on the driveway after knowing the site plans and they would use the Engineering department's recommendations. Staff recommended that Council not restrict access off of Rossi Hill at this point.

Council Member Worel asked if it was usual to make decisions on things like driveway access before the development was designed. Erickson replied that it was usual to make notes on a plat before the site was designed, but not usual to indicate where the driveway could be located.

Mayor Thomas suggested restricting access from Rossi Hill and only allowing access from Deer Valley Loop. He stated that the nature of these homes was different because of their historic nature and that the required open space should be increased to 60% open space.

Council Member Beerman asked if the zones were the same in the McHenry neighborhood as the Mullin property. Mullin replied that the zones were not the same. Council Member Beerman asked about the process for regulating driveways and Erickson replied that Planning relied on the recommendations from Engineering.

Council Member Henney asked Mark Harrington what kind of protections the City currently had for the historic home on Lilac Hill. Harrington explained the history of the Lilac Hill property.

Council Member Henney stated he would support having no access off of Rossi Hill. He also stated that he supported staff's conditions of approval.

Council Member Gerber asked if a driveway that was too steep or dangerous was brought before Planning Commission at a future date if they would be able to regulate it at that time. Mayor Thomas replied that the Planning Commission might regulate it.

Erickson explained that Planning Commission would use the current zoning or any future zoning to make the decision about an appropriate driveway on the parcel.

Council Member Worel stated the only way to preserve the historic homes would be to make a lot of record. She appreciated how the applicant had worked with staff and neighbors and made compromises. Council Member Worel stated she was comfortable with the plat with the proposed conditions of approval because the historic home would not be blocked. She said that in regards to driveway access that that should be decided on when design would be brought forward to Planning Commission.

Council Member Beerman said he was in a similar place to Council Member Worel. He thanked the applicant and the neighbors for working together. He was comfortable with the conditions as suggested by Planning staff and was comfortable with the Planning Commission and Engineering making a decision in the future about the driveway access. He stated that it was a dangerous road and suggested putting a sidewalk along Rossi Hill and a staircase where the goat path was now.

Council Member Gerber thanked the applicant and the Rossi Hill Alliance. She stated the historic homes were a part of Park City and were important to preserve. She thanked the Mullins for agreeing to have 40% open space and adhering to the HDDR. She agreed to not include driveway specifications in the conditions of approval and to leave that decision to the Planning Commission. Council Member Gerber also supported Council Member Beerman's suggestion to build pedestrian access on the goat path.

Council Member Matsumoto stated they needed to go forward with a lot of record for the home. She agreed to go forward with the recommendations of staff.

Grahn clarified the amendments to the conditions of approval Council had suggested by adding the following language:

Condition of Approval #4:
Any development on this lot or future subdivided lots within this lot shall provide a transition in scale between the historic structures in this neighborhood, the Historic District, and Deer Valley Resort. Any new development on this lot or future subdivided lots within this lot shall comply with Park City's Design Guidelines for Historic Districts and Historic Sites to ensure that the new development is compatible with the Historic Structure on this lot and the Historic Structures in the surrounding area.

Condition of Approval #6:
So long as the zone remains RM, new construction on this lot or future subdivided lots within this lot shall provide a minimum of 40% of the site to be Open Space, Landscaped and/or Open Space, Natural as defined by the Park City Land Management Code. If it is rezoned, open space requirements may be reestablished at that time.

Council Member Henney moved to approve Ordinance 2016-32, an Ordinance Approving the Lilac Hill Subdivision. Council Member Beerman seconded the motion.

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

**3. Consideration of Ordinance 2016-48, an Ordinance Approving Amendments to the Land Management Code of Park City, Utah, Regarding the Following Chapters: Chapter 11 Historic Preservation - Regarding Relocation And/Or Reorientation of a Historic Building or Historic Structure and Chapter 15 Defined Terms:**

Anya Grahn, Historic Preservation Planner, explained that the City did not want to be relocating historic homes except when there were special circumstances.

Council Member Beerman questioned the difference between a temporary relocation and a permanent relocation. Grahn suggested an amendment could be made to the ordinance in order to clarify it was regarding permanent relocations. The ordinance amendment is as follows:

(B) PROCEDURE FOR THE RELOCATION AND/OR REORIENTATION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) TO A PERMANENT NEW SITE

Council Member Gerber moved to approve, Council Member Henney seconded, approved unanimously.

## VIII. ADJOURNMENT

With no further business, the meeting was adjourned.

Katie Madsen, Deputy City Recorder

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

The Phase I engineering study, which is intended to develop alternatives to meet the Utah Pollutant Discharge Elimination Systems (UPDES) permits for water draining from the Judge and Spiro Tunnels, is in its final stages. Several specific items have been identified that are necessary to support the effort and facilitate solid testing results and recommendations for treatment process related improvements and general facility design concepts for Phase II (Treatment Facility Design) of the project. Services for Phase II have not been awarded to a consultant and staff will be issuing a Request For Qualifications for this work in the near future.

This Third Addendum to CH2M's Professional Services Agreement (PSA) addresses these identified service needs. It is anticipated that this scope of services will serve to complete the Phase I portion of the project.

**Respectfully:**

Roger McCLain, Water Engineer

# City Council Staff Report

| | |
|---|---|
| **Subject:** | **Judge and Spiro Tunnels Mining-Influenced-Water Treatment Evaluation**<br>**Professional Services Agreement – Third Addendum**<br>**Phase IC Engineering Services, CH2M Hill Engineers, Inc.** |
| **Author:** | **Roger McClain, Public Utilities Engineering Manager**<br>**Michelle De Haan, Water Quality and Treatment Manager** |
| **Department:** | **Public Utilities** |
| **Date:** | **November 17, 2016** |
| **Type of Item:** | **Administrative** |

## Summary Recommendations

Staff recommends Council authorize the City Manager to execute the Third Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with CH2M Hill Engineers, Inc., for Judge and Spiro Tunnels Mining-Influenced-Water Treatment Evaluation Phases IB-2 and IC Engineering Services and for an increase to the agreement in an amount not to exceed $99,100.

## Executive Summary

The Phase I engineering study, which is intended to develop alternatives to meet the Utah Pollutant Discharge Elimination Systems (UPDES) permits for water draining from the Judge and Spiro Tunnels, is in its final stages. Several specific items have been identified that are necessary to support the effort and facilitate solid testing results and recommendations for treatment process related improvements and general facility design concepts for Phase II (Treatment Facility Design) of the project. Services for Phase II have not been awarded to a consultant and staff will be issuing a Request For Qualifications for this work in the near future.

This Third Addendum to CH2M's Professional Services Agreement (PSA) addresses these identified service needs. It is anticipated that this scope of services will serve to complete the Phase I portion of the project.

## Acronyms and Abbreviations in this Report

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

| | |
|---|---|
| CIP | Capital Improvement Project |
| City | Park City Municipal Corporation |
| CH2M | CH2M Hill Engineers, Inc. |
| DWQ | Utah Division of Water Quality |
| M-I-W | Mining-Influenced-Water |
| PSA | Professional Services Agreement |
| SCO | Stipulated Compliance Order |
| UPDES | Utah Pollutant Discharge Elimination System |
| Water | Park City Municipal Water Department |

## The Problems

The Phase IB-2 pilot-scale study has identified the need for additional testing to address some questions regarding the adsorption portion of the treatment process and provide results beneficial to the pilot study goals and objectives.

The initial efforts of the Phase IC Treatment Facility Concept Study site analysis identified additional site specific needs to enable a proper evaluation of the siting to support a staff recommendation to City Council.

## Background

The Phase IB-2 (the Pilot-Scale Testing evaluation) and Phase IC (Treatment Facility Concept Study) engineering investigation and analysis is a continuation of multi-phased approach by the City to address the Utah Division of Water Quality (DWQ) UPDES permits for the Judge Tunnel and Spiro Tunnel and the associated Stipulated Compliance Order (SCO). The SCO requires Park City to develop and implement a plan under an Integrated Framework, generally, by first addressing discharges at the Judge Tunnel, followed by Spiro Tunnel discharges at a later date.

The Phase I project approach for CH2M's M-I-W Treatment Project evaluation effort is reflected in the following graphical illustration and the areas of work affected by the third addendum are indicated by the red boxes.

Exhibit 8: **Project Approach**

## Phase IA – Desktop Evaluation

### A. Project Kickoff

- Charter the project team.
- Identify roles, responsibilities, and communication pathways.
- Review the scope of the project.
- Present and discuss project schedule and systematic approach for the project.

### B. Information Gathering

- Collect available data such as water quality, flow rate, and seasonal influences on tunnel sources.
- Gather information on existing and planned infrastructure to convey tunnel water to the proposed treatment facility.
- Collect information on the Spiro and Quinns Junction WTPs to gain an understanding of the existing treatment processes and capacity.
- Identify data gaps and make recommendations to PCMC for additional data gathering and studies necessary to conduct more detailed evaluations.

### C. Regulatory Evaluation

- Conduct evaluation of current and upcoming drinking water regulations that pertain to this facility and that the facility must meet for compliance.
- Conduct evaluation of current NPDES permit regulations and assess the potential for future changes that could impact treatment processes.

### D. Design Criteria Basis

- Determine the values or range of values to be used as the design criteria for comparing alternatives. This will include the water quality and flow rates for all raw water sources, as well as the level of system redundancy and building/ architectural preferences.

### E. Finished Water Quality Goals

- Collaborate with PCMC to develop finished water quality goals for both municipal use and permitted stream discharge.

### F. Alternatives Screening Evaluation

- Develop treatment matrix of both municipal and M-I-W treatment solutions.
- Conduct "fatal flaw" analysis to eliminate non-viable alternatives.
- Identify common elements between municipal and M-I-W treatment solutions to claim efficiencies.
- Present advantages and disadvantages of alternatives.
- Assess waste disposal options for each alternative.
- Use CPES to develop capital and operating cost estimates and environmental impact assessments for comparing each alternative.
- Conduct cost-benefit analysis using decision evaluation criteria from workshop and discuss the preferred solutions to carry into the next phase.

**Deliverables:**
Project Charter, Decision Evaluation Framework, CPES Models and Cost/Benefits scores for various alternatives for treating Judge, Spiro, and Combined Judge/ Spiro water. Preliminary Bench/Pilot Testing Plan.

## Phase IB – Bench/Pilot Testing of Alternatives

### A. Bench/Pilot Testing Kickoff

- Discuss results from cost-benefit analysis conducted in Phase 1A and select treatment alternatives to carry forward into Phase 1B.
- Discuss preliminary testing plans and recommendations for bench/pilot testing for each remaining alternative.
- Develop primary and secondary decision criteria and determine weighting for decision evaluation of remaining alternatives.

### B. Bench/Pilot Testing

- Finalize bench/pilot testing plan.
- Coordinate the construction, implementation, and operation of any pilot testing.
- Collect water samples and perform bench testing.

### C. Update Parametric Design

- Use CPES to develop refined capital and operating cost estimates, as well as environmental impact assessments, for remaining alternatives.
- Use Preview to develop 3D renderings of process facilities.
- Re-evaluate the potential for locating facilities on available sites, such as at the Spiro WTP.

### D. Update Decision Evaluation

- Conduct cost-benefit decision evaluation for remaining alternatives that incorporates the latest bench/pilot testing data, cost estimates from CPES, and footprints and material quantities from CPES.

**Deliverables:**
Bench/Pilot Testing Protocols, Bench/Pilot Reports, Revised Decision Evaluation Framework, Revised CPES Models and Revised Cost-Benefits Scores for Various Alternatives for Treating Judge, Spiro, and Combined Judge/ Spiro Water.

## Phase IC– Treatment Facility Concept Study

### A. Conceptual Study Kickoff

- Discuss results from bench/pilot testing and the cost-benefit analysis conducted in Phase 1B.
- Select the preferred treatment alternative(s).
- Discuss conceptual design deliverable and presentation to City Council.

### B. Conceptual Study

- Develop conceptual study for preferred alternative(s). Design will include basis of design report, cost estimates, facility layout drawings, project scheduling impacts, implementation issues, siting impacts, permitting and environmental issues.

### C. City Council Presentation

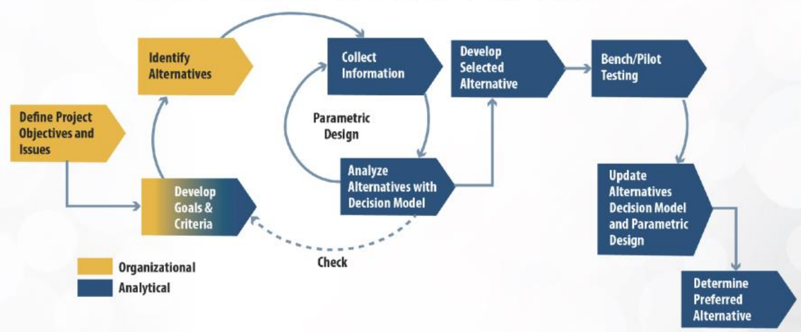
- Prepare presentation for PCMC to deliver to City Council on the conceptual design of the selected alternative(s).
- Develop architectural renderings of the alternative(s) for presentation to City Council.

### D. Phase I Project Report

- Implementation Schedule for Judge, Spiro, and/or Judge/Spiro Combined Flow.
- Draft and Final Phase I Project Report Document.

**Deliverables:**
Phase I Project Report, Basis of Design Report, Cost estimates, and Facility Layout Drawings, and Phase I Project Report Schedule

**The Decision Process Balances Goals, Alternatives, and Costs**



## Background

- Original CH2M PSA authorized by Council on March 19, 2015
- First Amendment to PSA authorized by Council on July 30, 2015
- Pilot equipment related contracts authorized by Council on December 17, 2015
- Started pilot-scale plant on March 22, 2016

Project related material previously presented as staff reports or work sessions may be found at:

- *Original CH2M Phase IA*: March 19, 2015
  http://parkcityut.iqm2.com/Citizens/FileOpen.aspx?Type=12&ID=1483&Inline=True
- CH2M PSA First Addendum (Phase IB-1): July 30, 2015
  http://parkcityut.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2063&Inline=True
- Intuitech Piloting Equipment Lease Agreement (Phase IB-2): December 17, 2015
  http://parkcityut.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2082&Inline=True
- Intuitech Piloting Equipment Purchase Agreement (Phase IB-2): February 25, 2016
  http://parkcityut.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2092&Inline=True
- CH2M PSA Second Addendum (Phase IB-2 and IC): February 25, 2016
  http://parkcityut.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2092&Inline=True

## Proposed Supplemental Consultant Services

A summary of supplemental evaluation work included in the proposed Third Addendum for the CH2M services is listed below:

Phase IB-2 – *Additional Pilot Testing Support*: CH2M will support a 30 to 60 day extension of the pilot-scale testing effort which is intended to address elements such as treatment process challenge testing, specialized testing, adsorption media performance, and the preparation of related supplement reports.

Phase IC – *Expanded Treatment Facility Concept Study*: CH2M will further develop siting alternatives and provide supporting concept level facility design scenarios with associated cost analysis for the preferred treatment process alternative. This information will serve to enable concept siting decisions which will be promoted to the Phase II design.

Phase I – *Existing Spiro Water Treatment Plant (SWTP) Design Support*: Staff has identified electrical design support related items required to maintain the continued operation of SWTP until future replacement. CH2M will address design related items.

### Schedule

It is anticipated that the Phase I work will be completed by the end of 2016 which is consistent with the City's ability to meet the milestones outlined in the SCO.

Project Management

The City's project manager will continue to be Roger McClain and will be working under the guidance of the Public Utilities Director.

## Alternatives for City Council to Consider

This section provides pros and cons and next steps associated with the recommended addition to engineering services and increase in fees.

Pros

a. Facilitates completion of treatment process evaluation and determination promote the project into design and meet DWQ discharge permits and SCO requirements
b. Reduces risk associated with treatment process, facility siting, capital cost, and operation & maintenance cost decisions

Cons

Increases capital improvement project costs that could be utilized for other purposes

Consequences of not authorizing services

Increases risk associated with treatment process, capital cost, and operation & maintenance cost decisions. Would require staff to move forward into design using only limited pilot testing and/or bench testing for validation of adsorption media bed volumes and process trains. This would likely result in either a very conservative design or a design that would result future infrastructure modifications once operational data was obtained.

## Furthering the Goals of the General Plan

Utilities are essential services that play a vital role in economic and social development. A resilient water system is a critical prerequisite to all of the goals and objectives identified within Park City's general plan.

## Department Review

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

## Funding Source

The funding for the Third Addendum is from water service fees and is included in the approved 5-year Water CIP and long term costs of this project are included in the Water Department's long term comprehensive financial model.

## Attachments

Attachment A Judge and Spiro Tunnels Mining-Influenced-Water Treatment Evaluation – Phases IB-2 and IC Engineering Services, CH2M, Third Addendum Scope of Services and Fee Summary

**ATTACHMENT A**
**Judge and Spiro Tunnels Mining-Influenced-Water Treatment Evaluation – Phases IB-2 and IC Engineering Services**

CH2M HILL ENGINEERS, INC.
SCOPE OF SERVICES AND FEE SUMMARY –THIRD ADDENDUM

# Third Addendum
# Exhibit A – Scope of Services

## Park City Municipal Corporation

### Additional Engineering Services for Judge and Spiro Tunnels Mining-Influenced Water Treatment, Phase IB and IC

This Scope of Services is to the SERVICE PROVIDER/PROFESSIONAL SERVICES AGREEMENT (AGREEMENT) between Park City Municipal Corporation (PCMC or OWNER) and CH2M HILL ENGINEERS, Inc. (ENGINEER). The work covered under this Scope of Work includes engineering services to manage and support the pilot testing, monitor and summarize pilot testing results, develop the expanded treatment facility concept study, and perform electrical engineering work at the existing Spiro Water Treatment Plant (WTP), all building on previous efforts completed in Phase IA (Original Agreement), Phase IB-I (First Addendum), and Phase IB and IC (Second Addendum). This phase of work is designated as Additional Engineering Services for Phase IB and IC. The work included in this Third Addendum is intended to further support Phase I investigation for the remainder of 2016, in preparation for Phase II.

## Scope of Services

The services to be provided under this Scope of Services are categorized into the following tasks and subtasks.

### Task 8 – Additional Pilot Testing Support

During Pilot Testing Task 4 (Challenge Testing) and other labor-intensive elements of pilot testing (Task 5 – Adsorption Testing and Whole Effluent Toxicity Test #2), the ENGINEER will support the pilot testing led by PCMC by providing additional labor for operation of the pilot plant. This task will consist of up to 200 hours of additional pilot testing support including on-site pilot plant operations. Throughout pilot testing, PCMC will lead and conduct pilot plant operations using in-house resources to follow the experimental plan. While PCMC conducts pilot operations, ENGINEER will provide additional pilot testing support on an as-needed basis. This support will include time periods of challenge testing, specialized testing (jar tests, whole effluent toxicity tests), and other on-site support on an as-needed and as-requested basis.

### Task 9 – Expanded Phase IC Treatment Facility Concept Study

For Task 9, ENGINEER will develop an expanded Phase IC Treatment Facility Concept Study that includes developing conceptual level Mining-Influenced Water (MIW) WTP layouts for up to four site locations, including the following:

- Existing Spiro WTP location
- Buried location at the PCMC Municipal Golf Course Driving Range
- Site ‘A’ on property not currently owned by PCMC
- Vicinity of existing Quinns Junction WTP

For each alternative location, ENGINEER will develop renderings from viewpoints of the street, aerial, and from the Silver Star area or nearby trailhead. ENGINEER will develop a site plan for the alternatives, develop a cost-benefit evaluation, and develop conceptual level estimates of construction costs, including demolition costs for existing facilities at the existing Spiro WTP site. ENGINEER will provide assistance to PCMC in developing presentation materials for a closed-session City Council meeting. ENGINEER will document the work completed in a summary TM.

**Task 9 Deliverables**

- Site plans and renderings for each of four alternative WTP location layouts
- Presentation materials for City Council session

- Estimated construction cost for each alternative
- Summary Technical Memorandum to summarize the work completed

### Task 10 – Electrical Engineering Support

ENGINEER will visit the Spiro WTP site to evaluate ongoing electrical issues at the existing facility. ENGINEER will undertake variable frequency drive (VFD) selection, as noted below:

- VFD Selection for Thiriot. Engineer will research what would be required to put the two Thiriot pumps on VFDs. Task includes site research on the existing pumps, working with pump manufacturer to determine if pumps could be run on VFD, evaluating VFD options, hand mark-up of electrical drawings, and providing a parts list to PCMC.
- VFD Selection for Boothill High Service Pump. Engineer will research what would be required to replace motor and put motor on VFD. Work includes site visit to verify that the existing motor is not capable of operation on a VFD and then working with local motor suppliers to get a quote for an inverter duty motor. Due to the HP of the motor, a more detailed design for putting this motor on a VFD is recommended.

This task will result in a small electrical design package that includes the Thiriot VFDs, a new motor for Boothill Pump, and a VFD for the Boothill Pump.

### Assumptions

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

- OWNER and/or ENGINEER will give prompt notice whenever it is observed or becomes apparent that a development may affect the scope or timing of the Project.
- Aerial mapping and existing site and utility plans will be provided by PCMC. PCMC staff to provide other additional information as needed.
- OWNER will provide all chemicals, consumable items, and items needed for on-site water quality testing for pilot testing.
- OWNER will procure items necessary for any equipment that requires replacement during testing.
- OWNER will be responsible for all laboratory tests, including whole effluent toxicity tests, performed by outside laboratories.
- OWNER will make its facilities accessible to ENGINEER, as required for ENGINEER's performance of its services. Pilot testing will be conducted at the Spiro WTP, with a designated area established as the pilot plant area. At the Spiro WTP, ENGINEER will share some facilities such as lavatory, laboratory sinks, and other facilities with PCMC operations staff.
- Workshops will be conducted with PCMC key personnel at OWNER's office.
- Cost estimates will be consistent with Class 5 estimates as defined by the Estimate Classification system of the American Association of the Advancement of Cost Engineering International (AACE International), formerly known as the American Association of Cost Engineers (AACE). The estimates will be developed without detailed engineering data and are considered approximate. Class 5 estimates are normally expected to be accurate within minus 50 percent to plus 100 percent. This range implies that there is a high probability that the final project cost will fall within the range.
- ENGINEER will manage the health, safety and environmental activities of its staff and the staff of its subcontractors to achieve compliance with applicable health and safety laws and regulations. ENGINEER will coordinate with PCMC to correct conditions that do not meet applicable federal, state and local occupational safety and health laws and regulations, when such conditions expose ENGINEER's staff to unsafe conditions.

## Compensation

- Compensation by OWNER to ENGINEER will be as described in Exhibit B.

# SECOND ADDENDUM
# EXHIBIT B - FEE SUMMARY

EXHIBIT B-1:

| Description | Fee |
|---|---|
| Time and Materials: Task 8 Additional Pilot Testing Support | $ 13,200 |
| Time and Materials: Task 9 Expanded Phase IC Treatment Facility Concept Study | $ 70,960 |
| Time and Materials: Task 10 Electrical Engineering Support | $ 14,900 |
| *Total Consultant (including sub consultants) Labor, including mark-ups* | *$ 99,060* |
| *Total Direct Costs, including mark-ups* | *$ 0* |
| **TOTAL FEE** | **$ 99,060** |

Note: Time and Materials based on EXHIBIT B-2

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

| Functional Category | Personnel | Hourly Rate |
|---|---|---|
| Senior Program Manager | | $ 298 |
| Program Manager | | $ 280 |
| Principal Project Manager/Fellow Technologist | Swaim | $ 250 |
| Principal Project Manager/Principal Technologist | Davis, Mueller, Meyer | $ 235 |
| Sr. Project Manager/Sr. Technologist | Zalla | $ 200 |
| Project Manager/Engineer Specialist | Emerson, Wille, Payne | $ 180 |
| Associate Project Manager/Project Engineer | Hostetler, Ridens, Vollmers, Curtis, Pataray | $ 155 |
| Associate Engineer | | $ 135 |
| Staff Engineer 2 | Madsen, Stanaway, Skelton | $ 120 |
| Staff Engineer 1 | Kunik, Pfeifer | $ 110 |
| Engineering/Environmental Tech 5 | | $ 140 |
| Engineering/Environmental Tech 4 | Hurliman | $ 130 |
| Engineering/Environmental Tech 3 | | $ 115 |
| Engineering/Environmental Tech 2 | Wagoner, Wright | $ 95 |
| Senior Office Administration | | $ 102 |
| Office/Clerical/Accounting | | $ 90 |

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

(2) These rates are effective until December 31, 2016.

(3) Rate Schedule subject to annual revision to reflect current rates. Submittal of proposed ENGINEER rate schedule adjustments and associated contract impacts to occur 30 days minimum prior to each December 31 for review by the OWNER. OWNER authorized rate schedule adjustments to become effective the following January 1.

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

**Exhibit 1: Judge and Spiro Tunnels Mining-Influenced Water Treatment Engineering Services**
**Proposed Fee Estimate, Amendment 3**

| | Paul Swaim (Project Manager) | Brock Emerson (Project Engineer) | Project Engineer | Engineer Specialist | Staff Engineer 2 | Erinn Kunik (Staff Engineer 1) | Lead Tech | Tech 2 | Labor Subtotal | Direct Expenses (at cost) | Task Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *2015 Billing Rate* | *$ 250.00* | *$ 180.00* | *$ 155.00* | *$ 180.00* | *$ 120.00* | *$ 110.00* | *$ 130.00* | *$ 95.00* | | | |
| ***Phase 1B-i*** | | | | | | | | | | | |
| Task 8: Additional Pilot Testing Support | | | | | | | | | *$ 13,200* | *$ -* | *$ 13,200* |
| A. Additional Pilot Testing Support | | | | | | 120 | | | **$ 13,200** | | **$ 13,200** |
| Task 9: Expanded Phase IC Treatment Facility Concept Study | | | | | | | | | *$ 70,960* | *$ -* | *$ 70,960* |
| A. Expanded Phase IC Treatment Facility Concept Study | 24 | 60 | 200 | 120 | | | 12 | | **$ 70,960** | $ - | **$ 70,960** |
| Task 10: Electrical Engineering Support | | | | | | | | | *$ 14,900* | *$ -* | *$ 14,900* |
| A. Electrical Engineering Support | | | 64 | | 32 | | | 12 | **$ 14,900** | $ - | **$ 14,900** |
| ***Total*** | ***24*** | ***60*** | ***264*** | ***120*** | ***32*** | ***120*** | ***12*** | ***12*** | ***$ 99,060*** | ***$ -*** | ***$ 99,060*** |

DATE: November 17, 2016

**TO HONORABLE MAYOR AND COUNCIL**

On March 19, 2015, City Council authorized staff to notice the formation of the Special Event Advisory Committee (SEAC). SEAC's mission is to provide recommendations to City Council and staff on:

- **Event Threshold** - Make recommendations on overall event calendar and whether acceptable thresholds levels are being exceeded.
- **Event Resource Assistance** - Make recommendations on the level of City services to be provided to an event.
- **Event Debrief** - Provide information on event performance once the event is complete

The initial and current makeup of SEAC includes voting representatives from the following groups/entities:

- Historic Park City Alliance (HPCA)
- Park City Chamber of Commerce & Visitors Bureau
- Mountain Trails Foundation
- Vail Resort
- Deer Valley Resort
- Park City Restaurant Association
- Park City Lodging Association
- Four community at large members

Additionally, the current structure of SEAC includes non-voting representatives from the following groups/entities:

- Park City School District
- Summit County

Staff is returning to City Council this evening to request the approval of the amended resolution for the Special Events Advisory Committee. Recommended amendments include adding two At Large Community members as voting members of SEAC, Additionally two stakeholder positions (Lodging Association and Restaurant Association) would be consolidated and represented by the Chamber. These consolidated positions; as well Summit County and Park City School District stakeholders will be asked to serve as non-voting members of SEAC. These changes to the structure of the committee are based on prior City Council direction to increase community involvement leading to better understanding of residential and community impacts from events.

**Respectfully:**

Jennifer Diersen,

# City Council
# Staff Report

| | |
|---|---|
| **Subject:** | **Special Events Advisory Committee Amendment** |
| **Author:** | **Jenny Diersen, Special Events Coordinator** |
| **Department:** | **Special Events** |
| **Date:** | **Thursday, November 17, 2016** |
| **Type of Item:** | **Administrative** |

## Summary Recommendation

City Council should approve the amended resolution, changing voting members and the meeting schedule of the Special Events Advisory Committee (SEAC).

## Executive Summary

On March 19, 2015, City Council authorized staff to notice the formation of the Special Event Advisory Committee (SEAC). SEAC's mission is to provide recommendations to City Council and staff on:

- **Event Threshold** – Make recommendations on overall event calendar and whether acceptable thresholds levels are being exceeded.
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Additionally, the current structure of SEAC includes non-voting representatives from the following groups/entities:

- Park City School District
- Summit County

Staff is returning to City Council this evening to request the approval of the amended resolution for the Special Events Advisory Committee. Recommended amendments include adding two At Large Community members as voting members of SEAC. Additionally two stakeholder positions (Lodging Association and Restaurant Association) would be consolidated with and represented by the Chamber. The result would be that the Lodging Association and the Restaurant Association, as well Summit County and Park City School District stakeholders, will still maintain representation on the SEAC Committee, but would be asked to serve as non-voting members of SEAC. These changes to the structure of the committee are based on prior City Council direction to increase community involvement leading to better understanding of residential and community impacts from events.

## Acronyms

SEAC – Special Events Advisory Committee

HPCA – Historic Park City Alliance
Chamber – Park City Chamber of Commerce and Visitors Bureau

## The Problem

A request was made to include the Park City School District on SEAC after City Council authorized the formation of the Committee. Additionally, Summit County was asked to be included in the group as a voting member. Due to implications of events on facilities owned and operated by each entity, at the time this was proposed staff felt that it was appropriate for each to have voting capabilities.

After this item was brought to City Council on September 15th, it was also requested by City Council that staff look at the balance of business verse community at large members. Additional concern was discussed that meetings were occurring infrequently and needed to be increased to allow more time for staff to address challenges and make recommendations regarding events.

## Background

At the July 9th, 2015 City Council Meeting, staff presented communications requesting the addition of the Park City School District to the Committee as a voting member. Furthermore, at the June 30th, 2016 City Council meeting, staff requested adding Summit County to the Committee as a voting member. At the time, staff made recommendations for these additions, as they are important as the School District and Summit County play a major role in cross jurisdictional coordination and the City's ability to host and mitigate community impacts of special events and find it important that they have voting rights for the Special Events Advisory Committee.

At the September 15th City Council meeting, it was also requested that staff look at the balance of Stakeholder verse Community At Large members on SEAC. At Questions and Comments during the October 20th City Council meeting, Council gave direction to begin advertising for Community At Large positions. At the November 3 City Council meeting, Council gave further direction to bring emphasis on the Community At Large members on the committee. Staff will verbally report on SEAC's recommendation from the November 16th meeting regarding the structure of the committee, as there was not time to add their recommendation to this report.

Staff believes the recommended alternative of consolidating the committee meets City Council's direction of bringing emphasis to the Community At Large members who are appointed to SEAC. Additionally staff believes that it is important to have business and community stakeholders continue to serve on the committee, and believes furthermore that the continued involvement of non-voting members is important both for cross jurisdictional coordination and important to providing valuable input for the committee. In addition, staff believes holding monthly meetings in combination with the recommended changes to the structure of SEAC, will allow for more efficient meetings discuss threshold and prioritization, debrief and fee reduction requests to make better informed recommendations.

As defined by City Council and discussed in the November 3, 2016 City Council meeting, SEAC is an advisory committee and provides recommendation to staff and City Council regarding threshold and prioritization, debrief and City Service Fee Reduction. In its current form, SEAC does not have the authority to specifically approve or deny events, however SEAC may make recommendations to the Council regarding the observed conditions and event debrief/impacts to the community.

Should the Council desire to incorporate SEAC in the specific review of all or a class of applications, Council should direct staff to return with a specific amendment to the Municipal Code which defines the scope and process of such a role. The City Attorney would recommend that the Council define the role as preliminary review similar to the pre-master plan development neighborhood/general plan pre-application process.

The advertisement for SEAC Vacancies has been posted and staff intends for newly appointed Community At-Large members to begin at the December meeting.

Staff is also seeking direction regarding accepting SEAC applications for two (2) Community At-Large positions whose terms expire in June of 2017. Staff believes it may be beneficial proceed with accepting applications for these expiring positions and appoint these positions during the current application & interview process.

- Staff would ensure those that are currently serving in the expiring terms are aware that they would need to reapply with in the current deadline of November 27th if they are interested in serving a second term.
- Though advertising for the expiring appointments may be early, staff believes that moving ahead with fulfilling the June vacancies may help with continuity with the committee and also be beneficial for any newly appointed members to be able to sit in on meetings to help understand the complexities of the discussion before their term begins. Staff also believes that this will help to consolidate board interviews and appointments at a time of year that is generally busy for both City Council and Staff.

Should City Council prefer for staff to wait until spring, staff would advertise for the two (2) expiring terms in March and would look to have these expiring positions appointed in May and to begin serving at the July meeting.

Staff believes that the recommended alternative, below, meets City Council's previous direction and goals of the committee.

## Alternatives for City Council to Consider

1. **Recommended Alternative A: Consolidated Committee**
City Council could amend the Special Events Advisory Committee Resolution, adding two At Large Community members, consolidating three of the stakeholder representatives into one position. The consolidated stakeholders, as well as, the County and School District would have non-voting rights and serve as advisory to the committee. This recommendation would result in maintaining an 11 member committee, with 4 non-voting (5 Community Stakeholders, 6 Community At Large Members, 4 non-voting members) Additionally, SEAC meetings will occur monthly.

| Stakeholders-5 | At Large Community Members-6 | Non-Voting-4 |
|---|---|---|
| HPCA | Mellie Owen | Summit County |
| Chamber | Cheryl Fox | Park City School District |
| Mountain Trails Foundation | Sarah Klingenstein | Park City Restaurant Association |
| Vail Resorts | Maria McNulty | Park City Lodging Association |
| Deer Valley Resort | New Appointment | |
| | New Appointment | |

Pros:
a. Consistent with City's goal of increasing citizen involvement.
Cons:
a. Adding additional committee members and meeting days results in increased time for both staff and previously committed committee members.
b. The removal of stakeholder committee members may take away valuable perspective and input from those stakeholders regarding events.
c. Non-voting members may lack commitment to attend meetings due to inability to vote.
d. Previously voting members may have adverse feelings towards being asked to step-down from

the committee.

**2. Alternative B: Large Restructured Committee**

City Council could amend the Special Events Advisory Committee Resolution, adding six additional Council appointed Community At Large members as voting members of SEAC, and add the School District and Summit County as voting members. This recommendation would result in increasing the committee from 11 to 19 members (9 Community Stakeholders, 10 Community At Large Members) Additionally, SEAC meetings will occur monthly.

| <u>Stakeholders-9</u> Voting | <u>At Large Community Members-10</u> Voting |
|---|---|
| HPCA | Mellie Owen |
| Chamber | Cheryl Fox |
| Mountain Trails Foundation | Sarah Klingenstein |
| Vail Resorts | Maria McNulty |
| Deer Valley Resort | New Appointment |
| Park City Restaurant Association | New Appointment |
| Park City Lodging Association | New Appointment |
| Park City School District | New Appointment |
| Summit County | New Appointment |
| | New Appointment |

<u>Pros</u>:

a. Consistent with City's goal of increasing citizen involvement, as well as coordination with our community partners and other jurisdictions.

b. Keeping all previously committed stakeholders allows continued valuable input for the committee.

Cons:

a. Adding additional committee members and meeting days results in increased time for both staff and previously committed committee members.

b. The addition of the committee members may result in a committee that is hard to manage.

**3. Alternative C: Community Committee**

City Council could amend the Special Events Advisory Committee Resolution, removing the community stakeholders, and appointing three additional Council appointed Community At Large members as voting members of SEAC. The stakeholder members would serve as advisory members to the committee. This recommendation would result in a 7 member board (no Community Stakeholders, 7 Community At Large Members) Additionally, SEAC meetings will occur monthly.

| <u>Non-voting Stakeholders-9</u> | <u>Voting -At Large Community Members-7</u> |
|---|---|
| HPCA | Mellie Owen |
| Chamber | Cheryl Fox |
| Mountain Trails Foundation | Sarah Klingenstein |
| Vail Resorts | Maria McNulty |
| Deer Valley Resort | New Appointment |
| Park City Restaurant Association | New Appointment |
| Park City Lodging Association | New Appointment |
| Park City School District | |
| Summit County | |

<u>Pros</u>:

a. Consistent with City's goal of increasing citizen involvement

<u>Cons:</u>

a. Adding additional committee members and meeting days results in increased time for both staff and previously committed committee members.

b. The addition of only community at large members may result in a committee that unbalanced,

representing only community perspectives regarding events.
c. The removal of stakeholder committee members may take away valuable perspective and input from business and community stakeholders regarding the evaluation of events.

**4. Null Alternative:**

City Council could review and ask staff to come back to a regularly scheduled meeting to further discuss any changes.

Pros:

a. Allows SEAC and staff additional time to further focus on questions City Council may have regarding the committee.

Cons:

a. SEAC and Staff would not have confirmation that they are moving in the right direction with regard to the structure of SEAC based on previous discussions from City Council.
b. Staff would have concerns of the inability to make changes to the committee in a timely fashion to move forward with next steps and implementation of mitigation and prioritization strategies regarding special events.

**5. Modify Alternative:**

City Council could modify any of the alternatives.

Pros:

a. Allows SEAC and staff additional time to further focus on questions City Council may have regarding the committee.
b. Staff can implement changes and move forward with SEAC structure to make changes to the committee in a timely fashion to move forward with next steps and implementation of mitigation and prioritization strategies regarding special events.

**6. Other Alternatives**

City Council could choose to provide no direction, preventing the adoption of the amended Resolution.

Cons:

a. Neither Staff nor SEAC would have confirmed direction of the structure of SEAC.
b. Community may perceive this alternative as the Council and City being non-responsive to their documented concerns.

## Department Review

The Special Events, Economic Development, Executive and Legal Departments have reviewed this report.

## Funding Source

No funding is necessary for the members of the Special Events Advisory Committee. Members are not compensated.

## Attachments

| | |
|---|---|
| Exhibit A | Resolution 22 - 2016 Amending the Special Events Advisory Committee |
| Exhibit B | July 9th, 2015 Staff Communications Report – SEAC Addition, Park City School District |
| Exhibit C | Advertisement for SEAC Vacancies |

**Resolution 22-2016**

**RESOLUTION ~~TO~~ AMENDING THE SPECIAL EVENT ADVISORY COMMITTEE BY ADDING MEMBERS TO ADVISE COUNCIL ON HOSTING EVENTS THAT WILL CREATE A DIVERSE AND WELL BALANCED OFFERING TO THE LOCAL COMMUNITY**

**WHEREAS,** Park City ~~plays~~ hosts events that further Park City's role as a world class, multi seasonal destination resort while maintaining a balance with our sense of community, and ~~to various special events~~;

**WHEREAS,** Park City supports the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience;

**WHEREAS,** ~~Council has a goal to maintain a balanced cultural event offering~~Park City will continue to grow as an arts and culture hub encouraging creative expression;

**WHEREAS,** Council has a goal to create a sense of community and ~~world class multi-seasonal resort economy~~thriving mountain community;

**WHEREAS,** Clear communication and coordination between local non-profits, committees and organizations and the City Council is vital to the overall success and fabric of the Park City community.

**NOW THEREFORE,** be it resolved by the Park City Council as follows:
1. The City Council will appoint an advisory committee, to be referred to as the Special Event Advisory Committee (SEAC), to advise and make recommendations to City Council regarding prioritization and threshold, city services and debrief ~~regarding~~ of special events in Park City.

2. The SEAC be made up of the following stakeholder groups:
- Historic Park City Alliance (HPCA)
- ~~Park City Lodging Association~~
- ~~Park City Area Restaurant Association~~
- Park City Chamber of Commerce & Visitors Bureau
- Park City Mountain- local ski area representative - Vail Resorts
- Deer Valley- local ski area representative – Deer Valley Resort Company
- Mountain Trails Foundation
- ~~Park City School District~~
- ~~Summit County~~

Each stakeholder group will be responsible for providing a representative to sit on the committee. Stakeholder groups should make every effort to have the same person represent the group, and avoid multiple people attending meetings throughout the year, in an effort to maintain consistency and efficiency with the committee.

**Comment [JD1]:** Kept changes and deleted, items so cc can see changes. Any additional changes provided by CC would be modified before resolution is signed.

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3. The City Council shall appoint 6 at large community members to serve on the committee. These community members must reside within City limits, and should not be an active member of the boards or commissions of any of the above mentioned stakeholder groups. The 6 at large members should represent a cross section of various neighborhood areas throughout Park City. Each at large member shall be appointed to a three year term, although for the initial term 2 members were be appointed for 2 years terms~~ and 2 members will be appointed for 3 years~~ in order to stagger the appointments. Members shall serve no more than two consecutive terms.

Comment [JD2]: Six in totality. Under staff's current recommendation, we would be adding 2 additional Community At Large members, for a total of 6.

This Resolution shall become effective upon adoption, dated this 17th day of November 2016.

PARK CITY MUNICIPAL CORPORATION

__________________________________

Mayor Jack Thomas

Attest:

__________________________________

Michelle Kellogg, City Recorder

Approved as to form:

__________________________________

City Attorney's Office

**To:** Honorable Mayor/Members of City Council

**From:** Jason Glidden – Sustainability Department

**MANAGER'S REPORT July 9, 2015**

On March 19' 2015, City Council authorized staff to notice the formation of the Special Event Advisory Committee (SEAC). SEAC's mission is to provide recommendations to City Council and staff on:

- **Event Prioritization** – Scoring both existing and new events based on a series of weighted categories.
- **Event Resource Assistance** – Make recommendations on the level of City services to be provided to an event.
- **Event Debrief** – Provide information on event performance once the event is complete

The proposed makeup of SEAC was to include representatives from the following groups/entities:

- Historic Park City Alliance (HPCA)
- Park City Lodging Association
- Park City Restaurant Association
- Park City Chamber of Commerce & Visitors Bureau
- Representatives from Vail Resort & Deer Valley
- Four community at large members

As staff has begun the process of reaching out to the stakeholder groups, a request was made to include the Park City School District on SEAC. After careful consideration, staff felt that this was a stakeholder group that was overlooked and needed to be on the committee. The School District plays a major role in a large number of special events by hosting various recreational events as well as provides off-site parking for a number of other events. Staff plans to add the Park City School District as a stakeholder to SEAC unless directed differently from City Council.

**SPECIAL EVENTS ADVISORY COMMITTEE (SEAC)**

The Mayor and City Council are looking for additional Community-At-Large members to serve on the Special Events Advisory Committee.

SEAC provides recommendations to the City Council regarding events that will create a diverse and well balanced offering to the local community. SEAC makes recommendations regarding events with regards to citywide carrying capacity threshold and prioritization, levels of recommended city services provided, as well as overall event review and performance evaluation.

SEAC consists of community-at-large members, who collaborate with community non-profit and business stakeholder groups (Historic Park City Alliance, Mountain Trails Foundation, Summit County, Park City School District, Park City Chamber of Commerce, Vail Resorts, Deer Valley Resort, Park City Restaurant Association, and Park City Lodging Association).

Those interested in serving on this committee must reside within the city limits of Park City, and should not be an active member of the boards or commissions of any of the above mentioned stakeholder groups. Additionally, they should represent different geographic areas or neighborhoods than currently represented within the City limits of Park City. Members will serve for a three-year term. Meetings are held the third Wednesday of each month, from 12 noon to 2 p.m. at the Park City Library. Committee members should also expect to participate in 5 to 10 hours of work outside of meetings.

To receive an application form, please email Jenny Diersen jenny.diersen@parkcity.org or call 435.615.5188. Applications must be received by **Sunday, November 27, 2016.**Applications may be submitted by email to Jenny Diersen, jenny.diersen@parkcity.org or in hard copy, to Jenny Diersen, Sustainability Department: Special Events Office, 3rd Floor, 445 Marsac Ave. P.O. Box Park City, UT. 84060.

An interview schedule for positions will be sent out following the application deadline. Appointments are anticipated to be scheduled at the City Council meeting on Thursday, December 15th. Appointed members will begin their term immediately at the December 21st meeting.

PARK CITY
1884

**Special Event Advisory Committee**

**At-Large Application Form**

The Mayor and City Council are looking for additional Community-At-Large members to serve on the Special Events Advisory Committee.

SEAC provides recommendations to the City Council regarding events that will create a diverse and well balanced offering to the local community. SEAC makes recommendations regarding events with regards to citywide carrying capacity threshold and prioritization, levels of recommended city services provided, as well as overall event review and performance evaluation.

SEAC consists of community-at-large members, who collaborate with community non-profit and business stakeholder groups (Historic Park City Alliance, Mountain Trails Foundation, Summit County, Park City School District, Park City Chamber of Commerce, Vail Resorts, Deer Valley Resort, Park City Restaurant Association, and Park City Lodging Association).

Those interested in serving on this committee must reside within the city limits of Park City, and should not be an active member of the boards or commissions of any of the above mentioned stakeholder groups. Additionally, they should represent different geographic areas or neighborhoods than currently represented within the City limits of Park City. Members will serve for a three-year term. Meetings are held the third Wednesday of each month, from 12 noon to 2 p.m. at the Park City Library. Committee members should also expect to participate in 5 to 10 hours of work outside of meetings.

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An interview schedule for positions will be sent out following the application deadline. Appointments are anticipated to be scheduled at the City Council meeting on Thursday, December 15th. Appointed members will begin their term immediately at the December 21st meeting.

## SPECIAL EVENTS ADVISORY COMMITTTEE (SEAC) AT-LARGE APPLICATION

Name: ___________________________________________________

E-mail Address:___________________________________________

Street Address:___________________________________________________________________________

Mailing Address:__________________________________________________________________________

Phone: (home)______________________ (cell)________________________

1. How long have you lived within Park City limits?______________
2. What is your profession and/or involvement in the community?_____________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

3. What is your experience with special events?_____________________________________________
_____________________________________________________________________________________
_______________________________________________________________________

4. What is your involvement with Park City Municipal Corporation?____________________________
_____________________________________________________________________________________

5. Meetings will likely be monthly during working hours and be approximately 2 hours. Are you willing to commit to attending on a regular basis? (Yes)________(No)__________

6. Why are you interested in serving on SEAC?_____________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

7. What specific skills and/or qualities will you bring to the Committee if selected?______________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

8. Do you foresee any conflicts of interest you might encounter concerning the recommendation regarding special events?_____________________________________________________________
______________________________________________________________________________.

9. What do you think are the largest challenges to Special Events? What are the benefits? ________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________

Selected applicants will be required to sign an Authorized Release of Information for a background check, which will be conducted by the City. Additionally, all members of the Committee will be required to sign a Disclosure Affidavit and acknowledge the City's Ethics policy referenced in Title 3 –Ethics, of the Park City Municipal Code.

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

By proclaiming Saturday, November 26, 2016, Small Business Saturday, Park City will be joining in a nationwide effort to steer shoppers toward local independently owned businesses during the holiday season and urge the residents of our community and communities across the country to support small businesses and merchants throughout the year.

**Respectfully:**

Michelle Kellogg, City Recorder

# City Council
# Staff Report

**Subject: Small Business Saturday**
**Author: Michelle Kellogg**
**Department: Executive**
**Date: November 17, 2016**
**Type of Item: Administrative**

## Summary Recommendation

Approve the proposed resolution proclaiming November 26, 2016, as "Small Business Saturday" in Park City, Utah.

## Executive Summary

Small businesses are the lifeblood of our city, and we salute small business owners, entrepreneurs, and employees for enhancing our community and expanding opportunities for all the citizens of Park City and the surrounding communities. The hard work and ingenuity of our small businessmen and women are helping to sustain our economic strength, vitality and authenticity. Small Business Saturday recognizes and celebrates our many outstanding small business owners and employees for their unique contributions to the Park City economy and for their entrepreneurial spirit.

Small Business Saturday is a campaign conceived by American Express, first observed in 2010. The company reported that more than $5.5 billion was spent at independently owned businesses on this day in 2014. Small businesses employ over 55 percent of the working population in the United States. Eighty-nine percent of consumers in the United States agree that small businesses contribute positively to the local community by supplying jobs and generating tax revenue and eighty-seven percent of consumers in the United States agree that it is important for people to support small businesses that they value in their community.

## The Opportunity

By proclaiming Saturday, November 26, 2016, Small Business Saturday, Park City will be joining in a nationwide effort to steer shoppers toward local independently owned businesses during the holiday season and urge the residents of our community and communities across the country to support small businesses and merchants throughout the year.

## Alternatives for City Council to Consider

1. **Recommended Alternative:** Staff recommends Council approve the proposed resolution in support Small Business Saturday on November 26, 2016.
   <u>Pros</u>
   a. The resolution demonstrates the City's support of small businesses.
   b. The resolution promotes shopping at locally owned businesses.
   c. Supporting this resolution could result in increased sales tax revenue.

Cons

a. No impact on the business community.

Consequences of Selecting This Alternative

Supporting this resolution will demonstrate that the City values its local businesses and promotes them in the community.

2. **Null Alternative:** No material impact.

## Department Review

Legal and Executive Departments

## Funding Source

There are no commitments associated with this resolution.

**Resolution No. 25-2016**

**RESOLUTION DECLARING NOVEMBER 26, 2016, AS "SMALL BUSINESS SATURDAY"**

**Whereas**, the government of Park City, Utah, celebrates our local small businesses and the contributions they make to our local economy and community. According to the United States Small Business Administration, there are currently 28.8 million small businesses in the United States, which represent 99.7% of all businesses with employees in the United States, and are responsible for 63% of net new jobs created over the past 20 years; and

**Whereas**, small businesses employ over 49% of all businesses with employees in the United States; and

**Whereas**, 89% of consumers in the United States agree that small businesses contribute positively to the local community by supplying jobs and generating tax revenue; and

**Whereas**, 87% of consumers in the United States agree that small businesses are critical to the overall economic health of the United States; and

**Whereas**, 93% of consumers in the United States agree that it is important for people to support the small businesses that they value in their community; and

**Whereas**, Park City, Utah, supports our local businesses that create jobs, boost our local economy and preserve our neighborhoods; and

**Whereas**, advocacy groups as well as public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday,

**Now, Therefore**, the Mayor and City Council of Park City, Utah, do hereby proclaim November 26, 2016, as **SMALL BUSINESS SATURDAY** and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

Passed and adopted this 17 day of November, 2016.

PARK CITY MUNICIPAL CORPORATION

________________________________

Jack Thomas, Mayor

ATTEST:

________________________________

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

________________________________

Mark Harrington, City Attorney

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

In September of 2013, Park City Municipal Corporation (PCMC) and the Sundance Institute (Sundance) entered into an agreement extending the dates for the Sundance Film Festival (Festival) in Park City, Utah through 2026.

Each year, the supplemental plan for the annual Sundance Film Festival is amended to recognize changes from the previous year per the long term contract. Unless affirmatively modified by both parties, supplemental plans for future Festivals will follow the plan for the previous Festival.

Staff is returning this evening recommending approval of the use of Lower Main Street and the closure of 5th Street during the 2017 Sundance Film Festival. Staff will be returning in December for an update on the Sundance Transportation, Parking and Community Outreach plans. Staff felt that it was important to receive direction from City Council regarding the approval of the additional use areas tonight, prior to moving forward with preparation other supplemental plans during the 2017 Sundance Film Festival.

**Respectfully:**

Jennifer Diersen,

# City Council
# Staff Report

| | |
|---|---|
| **Subject:** | **Sundance Film Festival 2017 Supplemental Plan** |
| **Author:** | **Dave Gustafson, Project Manager** |
| | **Jenny Diersen, Special Events Coordinator** |
| **Department:** | **Sustainability – Special Events** |
| **Date:** | **Thursday, November 17, 2016** |
| **Type of Item:** | **Administrative** |

## Summary Recommendation

Staff recommends Council review and approve the closure of Lower Main Street and $5^{th}$ Street during the 2017 Sundance Film Festival. Staff will be returning at a subsequent meeting in December for the approval of the full supplemental plan including transportation/parking and community outreach plans as well as approval of the Level Three Special Event Permit based on findings of the fact, conclusions of the law and conditions of approval.

## Executive Summary

In September of 2013, Park City Municipal Corporation (PCMC) and the Sundance Institute (Sundance) entered into an agreement extending the dates for the Sundance Film Festival (Festival) in Park City, Utah through 2026.

Each year, the supplemental plan for the annual Sundance Film Festival is amended to recognize changes from the previous year per the long term contract. Unless affirmatively modified by both parties, supplemental plans for future Festivals will follow the plan for the previous Festival.

Staff is returning this evening recommending approval of the use of Lower Main Street (between $7^{th}$ and $9^{th}$ Street) and the closure of $5^{th}$ Street during the 2017 Sundance Film Festival. Staff will be returning in December for an update on the Sundance Transportation, Parking and Community Outreach plans. Staff felt that it was important to receive direction from City Council regarding the approval of the additional use areas tonight, prior to moving forward with preparation other supplemental plans during the 2017 Sundance Film Festival.

## Acronyms

| | |
|---|---|
| PCMC | Park City Municipal Corporation |
| SFF/Festival | Sundance Film Festival |
| Sundance | Sundance Institute |
| SEAC | Special Events Advisory Committee |

## The Problem and the Opportunity

The Sundance Film Festival is one of Park City's defining international events that reinforces cultural and economic vitality for both our community and the state of Utah.

Additionally the event creates a sense of place by providing programs that motivate community interaction (both during the Festival and during other seasons) and provide unique opportunities for cultural amenities and economic vitality in our community. Its success is essential to the vibrancy of Park City arts and culture and allowing for community involvement with both international and local artists of many genres allowing for creative expression.

Sundance Film Festival helps to achieve City Council's goals in the General Plan by creating sense of place. More specifically, Goals 10 and 11 of the General Plan, on pages 82 through 89, discuss the importance of events to our community character and Sense of Community.

The international event furthers Park City's role as a world-class, multi-seasonal destination resort while maintaining a balance with our sense of community. Sundance helps to support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience. Furthermore, Sundance allows Park City to grow as an arts and culture hub encouraging creative expression.

In July of 2016, Sundance reported to City Council regarding the following from the 2016 Economic Impact Study:

- 46,660 people attended the 2016 Festival.
    - 67% of the attendees came from out of state and 17 different countries.
- The return on investment was $143,302,000 in overall economic activity.
    - $72,539,000 was the state gross domestic product.
- The 2016 event supported 7,360 jobs and $8 million was submitted for state and local taxes.

The success and opportunity that the Sundance Film Festival brings, also creates challenges and a need to increase community outreach and mitigation efforts to offset adverse impacts during the Festival including transportation and parking plans, as well as, challenge that were reported during the 2016 Sundance Debrief including lodging and venue costs and protecting the official Festival sponsors. **Staff felt that it was important to receive a from City Council regarding the approval of the additional street closures tonight, prior to moving forward with preparation other supplemental plans during the 2017 Sundance Film Festival.**

Staff recommends Council review and approve the use of Lower Main Street (between 7th and 9th Street) and the closure of 5th Street during the 2017 Sundance Film Festival. Staff will be returning in December for an update on the Sundance Transportation, Parking and Community Outreach plans and request approval of the 2017 Sundance Film Festival Supplemental Plan and City Services Agreement.

As City Council reviews this report and the changes to the 2017 Sundance Film Festival Supplemental Plan, it is important to consider the Title 4, Chapter 8 Municipal Code criteria and long term contract terms. Additionally, event staff evaluates the challenges and additional opportunities that may arise with regard to creating community and sense of place, and how the event will impact:

- Residential Neighborhoods;
- Community and culture;
- Local businesses, non-profits, and community partners and stakeholders in the Park City Area;
- Transportation & Sustainability Goals; and
- Multi-jurisdictional event coordination.

## Background

| Date | Item |
|---|---|
| September 12, 2013 | Sundance Contract Extension pg. 41 |
| September 12, 2013 | Sundance Contract Extension Minutes pg. 2-3 |
| November 19, 2015 | 2016 Sundance Supplemental Plan pg. 273 |
| November 19, 2015 | 2016 Sundance Supplemental Plan Minutes pg. 9 |
| February 9, 2016 | SEAC Debrief of Sundance 2016 pg. 2 - 3 |
| July 21, 2016 | Work Session 2016 Sundance Debrief pg. 3 |
| July 21, 2016 | Work Session 2016 Sundance Debrief Minutes pg. 2 & 3 |

In September of 2013, Park City Municipal Corporation and the Sundance Institute entered into an agreement extending the dates for the Sundance Film Festival in Park City, Utah through 2026.

Each year, the Supplemental Plan for the annual Sundance Film Festival is amended to recognize changes from the previous year per the long term contract. Unless affirmatively modified by both parties, supplemental plans for future Festivals will follow the plan for the previous Festival.

All of the changes that were requested and approved for the 2016 Festival will remain in effect for the 2017 Sundance Film Festival as follows:

- Use of the Historic Wall Lot and Bob Wells Plaza.
    - This was for Festival Base Camp, a music, sponsor activation and New Frontier venue.
- Traffic Mitigation Plan at 12th and Woodside for the Library Building and The Shop-Yoga Studio (Sundance Activation) at 1167 Woodside Ave.
    - This will also include dedicated use of 22 of the 72 spaces at the Mawhinney Parking Lot.
- Waiver of the Main Street Delivery Code provision of time restrictions from Monday, January 18th – Saturday January 30, 2016.
    - In 2017 these dates will be Monday, January 16 through Monday, January 30th.
- Sundance sponsor, Uber, utilized the Flagpole Lot.
    - At the time of this report, there has been no designated use for sponsor activation at the Flagpole Lot.
    - If the use comes online again, staff will return to City Council and communicate use in December.

- As a reminder, the Brew Pub parking lot will be used for City Operations during the Festival.

The major requested changes for the 2017 Sundance Supplemental Plan are as follows:

Dates & Times

- The 2017 Sundance Film Festival will be held from Thursday, January 19 through 29th, 2017. Currently, there are no other Special Event applications during this time period.

Locations

- Sundance and official sponsor venues are listed as Exhibit A in this report.

Street Closures

- Closure of 5th Street, between Main and Swede Alley, for the Cinetransformer. from January 17th-January 29th ( Exhibit B)
  - The Cinetransformer is a semi-truck trailer that transforms into a 90 seat theatre. There will be some public programming with panels and screenings.
  - 5th Street will be an extension of Festival Base Camp uniting Festival Base Camp with Main Street
- Closure of lower Main Street for the Acura activation. Closure would be between 7th and 9th Street. Dates for the closure are TBD but more than likely from January 13th – February 1st (Exhibit C).
  - Acura is looking to make this area engaging by creating a gathering area for the public.

Deliveries & Construction

- Request of waiver of the Martin Luther King holiday weekend 'no work' provision, for Sundance Institute and official sponsor operations and set up.

Staff will present the Transportation, Parking Mitigation Plan as well as any other updates with regards to the 2017 Sundance Film Festival by the December 15th City Council meeting.

Staff recommends Council review and approve the use of Lower Main Street (between 7th and 9th Street) and the closure of 5th Street during the 2017 Sundance Film Festival, as well as, the of waiver of the Martin Luther King holiday weekend 'no work' regulation, for Sundance Institute and official sponsor operations and set up.

- Staff will be returning in December for an update on the Sundance Transportation, Parking and Community Outreach plans and request approval of the 2017 Sundance Film Festival Supplemental Plan and City Services Agreement.
- Staff believes the requests, will aid the City and Sundance in creating strengthened transportation plans, and help mitigate concerns regarding venue

costs and protecting Sundance Official Sponsors, while decreasing potential residential impacts and increasing business opportunities on Main Street.

## Alternatives for City Council to Consider

**1. Recommended Alternative:** This is staff's recommendation.
Staff recommends Council review and approve the closure of Lower Main Street (between 7th and 9th Street) and 5th Street during the 2017 Sundance Film Festival. Staff will be returning at a subsequent meeting in December for the approval of the full supplemental plan including transportation/parking and community outreach plans in December as well as findings and conditions of approval.

Pros:

a. Staff believes the event's programs align with City Council's goals of providing a complete community that values economic diversity and arts and culture, creating engaged and effective government, and a thriving mountain community in the following ways:

- Vibrant arts and culture offering;
- Protected and celebrated history, as well by creating a community gathering place;
- Safe Community;
- Balance between tourism and local quality of life;
- Varied and extensive event offerings;
- Accessibility during peak times
- Well utilized, fare-free, regional public transit, and walk-able community;
- World-class, multi-seasonal resort destination

Cons:

a. Additional mitigations may increase the amount of Staff time, resources and fees associated with the event.
b. Though staff believes the closures will help with transportation and pedestrian management, as well as, will help with creating community character and sense of place, there is a fine balance in the opportunity and challenges in both our residential and business areas.

**2. Continue the Item Alternative:** The City Council may continue the item for more information or discussion, thus postponing the approval of the requested changes in this report.

Cons:

a. This will further postpone the approval of the 2017 Sundance Film Festival Supplemental Plan and delay staff's ability to implement changes for the upcoming Festival.

**3. Deny Alternative:** Deny the approval of the requested changes in this report.

Cons

a. The Supplemental Plan for the 2017 Sundance Film Festival and City Services Agreement would not be approved and would delay staff from implementing changes for the upcoming Festival.

**4. Do Nothing Alternative:** The Council may do nothing and take no action. The approval of the requested changes in this report would not be approved.

Cons

a. This would provide lack of direction regarding the current and future supplemental Plans for the 2017 Sundance Film Festival in accordance with their City Services Agreement and Level Three Special Event Permit.

## Department Review

Sustainability, Special Events, Budget, Legal, Executive, Police, Streets, Building, Finance, Planning and Transportation Planning Departments have reviewed this report and their comments have been incorporated.

Additionally Sundance Institute reviewed this report and their comments have been incorporated.

## Funding Source

The General Fund pays for the Sundance contract currently. Any increases to expenses would need to come through the BFO process. Any decreases (savings) to ongoing expenses would go back to the General Fund and potentially used for other needs within the General Fund.

## Attachments

| | |
|---|---|
| Exhibit A | Sundance & Official Sponsor Venue List 2017 |
| Exhibit B | Cinetransformer Site Plan; 5th Street |
| Exhibit C | Acura Site Plan – Lower Main Street; 7th to 9th Street |
| Exhibit D | DRAFT Level Three Special Event Permit |

# SUNDANCE FILM FESTIVAL OFFICIAL VENUES

## THEATRES:

**Eccles Theatre**
1750 Kearns Blvd.
Park City, UT 84060

**Egyptian Theatre**
328 Main Street
Park City, UT 84060

**Holiday Village Cinemas**
1776 Park Ave.
Park City, UT 84060

**Prospector Square Theatre**
2175 Sidewinder Dr.
Park City, UT 84060

**Redstone Theatre**
6030 Market St.
Park City, UT 84098

**Library Center Theatre**
1225 Park Ave.
Park City, UT 84060

**Cinetransformer**
500 Main Street
Park City, UT 84060

**The MARC Theatre**
1200 Little Kate Rd.
Park City, UT 84060

**Temple Theatre**
Highway 224
3700 North Brookside Ct.
Park City, UT 84060

**Yarrow Hotel Theatre**
At DoubleTree by Hilton Hotel Park City - The Yarrow
1800 Park Ave.
Park City, UT 84060

## VENUES:

**Music Café**
Rich Haines Art Gallery
751 Main Street
Park City, Utah 84060

**Filmmaker Lodge**
Elks Building
550 Main Street
Park City, UT 84060

**New Frontier**
**Claim Jumper (2nd & 3rd floor)**
573 Main Street
Park City, UT 84060

**Park City Main Box Office**
Gateway Mall #102
**Pass Package #201/202**
136 Heber Ave.
Park City, UT 84060

**Festival Base Camp presented by Canada Goose**
475 Swede Alley
Park City, UT 84060

**Festival Co-op**
Montgomery Lee Gallery
608 Main St.
Park City, UT 84060

**Festival Headquarters**
Park City Marriott
1895 Sidewinder
Park City, UT 84060

**Festival Store on Upper Main**
Park City Mercantile
523 Main Street
Park City, UT 84060

**Festival Store on Lower Main**
Grace Clothiers
751 Main Street
Park City, UT 84060

# 2017 Sundance Film Festival

## Sponsor Venues - Under MFL

| Sponsor/Group | Venue Address |
|---|---|
| Acura | TBD |
| AT&T | TBD (May go into STV HQ) |
| Festival Base Camp Presented By Canada Goose | 475 Swede Alley (Bob Wells) |
| Canon Creative Studio | 592 Main St<br>By Invitation Only |
| Chase Sapphire | 573 Main St (Claimjumper) |
| IMDb | 570 Main St (Prewitt Gallery) |
| Stella Artois | Location TBD (likely Elegante, 364 Main St) |
| SundanceTV | 268 Main St<br>(ex Hope Gallery) |
| The Hollywood Reporter Photo and Video Studio | 427 Main St (location still TBD) |
| Uber | TBD - Heber Ave & Swede Alley |
| University of Utah Health Sciences | TBD |
| Utah Film Commission | 625 Main St (Terzian Gallery) |
| YouTube | TBD<br>(likely root'd) |

**Closing 5th Street - Cinetransformer**

Sundance Institute lost the Gateway space #104 where we housed the Microcinema (panels). Sundance FIlm Festival staff have been working with City staff and Post Office to close down 5th Street and bring in a Cinetransformer to replace the Microcinema.

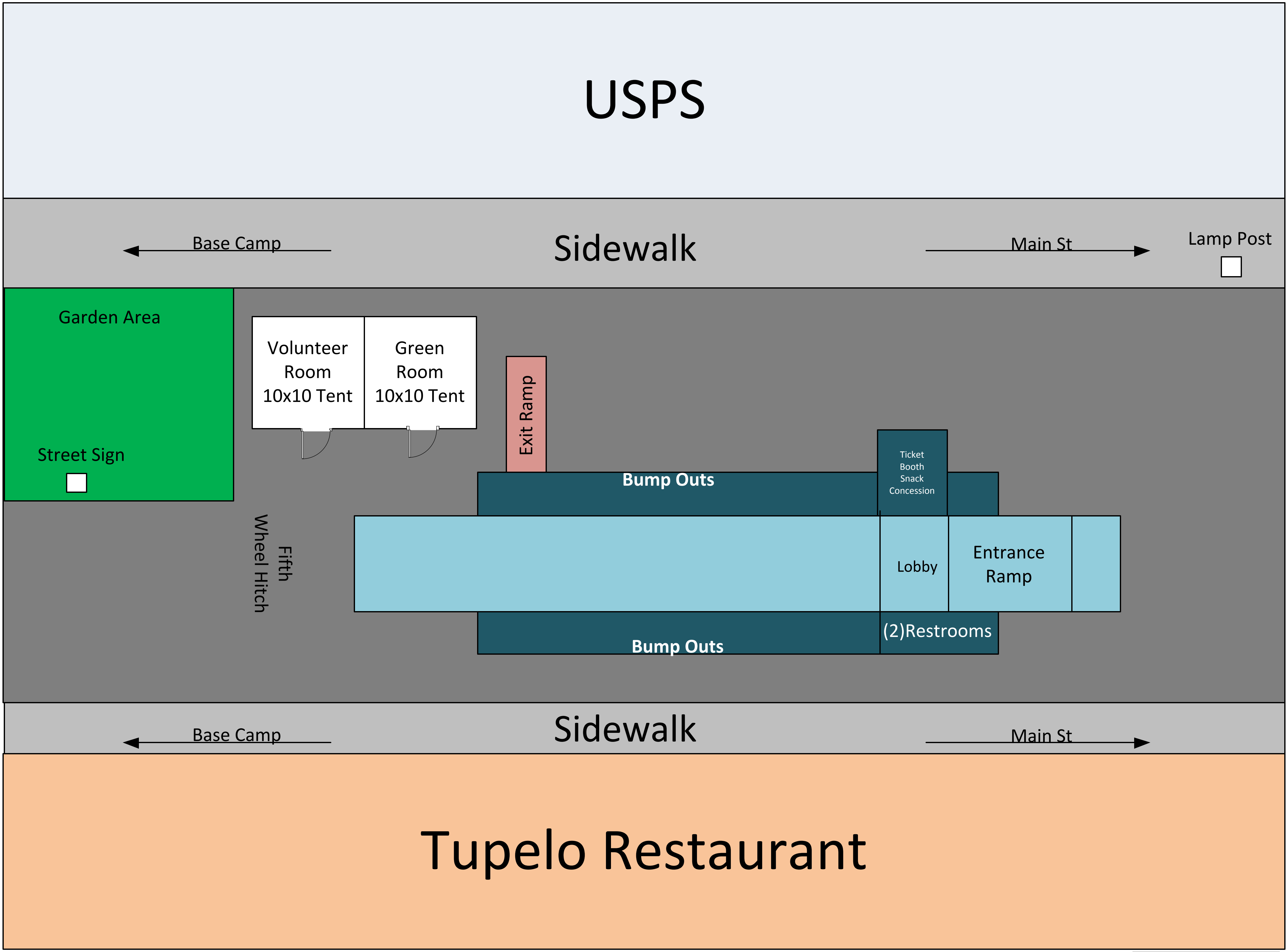
The Cinetransformer is a semi-truck that pulls into place and the sides expand to make a 90 seat theatre. We are removing one row in front to make more room for panelist. (80 seat theatre). When expanded the total foot print including entrance and exit ramps is 70 length and 30 wide. It is equipped with 2 restrooms, concessions, theatre seating, ADA room in front rows and access ramp.

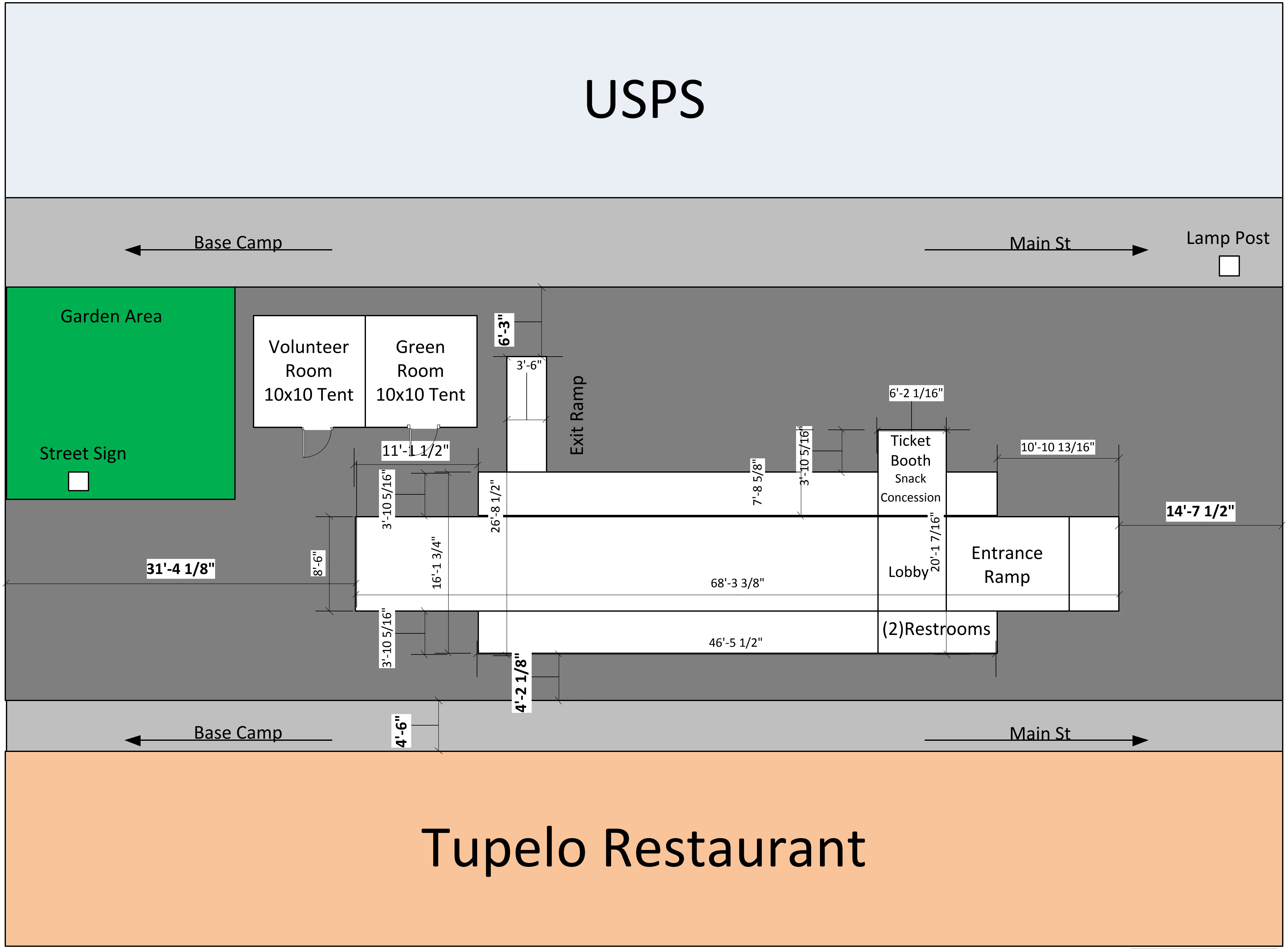
Sundance will have panels and selected screenings from 9:00am - 10:00pm. (still working on exact schedule within that time period). The Cinetransformer will be open to credential holders and public as available.

5th street will be closed from January 18, 2016 - January 29, 2016. We are working to have the street closed as minimal as possible and will remove Cinetransformer right after last use to help make tear down of festival run smoothly.

Post Office will still have spaces in front of Post office and back of Post office and some on Swede Alley for mail pick up. We will work with KPCW to get word out and a notice inside the Post Office.

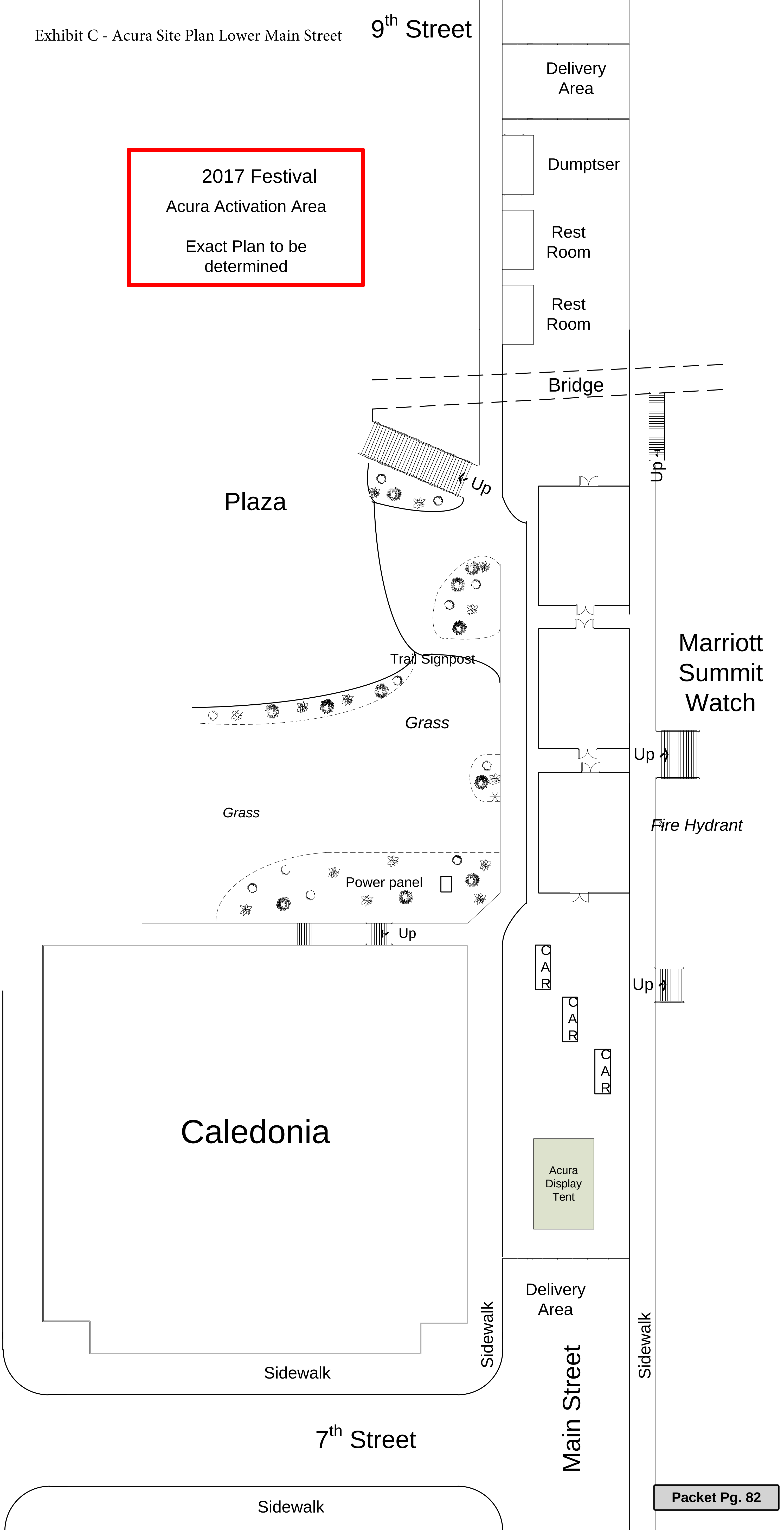

FOXsports
en español
CHICAGO
MIAMI
FOXsports
en español


USPS
Base Camp
Sidewalk
Main St
Lamp Post
Garden Area
Street Sign
Volunteer Room 10x10 Tent
Green Room 10x10 Tent
Exit Ramp
Ticket Booth Snack Concession
Bump Outs
Fifth Wheel Hitch
Lobby
Entrance Ramp
(2)Restrooms
Bump Outs
Base Camp
Sidewalk
Main St
Tupelo Restaurant



USPS
Base Camp
Main St
Lamp Post
Garden Area
Street Sign
Volunteer Room 10x10 Tent
Green Room 10x10 Tent
6'-3"
3'-6"
Exit Ramp
11'-1 1/2"
3'-10 5/16"
16'-1 3/4"
26'-8 1/2"
7'-8 5/8"
3'-10 5/16"
6'-2 1/16"
Ticket Booth
Snack Concession
10'-10 13/16"
14'-7 1/2"
31'-4 1/8"
8'-6"
68'-3 3/8"
Lobby
20'-1 7/16"
Entrance Ramp
3'-10 5/16"
46'-5 1/2"
(2)Restrooms
4'-2 1/8"
4'-6"
Base Camp
Main St
Tupelo Restaurant

Exhibit C - Acura Site Plan Lower Main Street



## Exhibit D – DRAFT Sundance Film Festival Level Three Special Event Permit

### SPECIAL EVENT PERMIT

| | |
|---|---|
| Type of License: | Level One Level Two X Level Three |
| Event Name: | 2017 Sundance Film Festival |
| Event Date(s): | Saturday, January 19 through Sunday, January 29th, 2017 |
| Event Location: | Various locations throughout Park City |
| Licensee: | Sundance Institute |
| Contact Person: | Tina Graham, Associate Director, Festival Operations |
| Approved By: | Special Events Coordinator X City Council of Park City |
| Approval Date: | December 15, 2016 |

The Park City Council has approved the Level Three Special Event Permit for the 2017 Sundance Film Festival as part of the current City Services Agreement that was executed on October 30, 2013. The 2017 Sundance Film Festival t is to be held at various locations throughout Park City (Exhibit A) and will be held January 19 – 29, 2017. This Level Three Special Event Permit has been issued under the authority described within the Park City Municipal Code Section 4-8-4(C) based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The 2017 Sundance Film Festival will operate from Thursday, January 19 through Sunday, January 29th, 2017.
2. The permittee will organize venue load-in and load-out plans, as well as, work with staff to create transportation and parking plans. The permittee is responsible for working to establish and help promote transportation and parking plans. The applicant will have volunteers as well as the help of Park City Police Department to ensure that efficiency of traffic, transportation and public safety.
3. The permittee has secured permission from the school district to allow the use their parking areas at the Schools around Kearns Blvd. (Hwy. 248). The permittee enhance the City's current transit schedule for festival attendees.
4. The applicant has established weather and emergency plans. The applicant has established these plans to maximize the safety event attendees, volunteers, staff, the general public. There are no weather dates for the event, but the applicant is aware that weather could interfere with the possibility of the event's proposed activities. In the case that the event were to be cancelled due to dangerous weather conditions, they would notify the general public as well as participants in the event. The applicant understands that Park City Special Events, Police, Fire, Building Official/Fire Marshal and Emergency Management have the right to cancel or postpone the event at anytime due weather or emergency conditions.
5. The events associated with the 2017 Sundance Film Festival will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
6. The concentration of persons, vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services.
7. There are other no other Special Event Permits that are currently proposed or that have been granted for January 19 – 29, 2017

PARK CITY 1884

8. The size of the crowd and nature of the event will not create an imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
9. The applicant has been working with City Staff and applicable departments to address all event concerns. The Applicant demonstrates an ability and willingness to conduct the event pursuant to the terms and conditions of this Chapter and has not failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.
10. Staff finds the 2017 Sundance Film Festival is consistent with the measures as outlined in the City Services Agreement as entered into on October 30, 2013 and promotes the City Council's Goals of creating a sense of place. The international event furthers Park City's role as a world-class, multi-seasonal destination resort while maintaining a balance with our sense of community. Sundance helps to support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience. Furthermore, Sundance allows Park City to grow as an arts and culture hub encouraging creative expression.

Conclusions of Law:

1. The application is consistent with the requirements of the Park City Municipal Code, Title 4, Chapter 8.

Conditions of Approval:

1. The applicant, at its' cost, shall incorporate such measures as directed by Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided and paid for by the applicant.
2. The permittee shall adhere to the Park City Municipal Noise Ordinance. The applicant will work with City Staff to orient the activities so as to minimize sound impacts to the neighborhood and the applicant shall monitor the following:
   (A) The permittee, or his/her designee, shall provide on-site management for each aspect of the event.
3. The permittee has agreed to return to and give a review for the 2017 Sundance Film Festival.
4. In additional to minimum insurance as required by state law or applicable regulation (for example worker's compensation, auto, and liquor liability as applicable), Applicants shall provide proof of public liability insurance in an amount as determined by the City Attorney's Office, and shall further name Park City Municipal Corporation as an additional insured.
5. All plans for tents, stages and other temporary structures as well as flammable materials shall be submitted to the Building Department for review and permitting no later than Wednesday, January 18th.
6. The permitee is responsible for working with City Staff to create an Operational, Parking and Pedestrian Management Plan in a form approved by the Park City Municipal's Economic Development Program Manager and by the Chief of Police.
7. The permitee is responsible for maintaining a staff and volunteers plan.
8. The applicant use of barricade and signage will be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) for the duration of the event.
9. All third party approvals including the Park City School District, Summit County and State permit approvals required for this event shall be secured by the Thursday previous to each market week and submitted to Park City Municipal Corporation.

10. The Park City Special Events, Police, Fire, Building Official/Fire Marshal and Emergency Management have the right to cancel event upon any condition, violation or weather that jeopardizes the life, safety or property of the residents or visitors of Park City.
11. The Applicant will provide an official Sundance Venue and Sponsor list and sign plan for the event. All handouts, flyers, banners and other signage, shall comply with the Park City Municipal sign code and be approved by the Planning Department.
12. The 2017 Sundance Film Festival will operate for ten (10) days, Sundance Institute reserves the right to review and make recommendations regarding the approval of any other Special Event Permit during this time.
13. Sundance shall report sustainability statistics in the debrief of the event.
14. Sundance shall have exclusive use of the areas as outlined in Exhibit A.
15. Sundance estimates overall attendance in 2017 will be 50,000. Sundance shall work with Staff to address the challenges and opportunities created by the growth in attendance to the event with regards to maintaining public safety, traffic and transportation impacts to the City.
16. Sundance will work with the Fire Marshall, and Public Safety Personnel regarding placement of emergency staff and equipment. Sundance will submit an Emergency Operations Plan to be coordinated with Park City Police, Emergency Management and Park City Fire.

PASSED AND APPROVED this Thursday, the 15th of December, 2016.

PARK CITY MUNICIPAL CORPORATION

____________________________________
City Manager, Diane Foster

Attest:

__________________________________
, City Recorder

Approved as to form:

__________________________________
Mark D. Harrington, City Attorney

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

The proposed Mobile Command Post (MCP) vehicle, in this case a trailer, is a multi-use public safety tool that has been missing from Park City's "All-Hazards" approach to preparedness, response, mitigation and recovery. We believe this vehicle is required to adequately protect the public and provide basic and increased levels of service to the community, including special events. We anticipate this vehicle to be used by Police, Emergency Management, Dispatch, Public Utilities, Special Events, Community Affairs and others, including other regional agencies under mutual aid agreements.

While researching MCP options and costs for next year's budget cycle, the manufacturer, Stehno Technical Corp (STC), of Murray, UT, mentioned they wanted to sell their existing demo MCT that had been loaned to us for use at the 2015 Arts Festival. This is a very unusual opportunity to acquire a unique and necessary piece of public safety equipment for $80,000, fully equipped, which is a 36% discount from the retail price of $125,000. Four additional quotes were requested from firms who manufacture similar types of equipment. Of the three additional quotes received, two were 30% or more higher and one was lower but did not meet many of the specifications.

Park City's General Plan discusses the importance of special events to our Sense of Community, as well as having the appropriate infrastructure, process and support systems to handle those events.

Public Safety is identified as an Essential Service in the City's Strategic Plan; the MCP will quickly become an invaluable tool to supporting that essential service.

**Respectfully:**

Nate Rockwood, Capital Budget, Debt & Grants Manager

# City Council
# Staff Report

| | |
|---|---|
| **Subject:** | Request the City Council to authorize the purchase of a Mobile Command Trailer |
| **Author:** | Hugh Daniels, Emergency Manager |
| **Department:** | Executive – Emergency Management |
| **Date:** | November 17, 2016 |
| **Type of Item:** | Administrative |

## Summary Recommendation

Staff recommends that the City Council authorize the purchase of a Mobile Command Trailer (MCT) from Stehno Technical Corp in the amount of $80,000.

## Executive Summary

The proposed Mobile Command Post (MCP) vehicle, in this case a trailer, is a multi-use public safety tool that has been missing from Park City's "All-Hazards" approach to preparedness, response, mitigation and recovery. We believe this vehicle is required to adequately protect the public and provide basic and increased levels of service to the community, including special events. We anticipate this vehicle to be used by Police, Emergency Management, Dispatch, Public Utilities, Special Events, Community Affairs and others, including other regional agencies under mutual aid agreements.

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Park City's General Plan discusses the importance of special events to our Sense of Community, as well as having the appropriate infrastructure, process and support systems to handle those events.

Public Safety is identified as an Essential Service in the City's Strategic Plan; the MCT will quickly become an invaluable tool to supporting that essential service.

## Acronyms

| | |
|---|---|
| CIP | Capital Improvement Plan |
| MCT | Mobile Command Trailer |
| MCP | Mobile Command Post |
| STC | Stehno Technical Corp. |

| | |
|---|---|
| PIO | Public Information Officer |
| EM | Emergency Management |
| EOC | Emergency Operations Center |

## The Problem and The Opportunity

Emergency Management staff has been trying to add a MCP to our line of public safety equipment for the better part of eight years. Changes and growth in the community, a significant increase in events, international and national threats make having this equipment that much more important. The proposed acquisition of a MCT will greatly improve our level of service for a number of activities, including but not limited to, emergencies or disasters, including terrorism, at any established shelter locations, dignitary protection, easily identified location to find Public Safety, protection from weather (particularly wet and cold), secure mobile location with technology, communications, power, internet, etc., Incident Command System operations, space for Unified Command & briefings, Public Information Officer (PIO)/Joint Information Center use, secure facility for lost children in large events, EOC back-up, Dispatch back-up, law enforcement extended response/investigations and safe and secure location for staff rehab during extended events.

The opportunity to acquire a fully equipped, ready to use MCT at a $45,000 discount rarely happens. The manufacturer is also including additional upgrades and equipment with a value of $2,675.

## Background

- A mobile command vehicle whether a trailer or on a chassis is a common public safety tool used by many government agencies. They come in all shapes and sizes and can be used for many operations and events beyond law enforcement and emergency management. There have been numerous times one could have been used in Park City and we predict it could be used up to 100 days a year.
- As a capital asset that was not included in the FY17 budget, this purchase must be approved by the City Council. Funding outlined below will come from existing FY17 budgeted operating and grant funds.
- **Trailer** – All the details of the unit, how it is built and what is included is attached in the Sales Quote #ST-1427B(2). Photos of the unit are also attached.
  <u>Annual Maintenance</u>: A fleet supervisor and the IT Director spent two hours going over the unit with the manufacturer and estimated annual maintenance is well under $750. The existing Emergency Management Program can cover annual maintenance costs.
  <u>Additional Equipment Needs:</u> The following are the only items that would be required to be operational; all can be covered within existing budgets or are already in our inventories: mobile radios and antennas, sat phone antenna, computer, annual Wi-Fi and TV fees, livery (exterior signage/decals on trailer).
- **Replacement –** The Budget department expressed concern over the future cost of replacement in conjunction with increases in ongoing fleet costs.
  <u>Life – Unit</u>: A solid estimate of remaining life is 15 years assuming proper care and most years with storage inside a building. The trailer platform should have a

longer life and the existing unit could be gutted and refurbished. Estimated Replacement Cost - $150,000
Life – Equipment: Everything in the unit is standard equipment and the only things with a shorter lifespan than the unit itself, not included in annual maintenance above, may be monitors, desk chairs, computer, tires and modem. If everything had to be replaced once, the estimated cost would be $4,135, which can be covered out of the EOC Equipment Replacement fund.
Replacement Funding: $150,000 over 15 years is $10,000 per year. In reorganizing how we handle the EOC Equipment Replacement fund, we free up $12,000 per year that can be put towards replacement. Also while reorganizing the EOC Equipment Replacement fund we may be able to also decrease the overall fund annually by up to $25,000. The importance of this is that neither the Capital Fund nor the Fleet fund would be needed for vehicle refurbishment and/or replacement.

- **Tow Vehicle** –The manufacturer recommends a ¾ ton pick-up truck as the best vehicle to tow the MCT in light of our terrain. It is possible a properly outfitted for towing ½ ton truck will work. There are ¾ ton vehicles already existing in the Fleet that can tow the unit and Public Utilities says a vehicle will be made available if needed. We concur the best solution is a dedicated vehicle, so there is not competition during an emergency for towing equipment. In the short-term we can make existing vehicles work. The preferred solution would be to replace the existing Emergency Management (EM) vehicle with a gasoline truck with a crew cab and covered bed. The EM vehicle already exists in the Police fleet and is scheduled for replacement in 2017 according to existing replacement schedule, at about the same cost as replacing it with a Ford Police Interceptor when equipment is added in.
- **Storage** –
  Long-term: The City, in its agreement with the Park City Fire District for the new Quinn's fire station, includes an indoor facility for this vehicle. The Fire District plans to move forward on the inter-local agreement that will allow construction soon.
  Interim: Quinn's Water Treatment plant has space until the fire station is finished, however it will not be available until after their expansion, the middle of next year. Until that space is available, we have space identified in private storage, have been offered space at the Summit County Health Department and if it fits (won't know until we try it) at the Park City Public Safety secure parking.
- The following City departments and other agencies have expressed support for this equipment and its acquisition, Park City Emergency Management, Park City Police, Park City Sustainability - Special Events and PIO, Park City Fleet, Park City Information Technology, Summit County Sheriff's Office, Park City Public Utilities, Summit County Health Department, Park City Fire District, Park City Building/Fire Marshal, Park City Engineering and Summit County Emergency Management.

## Alternatives for City Council to Consider

1. **Recommended Alternative:** Request the City Council to authorize the purchase of a Mobile Command Trailer

   Pros
   - a. Increases our ability to respond to public safety issues, increases our ability to support special events and adds an additional tool for community presence and outreach.
   - b. Gives us a tool that can be adapted and used for a number of different needs and situations.
   - c. Allows us to take advantage of a unique opportunity to acquire a MCT at a 36% reduction in cost.
   - d. Since this unit was the manufacturer's demo it comes fully equipped with a number of upgrades.
   - e. Allows us to acquire the unit before other interested parties might acquire it.
   - f. Supports a "Responsive, Cutting-Edge & Effective Government."

   Cons
   - a. The purchase is outside the normal CIP budget process and uses FY17 emergency management operating funds. However, there will be no decrease in service levels or equipment for emergency management.

   Consequences of Selecting This Alternative

   Adds a key piece of missing public safety and communications equipment to the City's toolbox.

2. **Null Alternative:** City Council may choose to not authorize the purchase of a Mobile Command Trailer

   Pros
   - a. Could return this purchase decision to the FY 18 budget process.
   - b. May free up EM operating funds for other limited projects.

   Cons
   - a. Delays the purchase of needed public safety equipment.
   - b. There is a good chance that this particular unit will not be available in the future.
   - c. A future purchase of a similar unit is expected to cost $125,000-$130,000.

## Department Review

Emergency Management, Police, Budget, Legal, and Executive.

## Funding Source

Emergency Management has several funds including Materials & Supplies (operations), EOC Equipment Replacement, Emergency Contingency, Security, Safety and Emergency Management Program CIP. EM also participates in several federal grant programs that are administrated by the Utah Division of Emergency Management. Staff recommends using a combination of these funds for the purchase of the MCT.

| | |
|---|---|
| EOC Equipment Replacement | $50,000 |
| Emergency Contingency | $10,000 |

| | |
|---|---|
| Emergency Management Program Grant | $10,000 |
| State Homeland Security Program Grant | $10,000 |

The reorganization of the EOC Equipment Replacement fund will also fund the future replacement of the MCT. The Emergency Management Program CIP will fund any equipment needs.

## Attachments

A. Manufacturer's Sale Quote
B. Photos of the MCT

# Stehno Technical Corp.

**79 West 4500 South Suite # 1 Murray, UT 84107**
**(P) 801-815-4470 sales@stehnotech.com EIN # 45-2790678**

**Sales Quote # ST-1427A**
**Date: August 23, 2016**

**Customer: Park City Municipal Corporation**
**Hugh Daniels / 435-640-2222**

---

**SVCI Tactical Demo Command Trailer Unit:** **$80,000**
**2012 Look Element Trailer Model # VRLA85X20TE3 / VIN # 53BTV2020CT000452**

## -Package consists of the following components:

## Vehicle & Design:

**-Trailer Platform is a 20' 2012 Look Enclosed Trailer**
- -Floor cross members on 24" centers
- -Roof bows on 16" canters
- -Wall struts on 16" centers
- -7'6" tall interior height
- -Chassis fully undercoated
- -Tandem 5200 # axels
- -Electric drum breaks
- -3/4" plywood floor (undercoated)
- -Standard LED clearance / marker lights
- -34" wide x 76" tall radius entry door on curb side of vehicle
- -Barn doors on rear
- -.030 Aluminum exterior skin, white in color
- -One piece aluminum roof

## -Interior Construction:

**-Walls & ceilings:**
- -1" thick foam board insulation adhered to interior skin of walls and ceiling for insulation of trailer
- -1 ½" thick plywood wall shims attached to vertical wall struts of trailer x 4" wide
  - -Builds out wall thickness to allow for enough space within wall to install electrical outlet boxes / utility
- -1/2" plywood sheeting attached to wall and ceiling struts to cover insulation, shims, and utility wiring.
- -.032 GA white powder coated aluminum paneling covering ½" plywood on walls and ceiling, overlapping by 1"
  - -Paneling adhered to plywood with high temperature tolerant contact adhesive
- -Chase way areas (where walls meet ceiling and where wires run) covered in removable upholstered wooden chases

**-Floor:**
- -Black Rhino Lining to cover floor of trailer
- -Black powder coated 4" tall aluminum cove base covers seams where floor meets walls

**-Steel equipment racks, steel wall frames, & workstations:**
- *All steel fabrication to be professionally welded from tubular steel / sheet metal and powder coated black in color
- -One (1) Custom built steel tube equipment rack frame with 19" standard equipment bay
  - -To be secured to curbside wall just behind man door entrance
  - -Rack frame assembly to be approximately 20" wide x 84" tall x 18" deep
  - -Bay to have a set of standard 10-32 rack rail at front
  - -Rack to house utility and communication equipment
    - -Cellular modem, network switch, data patch panel, AC & DC panels, inverter & generator controls
    - -Customer supplied radio equipment & computer equipment
  - -Blank RU panels, powder coated black, to fill in any un-used space within equipment racks
  - *All panel mounted equipment to be neatly fitted / bezeled within aluminum panels
  - *All aluminum panels to be finished in a durable black powder coat
- -One (1) Custom built steel tube workstation frame & countertop
  - -To be secured to street side wall and floor at front of trailer
  - -Frame to be approximately 72" long x 21" wide x 30" tall
  - -Frame to provide area for workstations and equipment
  - -Frame top covered with laminated countertop built from paint grade plywood
  - -Finished countertop to be approximately 72" long x 22" wide
  - -Exposed edges of countertop to be finished with black contoured PVC T edge molding
- -One (1) Custom built steel tube workstation frame & countertop
  - -To be secured to front wall and floor at front of trailer
  - -Frame to be approximately 72" long x 21" wide x 30" tall
  - -Frame to provide area for workstations and equipment
  - -Frame top covered with laminated countertop built from paint grade plywood
  - -Finished countertop to be approximately 72" long x 22" wide
  - -Exposed edges of countertop to be finished with black contoured PVC T edge molding
- -One (1) Custom built steel tube wall frame assembly for bulkhead wall infrastructure
  - -To be secured to the floor, ceiling, and side walls to form bulkhead wall assembly
  - -Exterior sides of bulkhead wall frame to be covered with ½" plywood
  - -Plywood to be covered with white powder coated aluminum paneling and trim as needed
  - -Solid core sliding wood door assembly to close off walk through area of bulkhead wall
    - -Door to be suspended on a rolling track assembly and recess into pocket within wall
    - -Both sides of sliding bulkhead door to be laminated with white dry erase laminate
  - -Bulkhead door opening to be approximately 32" wide x 77" tall

***Continued on next page:→***

-One (1) Custom built steel tube bench seat frame & cushions
-To be secured to the street side wall and floor behind bulkhead wall within trailer
-Frame to be approximately 126" long x 22" wide x 18" tall
-Frame to provide area for seating with removable cushions, allowing access to utility components below
-Front of frame to have 16 GA steel paneling welded in place
-2" thick removable foam cushions with ¾" plywood stiffener, fitted to top of bench seat frame
-2" thick foam filled removable cushions fitted to the wall as a back rest, 12" tall
-Fabric colors TBD
-One (1) Custom built fold-up steel tube bench seat frame & cushion assembly
-To be secured to the curbside side wall behind bulkhead wall within trailer
-Assembly to be divided into two separate folding bench seat sections
-Overall length of combined frames to be approximately 120" long x 22" wide x 18" tall
-Frames to provide area for seating with removable cushions, allowing access to storage space below
-Frames to fold up and lock into place to provide for extra walking room / ability to haul larger cargo
-Front of frame to have 16 GA steel paneling welded in place
-2" thick removable foam cushions with ¾" plywood stiffener, fitted to top of bench seat frame
-2" thick foam filled removable cushions fitted to the wall as a back rest, 12" tall
-Fabric colors TBD

**-Aluminum Fixtures:**
*All aluminum fabrication to be professionally TIG welded and powder coated white or black in color
-Two (2) Fold down workstation table assemblies
-To be secured to rear barn doors under 42" TV monitors (one on each door respectively)
-Each table to be approximately 42" wide x 14" deep
-Tables to feature heavy duty latching fold down mechanism
-Tables to be finished in a durable white gloss powder coat
-One (1) Removable fold down workstation table
-To be secured to street side wall interior underneath countertop for transit
-To be able to be deployed via cleat on exterior curbside of trailer
-Table to be approximately 48" wide x 20" deep
-Tables to feature heavy duty latching fold down mechanism
-Tables to be finished in a durable black gloss powder coat
-One (1) Hinged Aluminum Door & Frame Assembly
-To be installed on rear street side of trailer to provide service access to generator compartment
-Door & frame assembly to be finished in a durable white gloss powder coat
-Door assembly to have two locking latches to secure door shut
-Door assembly to be insulated to aid in sound deadening

**-Wood Cabinets, wood tables, & associated furnishings:**
*All wooden cabinets / fixtures to be built from ¾" paint grade plywood, with laminated exterior / lacquered interior
-One (1) Custom built galley cabinet to be installed
-Cabinet to be installed on street side just in front of bulkhead wall and house a small sink
-Cabinet to be approximately 32" wide x 25" deep x 42" tall
-Four (4) Custom built overhead wood cabinets to be installed throughout trailer
-One overhead cabinet approximately 32" long x 16" deep x 28" tall
-To be installed on street side of trailer above galley in front of bulk head wall
-Cabinet to contain a microwave oven neatly integrated within
-Cabinet to contain a paper towel holder neatly integrated within
*This cabinet to have one storage compartment above microwave with hinged / latching door
-One overhead cabinet approximately 72" long x 12" deep x 22" tall
-To be installed on street side wall of above countertop
-This cabinet to have powder coated aluminum diamond plate angled trim at bottom
-One overhead cabinet approximately 72" long x 12" deep x 22" tall
-To be installed on front wall of above countertop
-This cabinet to have powder coated aluminum diamond plate angled trim at bottom
-One overhead cabinet approximately 72" long x 16" deep x 22" tall
-To be installed on street side of trailer behind bulkhead wall within conference room
-This cabinet to have powder coated aluminum diamond plate angled trim at bottom
*Each cabinet to have a number of cabinet doors for access to cabinet, number of doors TBD
-Cabinet doors to be laminated in white dry erase laminate
-Each cabinet door to have hinges and latch to keep door secure while in transit
-Each cabinet door to have a knob for easy use of cabinet door
-Two (2) Removable conference tables to be installed in between bench seating area within conference room
-Tables to be approximately 49" long x 33" wide x 31" with removable legs
-Tables to be built out of 1.5" thick paint grade plywood covered in laminate, color TBD
-Table edges to be finished in black contoured PVC T edge molding
-Each table to have three removable legs with leg cups
-Floor to have six recessed leg cups for removable table legs to secure to
-Four (4) Custom built dry erase white board assemblies
-One white board to be installed on the street sidewall just above workstation within front operations room
-White board to be approximately 62" long x 33" tall
-One white board to be installed on the street sidewall just above the bench seat within conference room
-White board to be approximately 84" long x 29" tall
-One white board to be installed on the curbside wall just above fold up bench seat within conference room
-White board to be approximately 84" long x 42" tall
*Each white board to be neatly trimmed with black powder coated aluminum angle trim
-One (1) removable white board and cleat assembly
-Removable white board to stow on top of existing curb side white board within conference room for transit
-Removable white board to be able to be deployed on exterior curb side of trailer via cleat assembly
-One (1) Custom built utility cabinet to be built and installed on curbside of trailer, just in front of bulkhead wall
-Cabinet to be approximately 21" wide x 24" deep x 90" tall
-Cabinet to have a front opening triple hinged door with dual aluminum Southco latches
-Cabinet door to be covered in white dry erase laminate
-Cabinet to house coat hooks and some shelving for now but be designated for potential future pneumatic mast system
*Cabinet to be large enough to house optional 27' pneumatic mast assembly and associated utility equipment
*This quote does not include a mast assembly or associated utility equipment

***Continued on next page:*** →

## Electrical System:

**-120VAC System:**

- -One (1) Onan Commercial 6500 watt propane generator (Model # 6.5HGJAE-2145J)
  - -To be installed within generator compartment on rear street side of trailer within bench seat
  - -Remote switch and hour meter to be installed within equipment rack within main operations area
  - -Exhaust kit to be installed, exhaust tubing to be routed towards street side of trailer
  - -2GA welding cable to be ran between generator and 12VDC battery system within gooseneck utility area
- -One (1) 50 Amp 120/ 240VAC transfer switch
  - -To be installed within street side bench seat utility compartment
- -One (1) 30 Amp 120VAC shore power inlet
  - -To be installed on street side of trailer
- -One (1) Set of 8-3wg service wiring to be installed between generator, transfer switch, shore power inlet, and AC panels
- -Two (2) 120VAC Paneltronics power distribution panels
  - -Panels to be installed within equipment rack within equipment rack, Panel # 1 and Panel # 2 respectively
  - -Panels to be neatly bezel mounted within equipment rack with hinged panel for ease of service access
  - -Bezel panel to be made from 1/8" aluminum and finished in durable black powder coat paint
  - -Each panel to have a 30 Amp main breaker and seven (7) 20 Amp sub breakers
  - -Each panel to have back light labels and LED indicator lights
- -One (1) 2000 Watt true sine wave inverter / 80 Amp hour smart charging system
  - -To be installed within street side bench seat utility compartment
  - -3 OTT DC battery wiring to be installed between battery system and inverter
  - -AC service wiring to be installed between AC panel # 1 and Inverter AC panel
  - -Inverter / charger remote control panel to be installed within hinged panel as referenced above
- -One (1) 120VAC Paneltronics inverter power distribution panel
  - -Panel to have a 30 Amp main breaker and three (3) 20 Amp sub breakers
  - -Panel to handle critical AC circuits
    - -Outlets for communication electronics within equipment rack
  - -TV's & workstation outlets
  - -Panel to be installed within hinged panel as referenced above
- -Nine (9) Sets of 120VAC duplex inverter outlets, orange in color, flush mounted within wall throughout trailer interior

**-12VDC System:**

- -One (1) 12VDC Paneltronics power distribution panel
  - -Panel to handle all 12VDC branch circuit loads
  - -Panel to have an 80 Amp main breaker and seven (7) sub breakers
  - -Panel to have back light labels and LED indicator lights
  - -Panel to be installed within hinged panel as referenced above
- -Two (2) 12 VDC sealed AGM 100 Amp hour batteries to be installed within street side bench seat utility compartment
  - -Batteries to be wired in parallel with 3 OTT welding cable and properly fused, 200 Amp total service
  - -Batteries to supply power to DC distribution panel, generator, and inverter system
    - -Mega fuse assembly to provide for over-current protection to all major utility loads
  - -Batteries to be secured in place with a steel angle frame battery tie down assembly and cross bar
- -One (1) 80 Amp 3 stage smart battery charger to maintain / replenish battery bank / float DC loads
  - *Same unit as inverter / charger as mentioned above under 120VAC section

**-Interior Lighting:**

- -Six (6) 120VAC 4' long double bulb florescent light fixtures
  - -Four (4) fixtures to be installed within rear conference area on ceiling
    - -Circuit to be switched at AC distribution panel within equipment rack
  - -Two (2) fixtures to be installed within communications area on ceiling
    - -Circuit to be switched at AC distribution panel within equipment rack
- -Eight (8) 12VDC dual bulb white florescent light fixtures to be installed throughout trailer interior
  - -Four (4) light fixtures to be installed under street side overhead cabinet within conference room
  - -Two (2) light fixtures to be installed under street side overhead cabinet above workstation countertop
  - -Two (2) light fixtures to be installed under front overhead cabinet above workstation countertop

## Video / Network Systems:

**-Data Network:**

- -CAT 5E data cabling infrastructure to be installed throughout the trailer
  - -Nine (9) sets of data jacks to be installed throughout trailer
  - -All data cabling to be home ran back to front equipment rack and properly terminated
- -One (1) 24-position rack mounted CAT 5E data patch panel to be installed within the front equipment
  - -CAT 5E cabling to be terminated at patch panel
- -One (1) 24-position rack mounted network switch to be installed within front equipment rack
  - -Data patch cords to connect network switch ports with ports on data patch panel

**-TV System & Video Monitors:**

- -Two (2) 40" Multifunction TV Monitors
  - -Monitors to be installed on inside of rear barn doors of trailer
  - -Monitors to be secured to doors via tilting TV mounts
  - -Monitors to display media from customer provided computer via HDMI cabling infrastructure
  - -Monitors to display over the air HDTV TV signals from rooftop antenna
- -Two (2) 32" Multifunction TV Monitors
  - -Monitors to be installed on inside of front wall of trailer adjacent to workstations above countertop
  - -Monitors to be secured to wall via non tilting TV mounts
  - -Monitors to display media from customer provided computer via HDMI cabling infrastructure
  - -Monitors to display over the air HDTV TV signals from rooftop antenna
- -One (1) 32" Removable Multifunction TV Monitor
  - -Monitor to store on rear side of bulkhead wall on wall mounted cleat
  - -Monitor to be able to be deployed on exterior curbside of trailer on wall mounted cleat
  - -Monitors to display media from customer provided computer via HDMI cabling infrastructure
  - -Monitors to display over the air HDTV TV signals from rooftop antenna
  - -Includes panel mounted power, coaxial, and HDMI connections on exterior of trailer
- -One (1) Omni-directional HDTV roof mounted TV antenna
  - -To be installed on the rooftop of the trailer
  - -HDTV signal from antenna to be amplified and split out to each outlying TV monitor
- -Two (2) HDMI Distribution Amplifiers (DA)
  - -To be installed within equipment rack and provisioned for use with customer supplied PC within rack
  - *Intended to be used with a dual screen graphics card for dual screen use of both front and rear monitors
- -Four (4) HDMI Cable Infrastructure
  - -To be installed between DA's in equipment rack and outlying TV monitors

***Continued on next page:→***

## -Internal Furnishings:

-Three (3) Roll around office chairs to be provided
-Chairs to be secured to workstation countertop frames via quick release nylon straps while vehicle is in transit
-Three (3) Chairs in rear communication area

## External Fixtures / Utility:

**-Fixtures / Equipment:**
-One (1) 16' long retractable awning to be installed on curb side of trailer
-Includes awning legs and rail track assembly
-Awning canopy and leg hardware to be white in color
-One (1) Dual Propane Tank Mount Assembly
-To be secured to the tongue of the trailer
-Two (2) 30# Propane Tanks
-To be secured to the tank mounting assembly on tongue of trailer
-One (1) Propane Regulator & Hose Assembly
-To be installed between propane tanks and generator
-One (1) Custom Fabricated Heavy Duty Steel Bumper / Step assembly
-To be installed on rear of trailer about 5" below floor line
-Includes two recessed heavy duty stabilizing jacks to stabilize trailer when deployed
-Includes two heavy duty steel skid casters on bottom of bumper / step
-Bumper / step to be finished in a durable gloss black powder coat

**Utility Lighting:**
-Six (6) 12VDC LED scene lights to be installed on exterior of trailer
-Two (2) to be installed on curbside of trailer
-Two (2) to be installed on street side of trailer
-Two (2) to be installed on rear barn doors of trailer
*When doors are opened up, more light can be directed to each side of trailer

## HVAC System:

**-Air Conditioning:**
-Two (2) 13.5k BTU rooftop air conditioner to be installed on rooftop of trailer
-One (1) AC unit to be installed in the front operations room area
-Ceiling mounted air conditioner controls & free blow duct assembly
-One (1) AC unit to be installed in the rear conference area
-Ceiling mounted air conditioner controls & free blow duct assembly

**-Heating:**
-Two (2) 120VAC 1000 Watt forced air heaters to be installed within trailer
-One heater to be installed in front operations room within base of equipment rack
-Wall mounted thermostat control
-One heater to be installed in rear operations room within front street side bench seat
-Wall mounted thermostat controls

## Safety Equipment:

-One (1) LP gas detector to be installed within communications area of trailer
-One (1) 5lb fire extinguishers to be installed within trailer adjacent to front entry door
-Two (2) Ceiling mounted smoke detectors to be installed within trailer in each room, respectively
-One (1) Equalizer brand equalizer weight distribution / anti sway hitch assembly to be installed on trailer
-10,000 lb capacity
-SVCI to also properly set up Equalizer hitch on customer supplied tow vehicle

## Additional Upgrades to Existing Platform:

-Basic maintenance to be performed throughout trailer platform
-Tightening up any loose hardware
-Tightening up any loose connectors
-Visual and physical inspection of all overcurrent protection devices (fuses / breakers)\
-Visual and physical inspection of all service wiring (AC and DC service wiring)
-Sweeping out nooks / crannies, vacuuming, dusting, etc…
-One (1) new 4G LTE Cradlepoint cellular modem to be installed within equipment rack
*Customer to activate modem and be responsible for data service with provider
-Modem to be properly provisioned for use with network on board command trailer including Wi-Fi capability
-Wi-Fi antennas to be installed at equipment rack panel
-Existing 4G LTE cellular rooftop antennas to be wired to modem within rack
-Four (4) new tires to be provided in place of existing tires (rims to remain the same)
-Oil change on generator / oil filter change on generator
-Integration / mounting of customer supplied computer tower to include a custom aluminum bezel for secure mounting within the 19" standard equipment rack
-Integration / mounting of customer supplied communications radio to include a custom aluminum bezel for secure mounting within the 19" standard equipment rack

## Training & Delivery:

-SVCI Tactical / Stehno Technical Corp to provide up to 8 hours of training / direction on use of trailer and its various components
-SVCI Tactical / Stehno Technical Corp to supply a basic start up / shut down guide
-SVCI Tactical / Stehno Technical Corp to supply a set of schematic drawings to illustrate AC / DC electrical, networking, HVAC, etc…
***This quote does not include delivery or transportation costs and assumes that customer will pick up trailer**

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## Warranty:

**30 Day limited warranty on all equipment and craftsmanship**
-Excludes neglect, abuse, and accidental damage

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**-Project Initiation:**
-A purchase order is required to initiate project as well as a signed copy of this quote
-Pricing as listed above is our cash / check pricing.
-Credit card purchases are subject to a 3.5% credit card processing fee

***Customer signature is required in agreement of the proposed project above and the payment terms listed prior to Stehno Technical Corp's acceptance of a purchase order:**

**Name (Print): ________________________________________**

**Signature: ________________________________________**

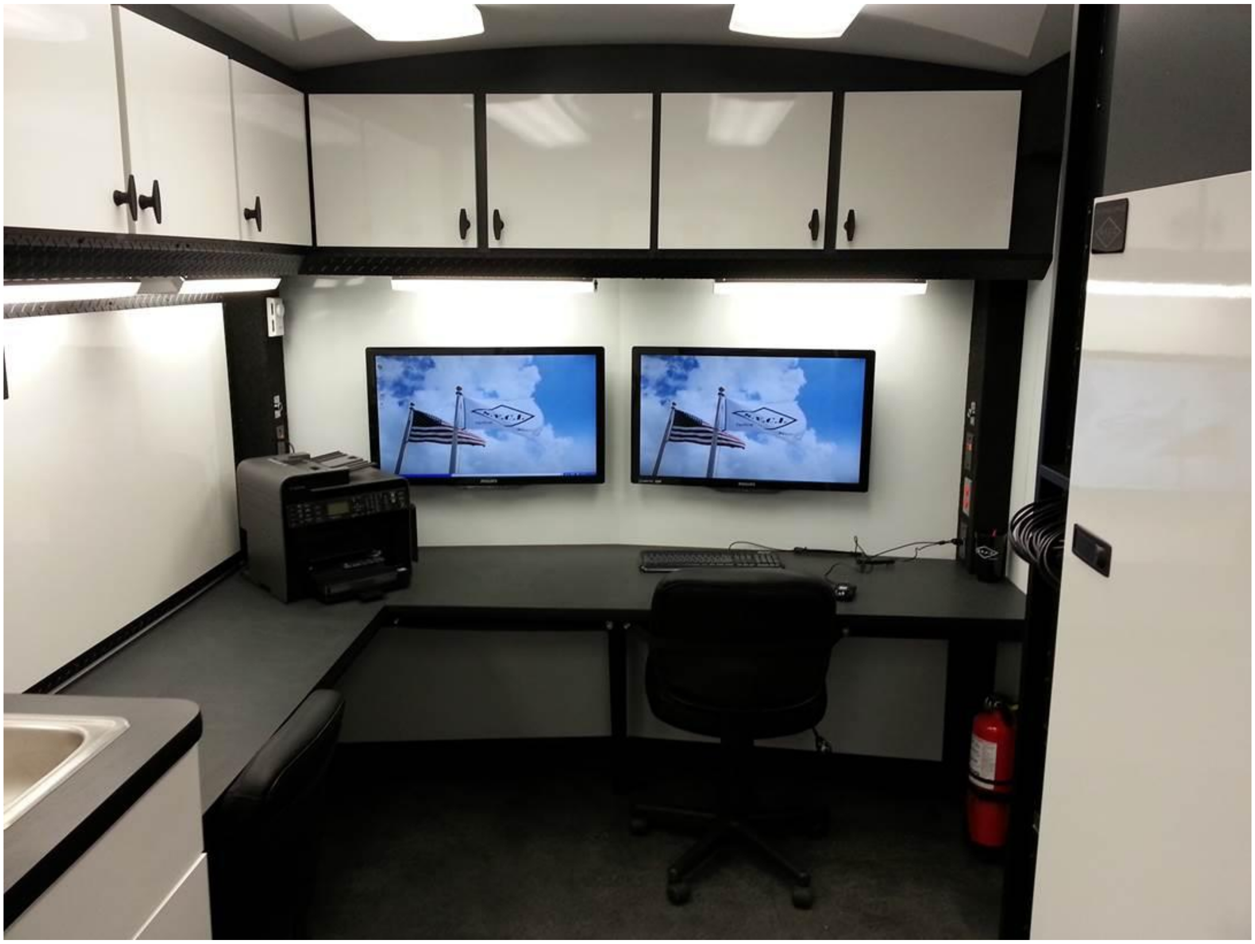
**Position: ________________________________________**

**Date: ________________________________________**

**Return Policy:**
Returns of equipment for full refund will only be permitted within 14 days of purchase on retail items without a restocking fee; invoice or receipt must accompany equipment and equipment must be in new condition with all original parts and packaging. Returns for partial refund on retail items outside of 14 days are subject to a 20% restocking fee. No returns or refunds will be permitted for any retail items outside of 30 days from purchase. No returns will be accepted nor refunds given on special order equipment, SVCI Tactical built surveillance equipment, SVCI Tactical built tactical equipment, or SVCI Tactical vehicle up fit projects.


S.V.C.I.
TACTICAL


S.V.C.I.
TACTICAL
S.V.C.I.
TACTICAL
120 VOLTS AC
120 VOLTS AC
120 VOLTS AC
12 VOLT DC SYSTEM




INCIDENT COMMAND CENTER

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

Summary

Stein Eriksen Lodge Owners Association requests an amendment to the Stein Eriksen Lodge condominium plat, to reflect additions to the Lodge for accessory residential uses and improvements to the outdoor pool area (Exhibits A and B). All proposed additions are within the existing platted common area and will remain designated as common.

The addition consists of approximately 3,000 square feet (sf) for additional guest ski lockers, 3,500 sf for guest recreational amenities (game room) and 918 sf for an owner/guest and employee video viewing room, as well as improvements to the outdoor pool and deck area. These areas and uses are for exclusive use of owners, guests and employees. No expansions are proposed to support commercial spa, restaurant, bar, or any other support commercial floor areas. No changes are proposed to residential uses or to any support meeting space areas.

On October 26, 2016, the Planning Commission conducted a public hearing and forwarded a positive recommendation to City Council on the condominium plat amendment and approved a requested amendment to the Stein Eriksen Lodge Conditional Use Permit (CUP). Opposition to the pool expansion was expressed by an adjacent property manager, due to complaints of late night noise and activity. The Commission added conditions of approval to the CUP amendment regarding pool hours and a one year review of complaints.

**Respectfully:**

Kirsten Whetstone, Senior Planner

# City Council Staff Report

PLANNING DEPARTMENT

| | |
|---|---|
| **Application #:** | **PL-16-03175** |
| **Subject:** | **Stein Eriksen Lodge Common Area-<br>Third Supplemental Sheet for All Phases** |
| **Author:** | **Kirsten A Whetstone, MS, AICP - Senior Planner** |
| **Date:** | **November 17, 2016** |
| **Type of Item:** | **Administrative – Amendment to Condominium Plat** |

**Summary Recommendations**

Staff recommends City Council holds a public hearing for the Stein Eriksen Lodge Common Area Third Supplemental Sheet to the Stein Eriksen Lodge condominium plat and considers approving the plat pursuant to findings of fact, conclusions of law and conditions of approval as stated in the attached Ordinance.

**Topic**

| | |
|---|---|
| Applicant: | Stein Eriksen Lodge Owners Association, Inc. represented by Russ Olsen, General Manager |
| Location: | 7700 Stein Way |
| Zoning: | Residential Development as part of the Deer Valley Master Planned Development (11th Amended) (RD-MPD) |
| Adjacent Land Uses: | Deer Valley Resort, residential condominiums to the east, south and west, commercial, and fire station to the north. |
| Reason for Review: | Supplemental sheets to condominium plats require Planning Commission review and City Council approval |

**Proposal**

Stein Eriksen Lodge Owners Association requests an amendment to the Stein Eriksen Lodge condominium plat, to reflect additions to the Lodge for accessory residential uses and improvements to the outdoor pool area (Exhibits A and B). All proposed additions are within the existing platted common area and will remain designated as common.

The addition consists of approximately 3,000 square feet (sf) for additional guest ski lockers, 3,500 sf for guest recreational amenities (game room) and 918 sf for an owner/ guest and employee video viewing room, as well as improvements to the outdoor pool and deck area. These areas and uses are for exclusive use of owners, guests and employees. No expansions are proposed to support commercial spa, restaurant, bar, or any other support commercial floor areas. No changes are proposed to residential uses or to any support meeting space areas.

On October 26, 2016, the Planning Commission conducted a public hearing and forwarded a positive recommendation to City Council on the condominium plat amendment and approved a requested amendment to the Stein Eriksen Lodge Conditional Use Permit (CUP). Opposition to the pool expansion was expressed by an adjacent property manager, due to complaints of late night noise and activity. The

Commission added conditions of approval to the CUP amendment regarding pool hours and a one year review of complaints.

**Background**

The Stein Eriksen Lodge is located at 7700 Stein Way in the Silver Lake Community of Deer Valley as part of the Deer Valley Master Planned Development. The original Stein Eriksen Lodge was constructed in 1981. The original Stein Eriksen Lodge condominium plat was approved by the City Council in December 1982 and recorded in 1983. Expansion of the Lodge has occurred in 1996, 1999, 2010 with the spa expansion, and 2012 for the conference and meeting room expansion.

The City Council approved a First Supplemental Sheet for All Phases of the Stein Eriksen Lodge Common Area on August 27, 2009. The First Supplemental Sheet was recorded on June 23, 2010 and reflects improvements and additions to the spa building within the existing platted common area. On October 11, 2012, the City Council approved a Second Supplemental Sheet for All Phases of the Stein Eriksen Lodge Common Area for the Conference Center expansion (Exhibit C). The Second Supplemental Sheet was recorded on June 28, 2013. The spa area is considered as support commercial use and the conference center is considered as support meeting space.

On December 5, 2015, members of the Stein Eriksen Lodge Owner's Association, Inc. voted (with 78.4% in favor) to expand residential accessory uses within the common area for improvements to the outdoor pool area and for additions to the existing owner and guest ski lockers as well as to owner and guest recreation and entertainment facilities (see Exhibit D).

On May 17, 2016, the Stein Eriksen Lodge Owner's Association submitted an application for a Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge Common Area to reflect on the condominium plat the proposed changes to the residential accessory uses. The application was deemed complete on August 16, 2016.

On September 28th and October 26th, 2016, the Planning Commission conducted public hearings on this item (See Exhibit G - minutes). An adjacent property owner provided input in favor of the project and a property manager/resident for an adjacent condominium project expressed concerns about late night noise from the existing outdoor deck and pool areas. Concerns were expressed about the additional pool area creating additional impacts, as well as concerns that the public would attempt to use the amenity areas. Representatives from the Lodge explained how the pool area was managed and indicated that all exterior doors would have hotel key entry locks.

The Commission discussed the proposed plat amendment and Conditional Use Permit and requested conditions of approval for the Conditional Use Permit limiting use of the video viewing room to ensure that it would not be used as Support Meeting space, limiting pool hours from 7am to 10pm, and requiring a one year review of complaints and how they were handled.

**Analysis**
The proposal is for an addition to the Stein Eriksen Lodge, consisting of 3,000 sf for additional guest ski lockers, 3,500 sf for a guest entertainment center (game room, snack bar, restrooms, and other guest recreational amenities); 918 sf owner, guest and employee video viewing room; as well as an additional 3,850 sf of outdoor pool (782 sf) and deck (3,068 sf) area. Approximately 868 sf of hallways and stairs are also proposed with these additions. Approximately 11,000 sf of existing locker room/guest recreation/restroom area will be remodeled as part of this permit, with no change of use of these areas. These uses are accessory residential uses for the exclusive use of owners, guests and employees. Limited common deck area for Unit 212 is relocated to the north side of the unit.

There is no component of commercial or retail use. No expansion of the spa, restaurant, or bar areas is proposed and the 5% support commercial maximum is maintained (4.96 % of total floor area exists). No changes are proposed to any private residential areas. No changes are proposed to the maximum 5% support commercial space of 17,250 square feet (5% of the total floor area) and the maximum 5% support meeting space of 9,893 square feet is maintained (5% of the total residential floor area of the Lodge). The difference is due to amendments made to the Deer Valley Master Planned Development and Land Management Code regarding how support commercial and support meeting space were calculated over the years.

The May 27, 2009 CUP approval was conditioned that further expansion of support commercial areas cannot exceed a total of 17,250 square feet. Staff recommends a condition of approval reflecting that no further expansion of support commercial exceeding 17,250 square feet and no further expansion of support meeting space exceeding 9,893 square feet will be permitted based on this additional expansion.

The existing property is 10.86 acres and is one of the largest parcels within the Deer Valley Master Planned Development (Exhibits E and F).

No changes in ownership are proposed and the amendments reflect the proposed structural improvements within the Common area as required by the Utah Condominium state code provisions. No changes are proposed to the residential condominium areas and no changes are proposed to either the support commercial or support meeting areas or to any private area within the building.

The previous plat amendment for expansion of the Conference Center in October 15, 2012, included a finding that open space following the addition was 61.90% of the total lot area. This finding was erroneous and based on a re-review of the entire site it has been determined that the open space prior to this current addition is 62.84%. This proposed amendment, as revised, maintains a minimum of sixty percent (60%) open space at 62.64%.

The addition consists of accessory residential uses which require no additional UEs of density and no additional parking. The proposed additions comply with the required building height and building setbacks established by the Master Planned Development and Land Management Code.

Staff finds good cause for this plat amendment in that the amendment reflects proposed physical changes to the common area and consistent with the Deer Valley Master Planned Development, as amended and the amended Stein Eriksen Lodge Conditional Use Permit.

**Department Review**

This project has gone through an interdepartmental review. No further issues were brought up at that time that have not been addressed or conditioned.

**Notice**

On August 10, 2016, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on August 10, 2016 in the Park Record and on the Utah Public Notice Website for the August 24, 2016 meeting. The hearing was opened and continued to September 28, 2016. No public input was provided. Notice was re-published on September 9, 2016 and the property was reposted on September 14, 2016. At the September 28th meeting a public hearing was opened, input was received, and the hearing was continued to October 26th where a public hearing was conducted and the item was forwarded to City Council.

**Public Input**

Staff has received requests for information from adjacent property owners at Little Bell Condominiums located to the west. At the September 28th and October 26th meetings an adjacent property owner provided input in favor of the project and a property manager/resident of an adjacent condominium property expressed concerns about late night noise from the existing outdoor deck and pool areas. He expressed concerns about the additional pool area creating additional impacts as well as concerns about the public attempting to use the amenity areas. Representatives from the Lodge explained how the pool area was managed and indicated that all exterior doors would have hotel key entry locks. The Commission added conditions of approval to the Conditional Use Permit amendment restricting outdoor pool hours from 7AM to 10PM and required a one year follow-up report on any complaints due to outdoor uses.

**Process**

Approval of this condominium plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in Land Management Code (LMC) Section 15-1-18. A building permit is required to complete the project.

**Alternatives**

- City Council may approve the Stein Eriksen Lodge Common Area amendment as conditioned or amended; or

- City Council may deny the Stein Eriksen Lodge Common Area amendment and direct staff to make findings for this decision; or
- The City Council may continue discussion on the Stein Eriksen Lodge Common Area amendment to a date certain.

**Significant Impacts**

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

**Consequences of not taking the Suggested Recommendation**

The proposed additions to the common area would not be reflected on the recorded condominium plat.

**Recommendation**

Staff recommends City Council holds a public hearing for the Stein Eriksen Lodge Common Area Third Supplemental Sheet to the Stein Eriksen Lodge condominium plat and considers approving the plat pursuant to findings of fact, conclusions of law and conditions of approval as stated in the attached Ordinance.

**Exhibits**

Draft Ordinance
Exhibit A- Proposed plat amendment- Third Supplemental Sheet for All Phases
Exhibit B- Applicant letter
Exhibit C- Existing plat- Second Supplemental Record of Survey
Exhibit D- HOA vote approval letter (August 16, 2016)
Exhibit E- Aerial Photo
Exhibit F- Existing Conditions Survey
Exhibit G- Minutes from the September 28th Planning Commission meeting and draft minutes from the October 26th meeting.

**Ordinance No. 2016-50**

**AN ORDINANCE APPROVING THE STEIN ERIKSEN LODGE COMMON AREA THIRD SUPPLEMENTAL SHEET FOR ALL PHASES, LOCATED AT 7700 STEIN WAY, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Stein Eriksen Lodge, located at 7700 Stein Way have petitioned the City Council for approval of the Stein Eriksen Lodge Common Area Third Supplemental Sheet amending the common area of the Stein Eriksen Lodge condominium plat; and

WHEREAS, on August 10, 2016, the property was posted and legal notice was published in the Park Record according to the requirements of the Land Management Code; and

WHEREAS, August 10, 2016, courtesy notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on August 24, 2016 and continued the item to September 28, 2016; and

WHEREAS, on September 9, 2016, legal notice was published in the Park Record according to the requirements of the Land Management Code and on September 13, 2016 the property was reposted; and

WHEREAS, the Planning Commission held public hearings on September 28th and October 26th, 2016, and forwarded a positive recommendation to City Council; and,

WHEREAS, City Council held a public hearing on November 17, 2016 to receive input on the Third Supplemental Sheet,

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the Stein Eriksen Lodge Common Area Third Supplemental Sheet for All Phases as an amendment to the condominium plat.

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

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. The Stein Eriksen Lodge Common Area Third Supplemental Sheet for All Phases as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 7700 Stein Way.

2. The Stein Eriksen Lodge is located in the Residential Development (RD-MPD) zoning district.
3. The property is subject to the Deer Valley Master Planned Development, as amended (11th Amended Master Planned Development).
4. The Deer Valley Master Planned Development (11th Amended) allocates 66.75 units of density to the Stein Eriksen Lodge multi-family parcel. There are currently 65 residential units of varying sizes totally 197,858.26 square feet due to the use of Deer Valley units when developing this parcel.
5. On August 27, 2009, the City Council approved a First Supplemental Sheet for all Phases of the Stein Eriksen Lodge Common Area reflecting improvements and addition to the spa building, as support commercial space, within the existing platted common area. The First Supplemental Sheet was recorded on June 23, 2010.
6. On October 11, 2012, the City Council approved a Second Supplemental Sheet for all Phases of the Stein Eriksen Lodge Common Area reflecting improvements to the support meeting rooms. The Second Supplemental Sheet was recorded on June 28, 2013.
7. On December 5, 2015, members of the Stein Eriksen Lodge Owner's Association, Inc. voted to expand residential accessory uses within the common area for improvements to the outdoor pool area and for additions to the existing owner and guest ski locker room and owner and guest recreation and entertainment facilities.
8. On May 17, 2015, the Stein Eriksen Lodge Owner's Association submitted an application for a Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge condominium plat to reflect proposed improvements to the existing platted common area for approximately 3,000 sf of additional guest ski lockers, 3,500 sf for guest recreational amenities (game room) and 918 sf for an owner/ guest and employee video viewing room, as well as improvements to the outdoor pool and deck area. These uses are all considered residential accessory uses.
9. At 19' to 25', the height of the addition complies with the allowed height of 35' from existing natural grade.
10. Exterior materials and architecture are proposed to match the existing buildings in character, style, details, and type.
11. The application was deemed complete on August 16, 2016.
12. This plat amendment does not increase the square footage of either support meeting space, support commercial space, or change any residential units or private areas.
13. The proposed Third Supplemental Sheet is consistent with the 11th amended Deer Valley Master Planned Development.
14. No changes are proposed to the support commercial areas, support meeting space, or to any residential or private area within the building or site. Limited common deck area for Unit 212 is relocated to the north side of the unit.
15. The previous plat amendment for expansion of the Conference Center in October 15, 2012, included a finding that open space following the addition was 61.90% of the total lot area. This finding was erroneous and based on a re-review of the entire site it has been determined that the open space prior to this current addition is 62.84%.
16. This proposed amendment, as revised, maintains a minimum of sixty percent (60%) open space at 62.64%.

17. There is good cause for the proposed amendment to the condominium plat in that the amendment reflects proposed physical changes to the common area for exclusive use by owners, guests, and employees.

Conclusions of Law:

1. There is good cause for this Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge Common Area condominium plat.
2. The proposed plat is consistent with the Park City Land Management Code, the 11th Amended Deer Valley Master Planned Development, and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed plat.
4. Approval of this Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge Common Area condominiums plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All conditions of approval of the October 26, 2016 amended Conditional Use Permit shall apply.
4. The plat shall be recorded prior to issuance of a certificate of occupancy for the addition.
5. All conditions of approval of the Deer Valley Master Planned Development (11th Amendment) continue to apply.
6. All conditions of the Stein Eriksen Lodge Condominium plat and supplemental sheets, as amended, continue to apply.
7. As common area the addition for residential accessory uses may not be separately sold or deeded.
8. No further expansion of support commercial exceeding 17,250 square feet and no further expansion of support meeting space exceeding 9,893 square feet will be permitted based on the additional floor area of this expansion.
9. All required disturbance and impact fees will be calculated based on the building permit application and are required to be paid prior to issuance of a building permit.
10. The proposed video viewing room is considered residential accessory space intended as a guest amenity for exclusive use by owners, guests and employees of the Stein Eriksen Lodge. This room is not considered part of the allowable Support Meeting space for the hotel and therefore it shall not be included in, or leased as part of, any conference or meeting bookings as a separate meeting room or break out room for conferences.

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

PASSED AND ADOPTED this 17th day of November, 2016.

PARK CITY MUNICIPAL CORPORATION

___________________________________
Jack Thomas, MAYOR

ATTEST:

___________________________________
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

___________________________________
Mark Harrington, City Attorney

**Exhibit A- Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge Common Area condominium plat**

# EXHIBIT A

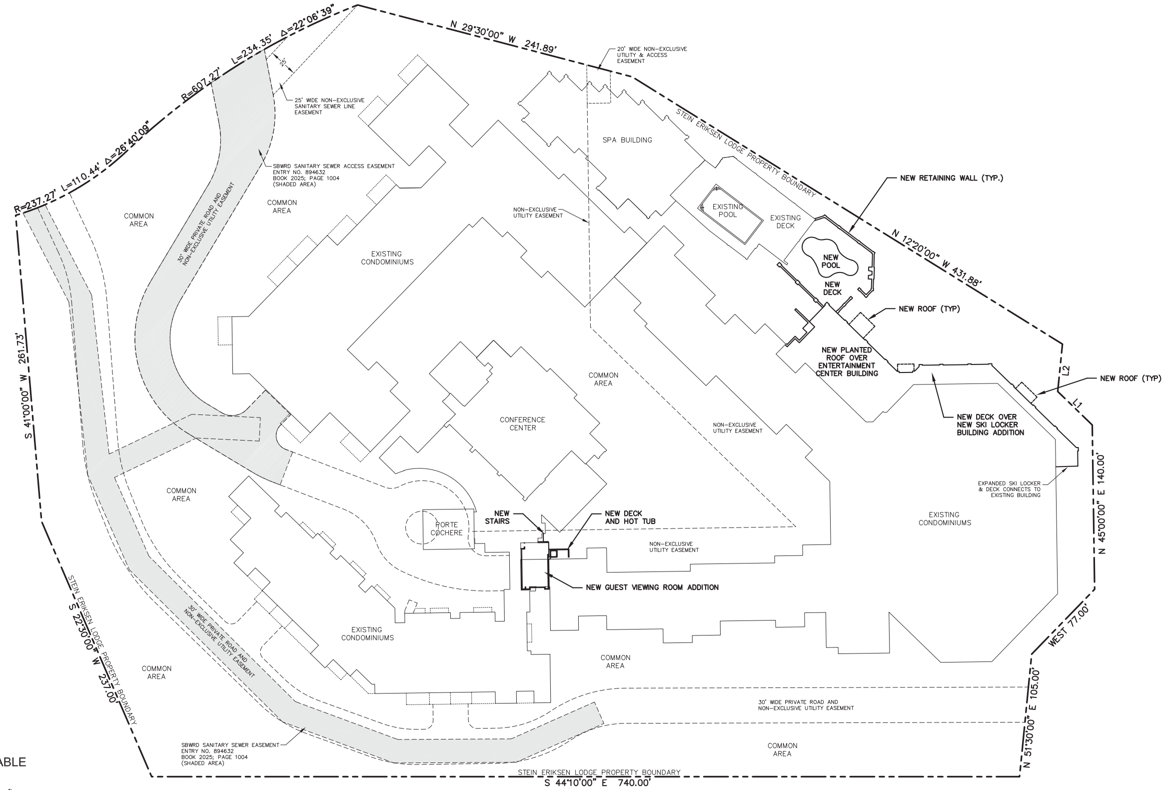
## SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner(s), I have prepared this Record of Survey map of the STEIN ERIKSEN LODGE COMMON AREA and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

REGISTERED LAND SURVEYOR No. 154491 JOHN DEMKOWICZ State of Utah

______________________ John Demkowicz

__________ Date




## BOUNDARY DESCRIPTION

The Common Areas, contained within the Stein Eriksen Lodge, a Utah Condominium Project, as the same is identified in the Record of Survey Map recorded in Summit County, Utah as Entry No. 187370, and in the Amended Record of Survey Map recorded in Summit County, as Entry No. 200131 and in the Declaration of Covenants, Conditions and Restrictions and Bylaws of the Stein Eriksen Lodge, a Utah Condominium Project, recorded in Summit County, Utah, on January 11, 1982, as Entry No. 187371, in Book 208, at Page 9, and in the Amended Declaration of Covenants, Conditions, Restrictions and Bylaws of the Stein Eriksen Lodge, a Utah Condominium Project, recorded in Summit County, Utah on January 5, 1983, as Entry No. 200132, In Book M-245, at Page 278 and the First Supplemental Record of Survey Map recorded December 27, 1983, as Entry No. 214576 and the Second Amendment to Condominium Declaration recorded December 27, 1983, as Entry No. 214577, in Book 283, at Page 153, and Corrected First Supplemental Record of Survey Map recorded December 19, 1984, as Entry No. 228420, and Corrected Second Amendment to Condominium Declaration recorded December 19, 1984, as Entry No. 228421, in Book 324, at Page 253, and Third Amendment to Declaration of Condominium recorded January 9, 1990, as Entry No. 318910, in Book 550, at Page 422, and Fourth Amendment to the Condominium Declaration recorded December 27, 1995, as Entry No. 445217, in Book 934, at Page 283, and Second Amended Stein Eriksen Lodge, Sheet 2 of 3 of the Record of Survey Map recorded May 23, 1996, as Entry No. 454939 and Third Supplemental Record of Survey Map recorded July 13, 1999, as Entry No. 543827, and Fifth Amendment to the Condominium Declaration recorded July 13, 1999, as Entry No. 543828, In Book 1273, at Page 315, and Stein Eriksen Lodge Common Area Supplemental Sheet for all Phases Survey Map recorded June 23, 2010, as Entry No. 901426, and Stein Eriksen Lodge Common Area Second Supplemental Sheet for all Phases Survey Map recorded June 28, 2013, as Entry No. 973745, records of the Summit County Recorder's Office.

Together with (A) the undivided ownership interest in said Condominium Project's Common areas and facilities which is appurtenant to said unit, (the referenced declaration of condominium providing for periodic alteration both in the magnitude of said undivided ownership interest in the composition of the common areas and facilities to which said interest relates), (B) the exclusive right to use and enjoy each of the limited common areas which is appurtenant to said unit, and (C) the non-exclusive right to use and enjoy the common areas and facilities included in said condominium project (as said project may hereafter be expanded) in accordance with the aforesaid declaration and survey map (as said declaration and map may hereafter be amended or supplemented) and the Utah Condominium Ownership Act.

## OWNER'S DEDICATION AND CONSENT TO RECORD

On this _____ day of _____________ 2016, Stein Eriksen Lodge Owner's Association, Inc., a Utah non-profit corporation, does hereby certify that on ______________________, the members of the Association voted to expand the Common Ski Lockers with Deck above, Common Entertainment Center with vegetated roof, and the Pool, Pool Deck and Plaza area for the benefit of the Association's members who collectively constitute all of the owners of the property that comprises Stein Eriksen Lodge. In accordance with the Utah Condominium Ownership Act, the Association has caused this survey to be made and this Amended Record Survey Map to be prepared and hereby consents to the recordation of this Amended Record Survey Map, which shows the boundaries of the expanded Common Ski Locker, Entertainment Center, and Pool, Pool Deck and Plaza area. The Association further consents to the recordation hereof with the intention that upon such recordation, the provisions of the Declaration and Utah Condominium Ownership Act shall apply to the property described herein. The Association also hereby dedicates and acknowledges all easements shown heron to the use of the public in accordance with an irrevocable offer of dedication.

STEIN ERIKSEN LODGE OWNER'S
ASSOCIATION, INC.

By ____________________________
Russel L. Olsen, Chief Executive Officer

## ACKNOWLEDGMENT

STATE OF UTAH )
: ss.
COUNTY OF SUMMIT )

On this _____ day of __________, 2013, personally appeared before me, Russel L. Olsen, who being by me duly sworn did say, that he is the Chief Executive Officer of the Stein Eriksen Lodge Owner's Association, Inc., a Utah nonprofit corporation, and that he signed the above Owner's Dedication and Consent to Record for, on and in behalf of the unit owners of said Association, and said Russel L. Olsen duly acknowledged that said Association executed the same.

________________________
A Notary Public commissioned in Utah

________________________
Printed Name

Residing in: ________________

My commission expires: ___________

### GUEST AMENITIES SQUARE FOOTAGE TABLE

(Source: Architect's plans)

| | |
|---|---|
| Locker Room Addition | 3,000 sq.ft. |
| Entertainment Center Addition | 3,500 sq.ft. |
| Circulation Space Addition | 868 sq.ft. |
| Guest Viewing Room Addition | 918 sq.ft. |
| Total | 8,286 sq.ft. |
| Pool and Deck Addition | 3,850 sq.ft. |
| Guest Viewing Room Deck | 231 sq.ft. |

THIRD SUPPLEMENTAL SHEET FOR ALL PHASES

# STEIN ERIKSEN LODGE COMMON AREA

A UTAH CONDOMINIUM PROJECT LOCATED IN THE
NW 1/4 OF SECTION 27 AND THE NE 1/4 OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

NOTES:

1. This Third Supplemental Record of Survey Map is an Amendment of the common area for all Phases, currently of record, together with all amendments thereto, to illustrate the expanded common area building and site improvements in conformance with the Utah Condominium Act.
2. All other conditions of approval of the Stein Eriksen Lodge Common Area Project continue to apply.
3. All conditions of approval of the Deer Valley Master Planned Development and the Stein Eriksen Lodge Conditional Use permit shall continue to apply.
4. This plat is subject to the conditions of approval of Ordinance X-X.

LINE TABLE

| LINE | BEARING | LENGTH |
|---|---|---|
| L1 | N 00°00'00" E | 41.00' |
| L2 | N 51°30'00" E | 40.60' |

50' 0 50' 100'

SHEET 1 OF 1

10/18/16 JOB NO.: 8-4-16 FILE: X:\SilverLakeVillage\dwg\srv\plat2016\080416-sel.dwg

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

**SNYDERVILLE BASIN WATER RECLAMATION DISTRICT**
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ______
DAY OF __________, 2013 A.D.
BY _______________ S.B.W.R.D.

**PLANNING COMMISSION**
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 26th DAY OF SEPTEMBER, 2012 A.D.
BY _______________ CHAIR

**ENGINEER'S CERTIFICATE**
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF __________, 2013 A.D.
BY _______________ PARK CITY ENGINEER

**APPROVAL AS TO FORM**
APPROVED AS TO FORM THIS _____
DAY OF __________, 2013 A.D.
BY _______________ PARK CITY ATTORNEY

**CERTIFICATE OF ATTEST**
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF __________, 2013 A.D.
BY _______________ PARK CITY RECORDER

**COUNCIL APPROVAL AND ACCEPTANCE**
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 11th DAY OF OCTOBER, 2012 A.D.
BY _______________ MAYOR

**RECORDED**
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF ____________________
DATE _______ TIME _____ BOOK _____ PAGE _____
__________ FEE _______________ RECORDER

EXHIBIT B

Stein Eriksen Lodge
PCMC Plat Application: Project Description

May 16, 2016

The Stein Eriksen Lodge is a combination of multiple condominium plats that define the private areas of ownership as well as the common elements owned by the association of unit owners. In 2010 and 2013, the Stein Eriksen Lodge made improvements to common areas including a spa and pool addition and conference center expansion. The enclosed common area building space and exterior pool and deck common areas were defined by two Common Area supplemental plats recorded and included in the current Stein Eriksen Lodge plat application.

The purpose of the Stein Eriksen Lodge Common Area Third Supplemental Sheet for all Phases is to define the proposed guest amenity common area that includes an expansion to the ski lockers and a deck above, an entertainment center building addition with a planted roof, and an expansion to the pool, deck and plaza area on the east side of the Stein Eriksen Lodge. The proposed improvements also include an addition of a Guest Viewing Room located within the main entry into the lodge, adjacent to the porte cochere.

Stein Eriksen Lodge – looking south

Stein Eriksen Lodge – looking north

Stein Eriksen Lodge – looking southeasterly

Stein Eriksen Lodge – looking southwesterly

EXHIBIT C

REGISTERED LAND SURVEYOR
No. 154491
JOHN DEMKOWICZ
State of Utah

### SURVEYOR'S CER[...]ATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner(s), I have prepared this Record of Survey map of the STEIN ERIKSEN LODGE COMMON AREA and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

John Demkowicz — 1-28-2013
John Demkowicz — Date

### BOUNDARY DESCRIPTION

The Common Areas contained within the Stein Eriksen Lodge, a Utah Condominium Project, as the same is identified in the record of survey map recorded in Summit County, Utah as Entry No. 187370, and in the amended record of survey map recorded in Summit County, as Entry No. 200131 and in the declaration of covenants, conditions and restrictions and bylaws of the Stein Eriksen Lodge, a Utah Condominium Project, recorded in Summit County, Utah, on January 11, 1982, as Entry No. 187371, in Book 208, at Page 9, and in the amended declaration of covenants, conditions, and restrictions and bylaws of the Stein Eriksen, a Utah Condominium Project, recorded in Summit County, Utah on January 5, 1983, as Entry No. 200132, in Book M-245, at Page 278 and the amendments and corrections thereto and the First Supplemental Record of Survey Map recorded December27, 1983, as Entry No. 214576 and the Second Amendment to Condominium Declarations recorded December 27, 1983, as Entry No. 214577, in Book 283, at Page 153, records of the Summit County Recorder's Office. Together with (A) the undivided ownership interest in said Condominium Project's Common areas and facilities which is appurtenant to said unit, (the referenced declaration of Condominium providing for periodic alteration both in the magnitude of said undivided ownership interest in the composition of the common areas and facilities to which said interest relates), (B) the exclusive right to use and enjoy each of the limited common areas which is appurtenant to said unit, and (c) the non-exclusive right to use and enjoy the common areas and facilities included in said condominium project (as said project may hereafter be expanded) in accordance with the aforesaid declaration and survey map (as said declaration and map may hereafter be amended or supplemented) and the Utah Condominium ownership act.

### OWNER'S DEDICATION AND CONSENT TO RECORD

On this 28th day of JANUARY 2013, Stein Eriksen Lodge Owner's Association, Inc., a Utah non-profit corporation, does hereby certify that on July 13, 2013 the members of the Association voted to expand the Common Conference Center for the benefit of the Association's members who collectively constitute all of the owners of the property that comprises Stein Eriksen Lodge. In accordance with the Utah Condominium Ownership Act, the Association has caused this survey to be made and this Amended Record Survey Map to be prepared and hereby consents to the recordation of this Amended Record Survey Map, which shows the boundaries of the expanded Common Area Spa Facility. The Association further consents to the recordation hereof with the intention that upon such recordation, the provisions of the Declaration and Utah Condominium Ownership Act shall apply to the property described herein. The Association also hereby dedicates the non-exclusive utility easements shown hereon to the use of the public in accordance with an irrevocable offer of dedication.

STEIN ERIKSEN LODGE OWNER'S ASSOCIATION, INC

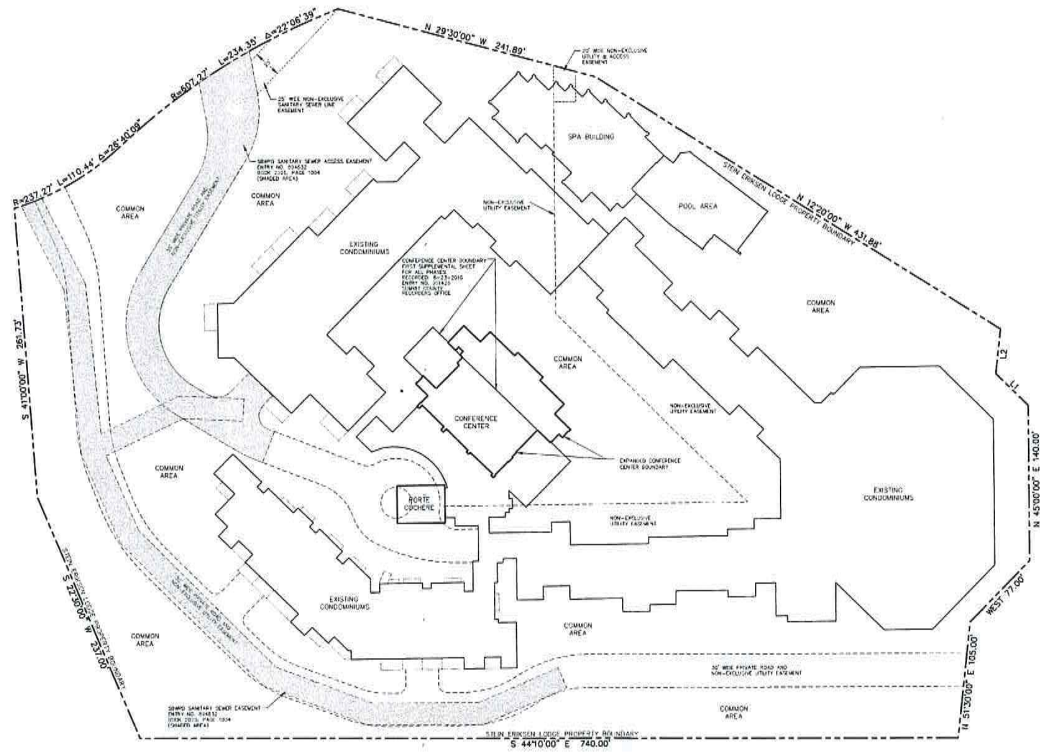
By Russel L. Olsen, Chief Executive Officer

### ACKNOWLEDGMENT

STATE OF UTAH )
) ss
COUNTY OF SUMMIT )

On this 28 day of January 2013, personally appeared before me, Russel L. Olsen, who being by me duly sworn did say, that he is the Chief Executive Officer of the Stein Eriksen Lodge Owner's Association, Inc., a Utah nonprofit corporation, and that he signed the above Owner's Dedication and Consent to Record for, on and in behalf of the unit owners of said Association, and said Russel L. Olsen duly acknowledged that said Association executed the same.

Jennifer Burk Dustman
A Notary Public commissioned in Utah
Jennifer Burk Dustman
Printed Name
Residing in: Utah
My commission expires: 9/27/2015




SUPPORT MEETING SPACE
SQUARE FOOTAGE TABLE

| | |
|---|---|
| EXISTING | 5,566 SF |
| PROPOSED | 4,361 SF |
| TOTAL | 9,927 SF |

* PER ARCHITECTS PLANS

SECOND SUPPLEMENTAL SHEET FOR ALL PHASES

# STEIN ERIKSEN LODGE COMMON AREA

A UTAH CONDOMINIUM PROJECT LOCATED IN THE
NW 1/4 OF SECTION 27 AND THE NE 1/4 OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

NOTES:

1. This Second Supplemental Record of Survey Map is an Amendment of the common area for all Phases, currently of record, together with all amendments thereto, to illustrate the expanded common area building and site improvements in conformance with the Utah Condominium Act.
2. All other conditions of approval of the Stein Eriksen Lodge Common Area Project contiue to apply.
3. All conditions of approval of the Deer Valley Master Planned Development and the Stein Eriksen Lodge Conditional Use permit, as amended, shall continue to apply.
4. This plat is subject to the conditions of approval of Ordinance 12-30.

LINE TABLE

| LINE | BEARING | LENGTH |
|---|---|---|
| L1 | N 00°00'00" E | 41.00' |
| L2 | N 51°30'00" E | 40.60' |

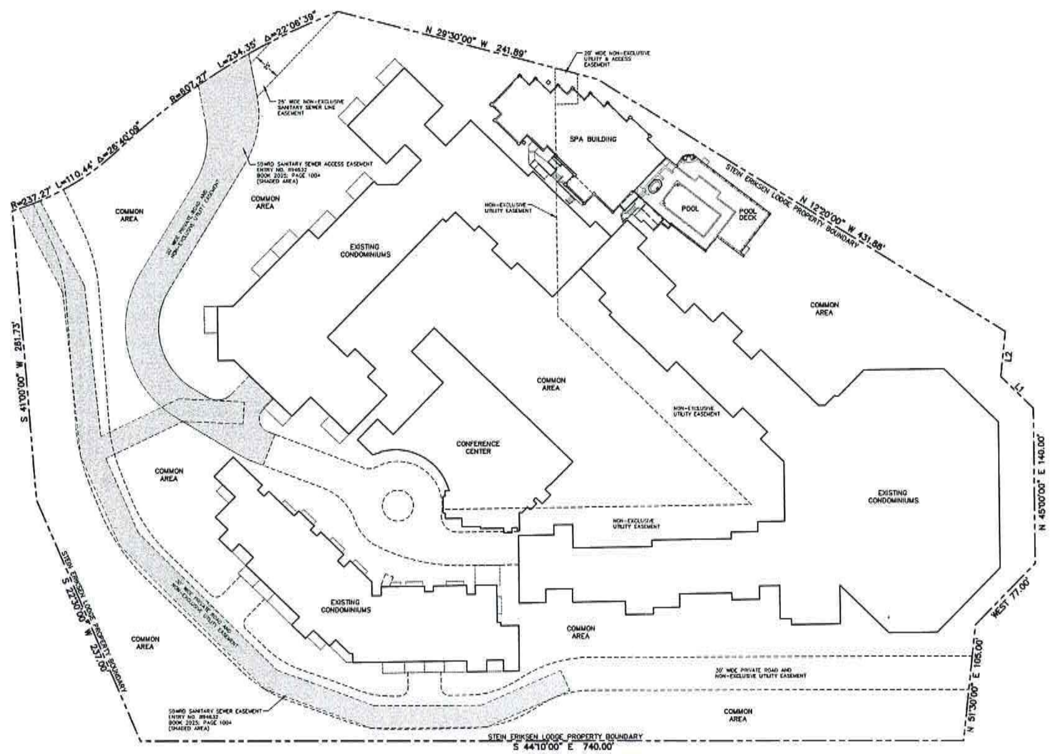
50' 0

RECEIVED
MAY 17 2016
PARK CITY PLANNING DEPT.

SHEET 1 OF 1

JOB NO.: 5-7-12 FILE: X:\SilverLakeVillage\dwg\srv\plat2012\050712.dwg

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| (435) 649-9467<br>Alliance Engineering Inc<br>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS<br>323 Main Street P.O. Box 2664 Park City Utah 84060-2664 | SNYDERVILLE BASIN WATER RECLAMATION DISTRICT<br>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 30th DAY OF January, 2013 A.D.<br>BY ______ S.B.W.R.D. | PLANNING COMMISSION<br>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 26th DAY OF SEPTEMBER, 2012 A.D.<br>BY ______ CHAIR | ENGINEER'S CERTIFICATE<br>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 20th DAY OF February, 2013 A.D.<br>BY ______ PARK CITY ENGINEER | APPROVAL AS TO FORM<br>APPROVED AS TO FORM THIS 21st DAY OF March, 2013 A.D.<br>BY ______ PARK CITY ATTORNEY | CERTIFICATE OF ATTEST<br>I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 11 DAY OF ~~OCTOBER~~, 2013 A.D.<br>BY ______ PARK CITY RECORDER | COUNCIL APPROVAL AND ACCEPTANCE<br>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 11th DAY OF OCTOBER, 2012 A.D.<br>BY ______ MAYOR | RECORDED #973745<br>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF Coalition Title<br>DATE 6-28-2013 TIME 10:31 AM BOOK — PAGE —<br>$95.00 FEE ______ RECORDER |




## SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner(s), I have prepared this Record of Survey map of the STEIN ERIKSEN LODGE COMMON AREA and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

REGISTERED LAND SURVEYOR No. 154491 JOHN DEMKOWICZ State of Utah

John Demkowicz — 4-21-2010
Date

## BOUNDARY DESCRIPTION

The Common Areas contained within the Stein Eriksen Lodge, a Utah Condominium Project, as the same is identified in the record of survey map recorded in Summit County, Utah as Entry No. 187370, and in the amended record of survey map recorded in Summit County, as Entry No. 200131 and in the declaration of covenants, conditions and restrictions and bylaws of the Stein Eriksen Lodge, a Utah Condominium Project, recorded in Summit County, Utah, on January 11, 1982, as Entry No. 187371, in Book 208, at Page 9, and in the amended declaration of covenants, conditions, and restrictions and bylaws of the Stein Eriksen, a Utah Condominium Project, recorded in Summit County, Utah on January 5, 1983, as Entry No. 200132, in Book M-245, at Page 278 and the amendments and corrections thereto and the First Supplemental Record of Survey Map recorded December27, 1983, as Entry No. 214576 and the Second Amendment to Condominium Declarations recorded December 27, 1983, as Entry No. 214577, in Book 283, at Page 153, records of the Summit County Recorder's Office. Together with (A) the undivided ownership interest in said Condominium Project's Common areas and facilities which is appurtenant to said unit, (the referenced declaration of Condominium providing for periodic alteration both in the magnitude of said undivided ownership interest in the composition of the common areas and facilities to which said interest relates), (B) the exclusive right to use and enjoy each of the limited common areas which is appurtenant to said unit, and (c) the non-exclusive right to use and enjoy the common areas and facilities included in said condominium project (as said project may hereafter be expanded) in accordance with the aforesaid declaration and survey map (as said declaration and map may hereafter be amended or supplemented) and the Utah Condominium ownership act.

## OWNER'S DEDICATION AND CONSENT TO RECORD

On this 30th day of April 2010, Stein Eriksen Lodge Owner's Association, Inc., a Utah non-profit corporation, does hereby certify that on March 25, 2009, the members of the Association voted to expand the Common Area Spa Facility for the benefit of the Association's members who collectively constitute all of the owners of the property that comprises Stein Eriksen Lodge. In accordance with the Utah Condominium Ownership Act, the Association has caused this survey to be made and this Amended Record Survey Map to be prepared and hereby consents to the recordation of this Amended Record Survey Map, which shows the boundaries of the expanded Common Area Spa Facility. The Association further consents to the recordation hereof with the intention that upon such recordation, the provisions of the Declaration and Utah Condominium Ownership Act shall apply to the property described herein. The Association also hereby dedicates the non-exclusive utility easements shown hereon to the use of the public in accordance with an irrevocable offer of dedication.

STEIN ERIKSEN LODGE OWNER'S ASSOCIATION, INC.

By: Russel L. Olsen, Chief Executive Officer

## ACKNOWLEDGMENT

STATE OF UTAH )
: ss.
COUNTY OF SUMMIT )

On this 30th day of April, 2010, personally appeared before me, Russel L. Olsen, who being by me duly sworn did say, that he is the Chief Executive Officer of the Stein Eriksen Lodge Owner's Association, Inc., a Utah nonprofit corporation, and that he signed the above Owner's Dedication and Consent to Record for, on and in behalf of the unit owners of said Association, and said Russel L. Olsen duly acknowledged that said Association executed the same.

A Notary Public commissioned in Utah

Teri Ekstrom
Printed Name

Residing in: Summit County

My commission expires: Apr. 10, 2012

RECEIVED
MAY 17 2016
PARK CITY PLANNING DEPT.

SUPPLEMENTAL SHEET FOR ALL PHASES

# STEIN ERIKSEN LODGE COMMON AREA

A UTAH CONDOMINIUM PROJECT LOCATED IN THE
NW 1/4 OF SECTION 27 AND THE NE 1/4 OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

NOTES:

1. This Supplemental Record of Survey Map is an Amendment of the common area for all Phases, currently of record, together with all amendments thereto, to illustrate the expanded common area building and site improvements in conformance with the Utah Condominium Act.
2. All other conditions of approval of the Stein Eriksen Lodge Common Area Project continue to apply.
3. The Spa is not a separate commercial unit and as such may not be separately sold or deeded.
4. All conditions of approval of the Deer Valley Master Planned Development and the Stein Eriksen Lodge Conditional Use Permit, as amended, shall continue to apply.

| LINE TABLE | | |
|---|---|---|
| LINE | BEARING | LENGTH |
| L1 | N 00°00'00" E | 41.00' |
| L2 | N 51°30'00" E | 40.60' |

50' 0 50' 100'

SHEET 1 OF 1

4/21/10 JOB NO.: 4-9-08 FILE: X:\SilverLakeVillage\dwg\srv\plat2008\040908.dwg

| Alliance Engineering Inc | SNYDERVILLE BASIN WATER RECLAMATION DISTRICT | PLANNING COMMISSION | ENGINEER'S CERTIFICATE | APPROVAL AS TO FORM | CERTIFICATE OF ATTEST | COUNCIL APPROVAL AND ACCEPTANCE | #901426 RECORDED |
|---|---|---|---|---|---|---|---|
| (435) 649-9467<br>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS<br>323 Main Street P.O. Box 2664 Park City Utah 84060-2664 | REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 30th DAY OF April, 2010 A.D.<br>BY ____ S.B.W.R.D. | APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 12TH DAY OF AUGUST, 2009 A.D.<br>BY ____ CHAIRMAN | I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 14th DAY OF MAY, 2010 A.D.<br>BY ____ PARK CITY ENGINEER | APPROVED AS TO FORM THIS 15th DAY OF June 2010 A.D.<br>BY ____ PARK CITY ATTORNEY | I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 27 DAY OF AUGUST, 2009 A.D.<br>BY ____ PARK CITY RECORDER | APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 27TH DAY OF AUGUST, 2009 A.D.<br>BY Dana Williams MAYOR | STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF Coalition Title<br>DATE 6-23-10 TIME 9:43am BOOK ___ PAGE ___<br>$95.00 FEE<br>RECORDER |

EXHIBIT D

STEIN ERIKSEN LODGE
DEER VALLEY

August 16, 2016

Park City Planning Commission
Attn: Kirsten Whetstone
PO Box 1480
Park City, UT 84060

To whom it may concern:

A vote of the owners of the Stein Eriksen Lodge Owners' Association, Inc. was taken during the annual owners' meeting held on December 5, 2015 to approve the project known as Phase VI. This project includes: an expansion of the existing pool, expansion of the ski locker room, the addition of an entertainment center, the addition of a Viewing Room for in house guests and certain other common area additions and improvements.

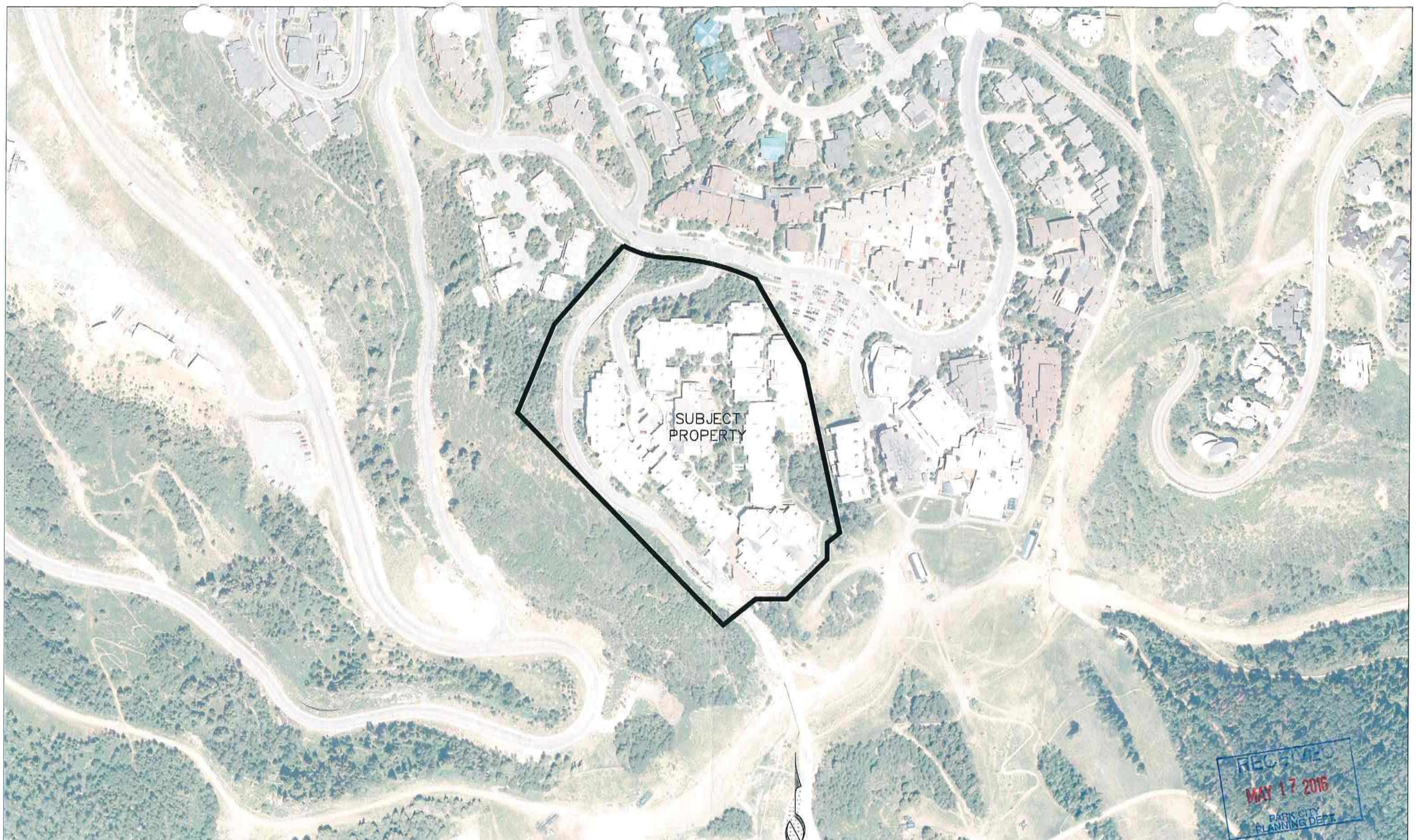
This vote authorizing the board and management to do all things necessary to facilitate design, cost development, submittal to city for approval and authorization, amending and recordation or a new plat, selection of a contractor, obtaining financing and all other things necessary to facilitate construction of the project passed by a vote of 78.4% of the undivided interest of the Association either in person or by proxy. This authorization is subject to approval of the final budget for the project.

Sincerely,

Russ Olsen
Chief Executive Officer

Post Office Box 3177 • 7700 Stein Way • Park City, Utah 84060
435-649-3700 • Fax 435-649-5825 • www.steinlodge.com

# EXHIBIT E




100' 0 100' 200'

(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

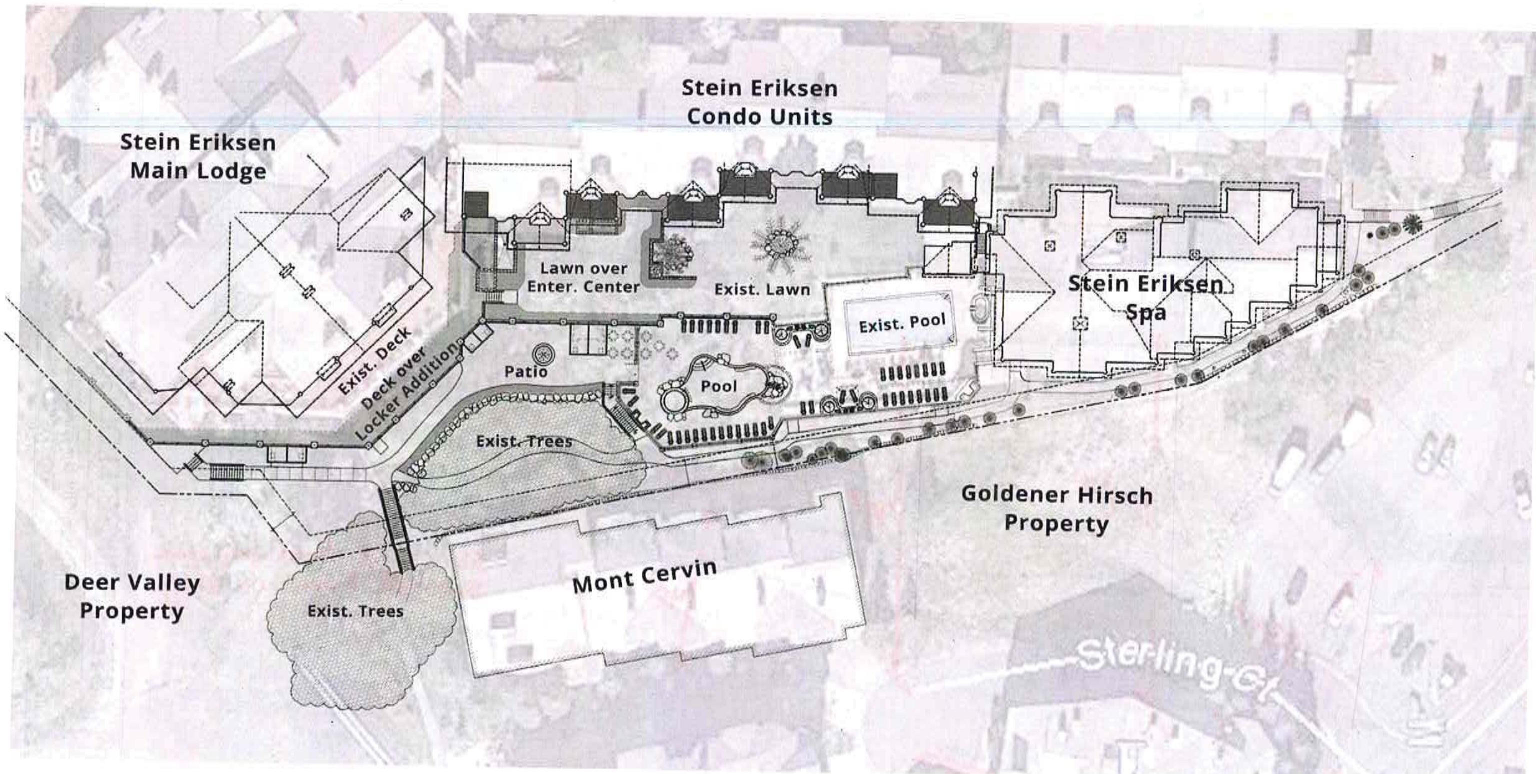
STAFF:
MICHAEL DEMKOWICZ
JESSE MORENO

DATE: 5/16/16

AERIAL PHOTOGRAPH
STEIN ERIKSEN LODGE

FOR: WPA ARCHITECTURE
JOB NO.: 8-4-16
FILE: X:\SilverLakeVillage\dwg\Exhibits\sel-ortho.dwg

SHEET 1 OF 1



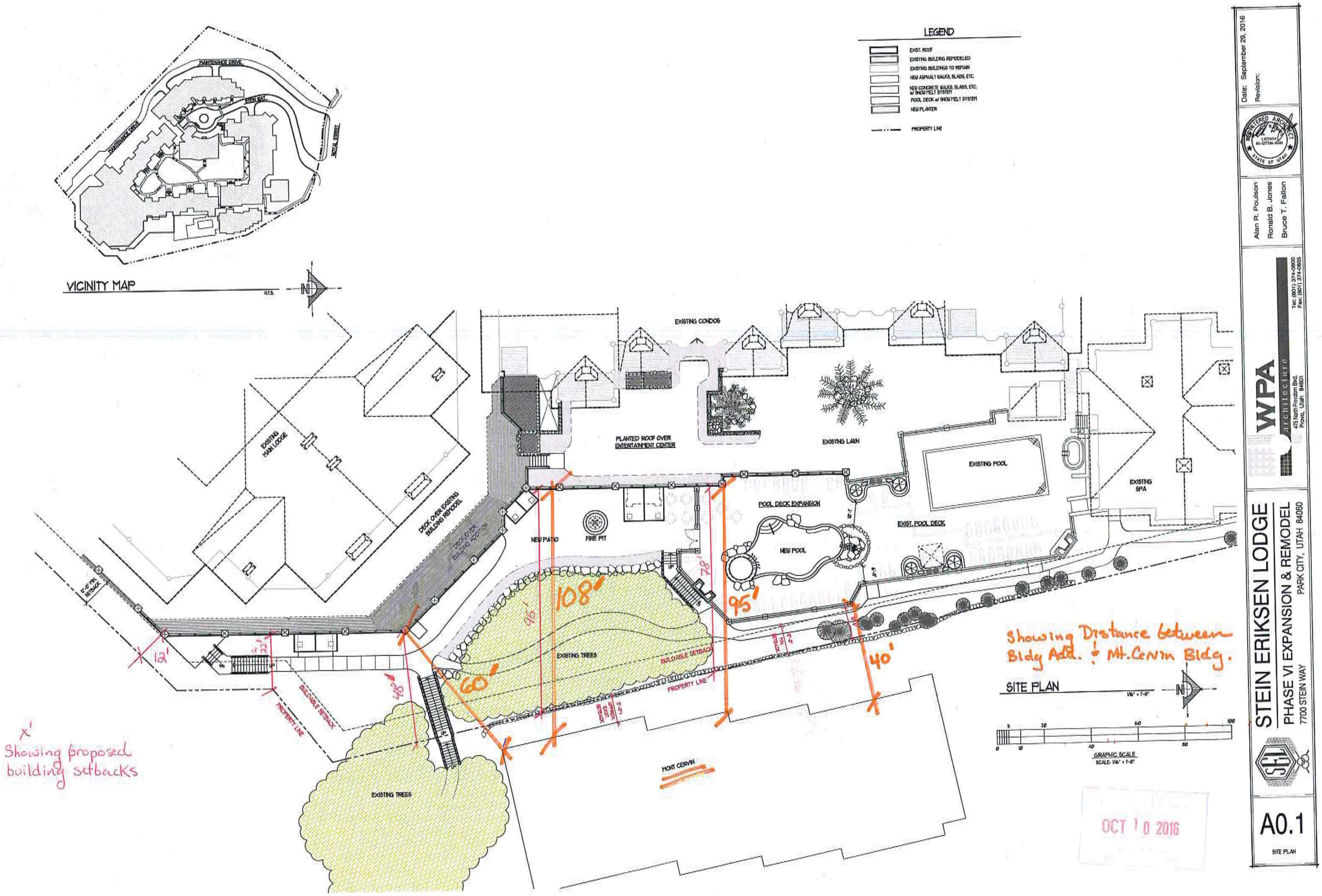

LOCAL SITE PLAN

VICINITY MAP



WPA architecture

SETBACKS TO PROPERTY LINE AND TO MT CERVIN



# EXHIBIT F

## SURVEYOR'S CERTIFICATE

REGISTERED LAND SURVEYOR No. 4938739 MARTIN A. MORRISON State of Utah

Martin A. Morrison

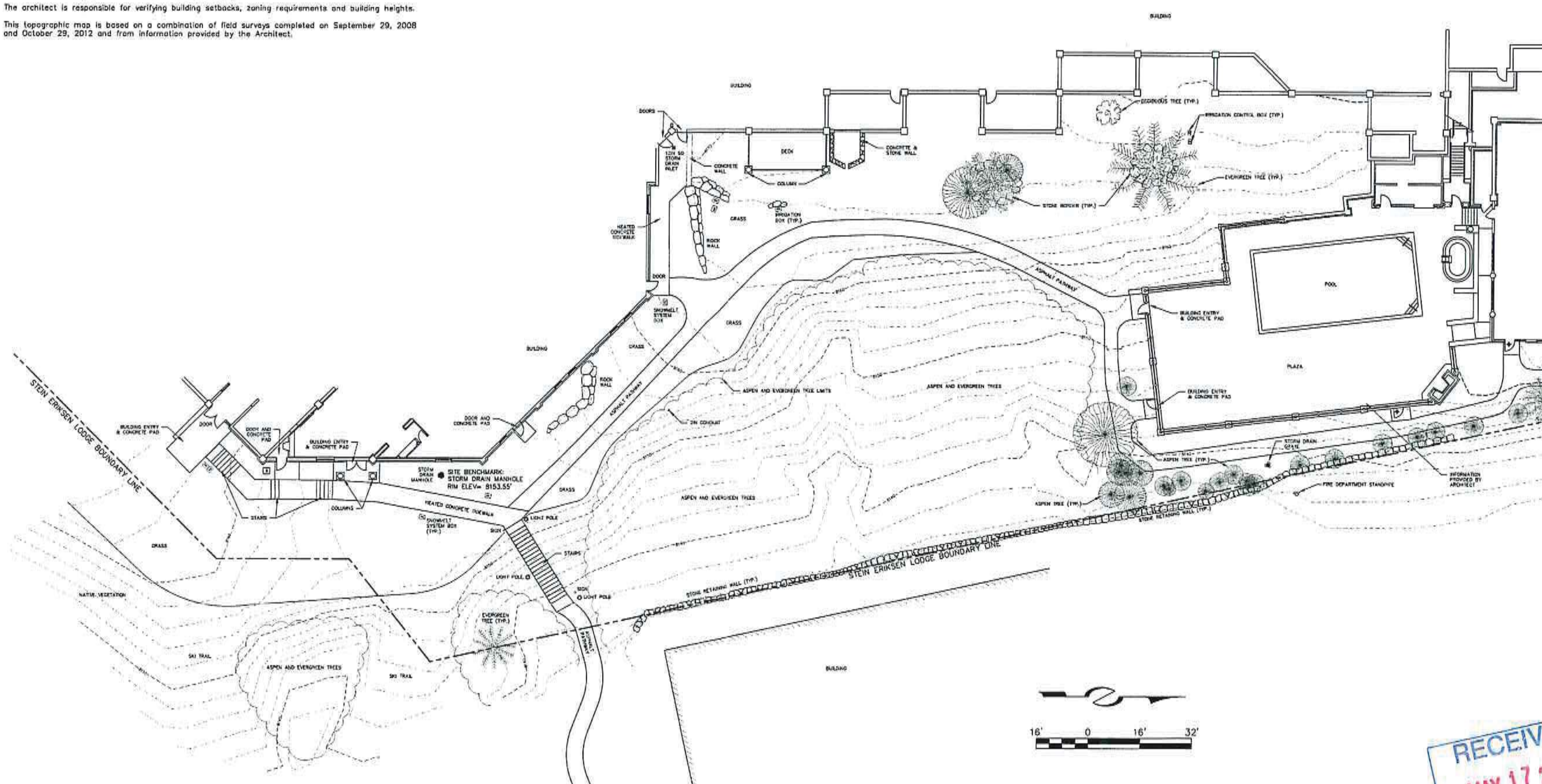
4-12-'16

I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certification no. 4938739 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

## NOTES

Site Benchmark: Storm Drain Manhole Rim Elevation=8153.55'

1. See record of survey plat for easements and restrictions.
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a combination of field surveys completed on September 29, 2008 and October 29, 2012 and from information provided by the Architect.




RECEIVED
MAY 17 2016
PARK CITY PLANNING DEPT.

| | | | |
|---|---|---|---|
| Alliance Engineering Inc (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664 | STAFF: MICHAEL DEMKOWICZ MARTIN MORRISON MARSHALL KING JESSE MORENO DATE: 4/12/16 | PHASE VI-A EXISTING CONDITION STEIN ERIKSEN LODGE 7700 STEIN WAY FOR: SEL JOB NO.: 8-4-15 FILE: X\SLV\dwg\srv\topo2016\080416-sel.dwg | SHEET 1 OF 1 |

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
SEPTEMBER 28, 2016

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Preston Campbell, Steve Joyce, John Phillips, Laura Suesser, Doug Thimm

EX OFFICIO: Planning Director, Bruce Erickson; Anya Grahn, Planner; Kirsten Whetstone, Planner; Polly Samuels McLean, Assistant City Attorney
===================================================================

REGULAR MEETING

**ROLL CALL**

Chair Strachan called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioner Band, who was excused.

**ADOPTION OF MINUTES**

<u>September 14, 2016</u>

MOTION: Commissioner Joyce moved to APPROVE the minutes of September 14, 2016 as written. Commissioner Thimm seconded the motion.

**PUBLIC COMMUNICATIONS**
There were no comments.

**STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES**

Director Erickson reported that the next Planning Commission meeting on October $12^{th}$ would be held in the Santy Auditorium at the Park City Library. The occupancy threshold in the Council Chambers is 80 people. On average 100 people have been attending when Treasure Hill is on the agenda. Director Erickson reported that Treasure Hill would continue to be on the agenda the first meeting of every month, which is always the second Wednesday.

Director Erickson announced that the Planning Commission would only have one meeting in December due to the holidays. There may also only be one meeting in January due to Sundance.

Chair Strachan asked about workload in the Planning Department and the wait time for applicants to get on the agenda. Director Erickson replied that the bringing items to the

**4.** **<u>7700 Stein Way – Amendment to the Stein Eriksen Lodge Common Area Supplemental plat to identify additional ski lockers and guest recreational amenities as common area.</u>** **(Application PL-16-03175)**

The Planning Commission discussed the plat amendment and the CUP for 7700 Stein Way at the same time. Two separate actions were taken.

Planner Whetstone hand out revised plans submitted by the applicant. She noted that the revised plan was different from the plan included in the Staff report because the applicant was proposing to reduce the size of the entertainment area and the pool deck from what was initially shown.

Planner Whetstone reviewed the application for a conditional use permit for a modification to an existing conditional use permit to add square footage. She explained that the additional square footage is residential accessory support and does not require unit equivalents. It is not support commercial, commercial or meeting space. Planner Whetstone pointed out that the applicant had two previous amendments. One was in 2009 where they expanded their support commercial for the space. The second was in 2012 where they expanded the meeting space for their convention area. The currently proposed expansion were areas for guest amenities, specific to guests and owners.

The Staff had reviewed the Conditional Use Permit application against the 15 criteria in the LMC, and found that there were no unmitigated impacts as conditions. The Staff recommended that the Planning Commission conduct a public hearing on the modification to the CUP, and consider approving the application with the following changes.

Finding #10 – The recreation amenity changes from 4.050 square feet to 3,736 square feet. The pool deck changes from 7,266 square feet to 3,560 square feet.

Findings #17 and #29 – As written, the findings shows 88-feet for the farthest setback from the eastern property line shared with Mont Cervin. That setback is increased to 108 feet. Planner Whetstone reviewed the Plat Amendment. She stated that the record of survey plat for the supplement pages was for the common area of the Stein Eriksen Lodge condominium plat. The purpose of this amendment was to memorialize the common area and show the structures on the plat. She noted that it was consistent with what was done with the SPA plat.

Planner Whetstone apologized for handing out plans that the Commissioners had not had time to review. She had only received them that day, but since it was a reduction in size she thought it was appropriate to bring them forward this evening.

Russ Olsen, the CEO of Stein Eriksen Lodge, thanked Planner Whetstone for helping them navigate through the process, particularly since multiple changes were made. He believed most of the changes had been positive from their perspective and from the neighbors' perspective. Mr. Olsen stated that when they originally approached the Planning Department to discuss this addition to their property, the first question asked was the reason behind it. He explained that in looking at the evolving demographics of the guests and the people who stay at Stein Eriksen Lodge, they realized that as the demographics have changed over the years to a younger generation, the guests want a total experience as opposed to just skiing.

Mr. Olsen stated that they looked at putting in additional guest amenities for the guests who stay at Stein Eriksen Lodge by adding an entertainment center for the younger people who come more frequently, and for the kids who come with their families. The entertainment Center would be a gathering space where younger people and families can hang out and play games. It would be the same for the pool expansion. The pool used to be an unnecessary guest amenity; however, now more and more guests look for a pool experience year-round where they can come as a family and ski in the morning and afternoon and sit by the pool in the evening. He noted that a pool is most important in the summer because the summer occupancy at Stein Eriksen has become comparable to the winter occupancy.

Mr. Olsen emphasized that the additional amenities would be strictly for Stein Eriksen guests. It would not be open to the public or bring people in from the outside.

Mr. Olsen commented on the reason for changing the size and scope of the project since the application was first submitted. He remarked that the architects and designers were given free rein to design whatever they wanted for that space at the highest level. However, when it was presented to the Board, the Board thought the plan was too grandiose and took up too much space. It was also a very expensive plan. The reduced size would achieve more what the Board had in mind and it would be expensive to build. Mr. Olsen stated that an internal analysis was done to determine what was actually needed. He pointed out that they looked at the large trees and existing vegetation, and realized that the original plan would eliminate most or all of the vegetation and trees in that area. Another reason for scaling back the project was to keep from impacting the vegetation. Mr. Olsen stated that most, if not all, of the existing trees and vegetation will remain. There are some dead and diseased trees that will be removed, but they intend to have an arborist assess them.

Mr. Olsen believed the scope of the revised plan would fit in better with the environment, and it would not disrupt any views for the neighbors or the guests at Stein Eriksen.

Chair Strachan asked for the purpose or main use of the guest viewing room. Mr. Olsen envisioned it as a place where families can gather. They plan to have a movie night. Currently they have movie nights throughout the winter and summer seasons, but it is held in a space that is not conducive as a theatre. The viewing room would allow the opportunity for movie nights. Mr. Olsen stated that during the winter season some guests want to rent a space for a Super Bowl party. Currently, there is no space conducive for having a Super Bowl party. The viewing room would be used to supplement the entertainment for the guests.

Chair Strachan asked if the viewing room could have a dual use if it was not being used for movie night, and potentially be programmed as extra conference space. Mr. Olsen replied that it could be used for conference space, but the intention is to keep the conference in the Conference Center and to use the viewing room for movies and other guest or family events. It would allow them to keep a space designated for those activities. Mr. Olsen noted that the room would seat approximately 50 people, which is a small meeting space for a typical group at Stein Eriksen.

Assistant City Attorney McLean recommended adding a condition of approval prohibiting the space from being used as meeting space, because the meeting space for Stein Eriksen is already maxed out under the 5%.

Planner Whetstone understood that the viewing room would also be used for employee training. Mr. Olsen replied that it would be used as a training facility for the Staff.

Planner Whetstone agreed with adding a condition of approval stating that the viewing room would be for the exclusive use of guests and owners. Mr. Olsen stated that they have one guest who comes every year and wants to have a Super Bowl party for people staying at Stein Eriksen. He asked if prohibiting meetings would also prohibit a Super Bowl party. Assistant City Attorney McLean replied that it would depend on the definition of meeting space. She would look for the definition while they continued their discussion.

Mr. Olsen clarified that the viewing room would not be rental space. Currently, if someone wants a Super Bowl party, Stein Eriksen finds them a space where they can view the came on TVs. He reiterated his question of whether the viewing room could be used for that type of use.

Commissioner Joyce clarified that the concern would be that the room could be used as overflow space for breakout sessions, and it would be part of a Conference offering to an organization. If that occurs, it becomes meeting space. Commissioner Joyce explained that they were suggesting a condition of approval to allow a Super Bowl party but not programmed meeting space. Planner Whetstone replied that non-meeting space is typically non-income producing. It would not be leased or rented out.

Chair Strachan and Ms. McLean could not find where meeting space was defined in the LMC. Chair Strachan believed they could associate it with the term Conference and say that it cannot be used in conjunction with any conferences or as a conference space in and of itself. Chair Strachan informed Mr. Olsen that the condition of approval would keep them from breaking the 5% meeting space threshold of the MPD.

Director Erickson referred to the list of Residential Accessory Space examples in the MPD and suggested that they could limit the uses to that list and no other. A motion could be adjusted to say, “limited to these uses and similar, but not conference space”.

Mr. Olsen wanted the language to be broad enough to allow guests who are staying there for a conference to be able to attend movie night, but not as part of the conference.

Assistant City Attorney McLean stated that in looking at the list under Residential Accessory Space, two accessory uses are within the MPD section. Residential Accessory Uses and Resort Accessory Uses. Under Residential Accessory Uses, she asked which of those uses the guest viewing area would fall under. Planner Whetstone did not believe it would be any of the uses listed. She thought it would fall under, but are not limited to such uses as common pools, saunas, hot tubs and exercise areas, and other recreation. She believed the viewing area would be “other recreation” because in the past games rooms have fit into that category. They are for guests only and are not to be part of a conference or other revenue use. It would also allow it to be used for employee training during the day.

Chair Strachan was having a difficult time fitting it into the definition of Residential Accessory Uses. Ms. McLean stated that the determination was under the Planning Commission’s purview. Commissioner Joyce thought Planner Whetstone was on the right track in looking at things such as pool and exercise room. Chair Strachan agreed that it was a little closer. Commissioner Joyce pointed out that was not purposely built for a resort. They are extra common area activities for guest entertainment. He was comfortable fitting the viewing room into that category. His issue was finding a way to specifically prohibit meeting space for any reason.

Planner Whetstone suggested adding a condition stating, “The viewing room is considered residential accessory space and shall not be used as meeting space or in conjunction with a conference or meeting.”

Mr. Olsen clarified that it would not prevent conference attendees from attending a movie night. Chair Strachan believed the condition would allow it as long as it was not a conference associated use. Mr. Olsen assumed a guest would be allowed to use the space for a Super Bowl party. He was told that a Super Bowl is not a conference and it would be allowed. Mr. Olsen assured the Commissioners that Stein Eriksen has sufficient conference space. He emphasized that the purpose and intent of the entertainment center is to provide a place where individuals and families can recreate.

Chair Strachan asked Planner Whetstone to fine-tune the condition of approval based on their comments.

Commissioner Phillips asked Planner Whetstone to explain the site plans that were handed out this evening versus the site plan in the Staff report. Planner Whetstone stated that the site plan in the Staff report was the original plan before the reduction. One site plan handed out this evening was the plan with the reduced pool deck and entertainment center. The redlined site plan showed the difference between the one in the Staff report and the one handed out this evening.

Commissioner Phillips felt the Planning Commission and the public needed more time to study the plans that were submitted this evening and to compare it with the plan in the Staff report. He was not comfortable moving forward until he had that opportunity. Commissioner Phillips asked if a continuance would affect the applicant's time frame.

Ron Jones, the project architect, stated that they were hoping to start on the viewing room right away. The rest of the project would begin next spring.

Chair Strachan agreed that the Planning Commission would need a new Staff report with the correct site plans before they could vote on the CUP or forward a recommendation to the City Council on the plat amendment.

Chair Strachan opened the public hearing.

Dave Novak stated that he is the property manager at Mont Cervin Condominiums, which is the adjacent property to Stein Eriksen Lodge with the buffer zone of trees. Mr. Novak was concerned about the noise level. The expansion of the spa and swimming pool created a noise issue. The expansion currently proposed would only increase the noise. Mr. Novak noted that a 9:00 p.m. closing time is posted on the entry to the pool, but it is not enforced. He knows that because his apartment is 100 feet from the swimming pool. He has been awakened at night and in the early mornings hours by the noise coming from the swimming pool area. Mr. Novak questioned how they could enforce additional recreational space, when they do not enforce what they have now. He understood the idea of opening up more amenities, but at what cost. He wanted to know how they intend to keep the public from using those facilities when people hear about the game room in Stein Eriksen Lodge.

Mr. Olsen stated that there are security locks on all the doors and they have security rounds. Unfortunately, people do climb fences. Any time they find people who abuse the curfews they are kicked out immediately. The entertainment center will have key locks that only guests can access.

Mr. Novak disagreed because there have been many occasions where people are not asked to leave the pool area, especially at 2:00 or 3:00 in the morning. Enforcement is not happening on a consistent basis. He noted that people abusing the curfew does not happen frequently, but when it does it disturbs his sleep and it is very frustrating. Mr. Novak had his doubts about controlling noise with the additional amenities in the area.

Hope Eccles, the President of the Goldener Hirsch Inn, was not aware that Stein Eriksen was on the agenda this evening, but she was pleased to have the opportunity to speak. Ms. Eccles echoed Mr. Olsen about the need for amenities for families and guests. They are competing with Vail, Aspen, Sun Valley and Tahoe, and they need to be able to offer these amenities to attract people. Ms. Eccles stated that the importance of being able to add these amenities is essential to their business and the community. She stated that Goldener Hirsch is right next door and would be impacted, but they fully support the addition of the pool, the spa, and the viewing room.

Chair Strachan closed the public hearing.

Commissioner Joyce stated that when they look at expanding a project in the direction of something else reasonably close, it would be helpful to see exactly what is adjacent. He was disappointed that there was nothing in the Staff report with that information. He requested that future Staff reports include a picture that shows how far apart the buildings are whenever a project is expanded in a particular direction.

MOTION: Commissioner Joyce moved to CONTINUE 7700 Stein Way, a conditional use permit for an additional to the Stein Eriksen Lodge to October 26, 2016. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Joyce moved to CONTINUE 7700 Stein Way, Amendment to the Stein Eriksen Lodge Common Area Supplemental Plat to October 26, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

**5. 7520-7570 Royal Street East – Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision combining Lots F, G and H into one lot. (Application PL-15-02966)**

**6. 7520-7570 Royal Street East – Conditional Use Permit for 34 residential units on Lot 1 of the Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision (Application PL-15-02967)**

The Planning Commission discussed the above two items at the same time. Two separate actions were taken.

Planner Whetstone handed out three letters of public input she received after the Staff report was prepared. She also handed out a memo from the City Engineer.

Planner Whetstone reviewed the request for a conditional use permit for 34 residential units on Lot 1 of an amendment to the Plat to a re-subdivision of Lots 1 and 2 of the Silver Lake Village No. 1 Subdivision. She noted that later in the meeting the Planning Commission would be reviewing a separate request to combine parcels F, G and H of the Deer Valley Master Plan to one Parcel, Lot I. The request would not result in a change of density of the parcels but it would transfer density from Lot D, which is where two units of the existing Goldener Hirsch would be taken out to accommodate a bridge, and that density would be moved to Lot I.

Planner Whetstone reported that all three items were noticed for public hearing and a continuation to October 26, 2016.

Chris Conabee, representing the applicant, introduced John Shirley, the project architect with THINK Architecture, and Paul Schlachter with Olsen Kundig in Seattle.

Mr. Conabee recalled that the applicant came before the Planning Commission eight months ago, and the object this evening was to provide a brief overview to update the Commissioners on the layout.

Mr. Conabee started his presentation with the scale and massing of the overall development in terms of what exists and what they were proposing. He identified the

**3. <u>7700 Stein Way – Conditional Use Permit for an addition to the Stein Eriksen Lodge for ski lockers and guest recreational amenities, as well as improvements to the exterior pool and deck area and remodel of existing interior ski locker rooms and skier services</u> (Application PL-16-03176)**

**4. <u>7700 Stein Way – Amendment to the Stein Eriksen Lodge Common Area Supplemental plat to identify additional ski lockers and guest recreational amenities as common area.</u> (Application PL-16-03175)**

Commissioner Band recused herself and left the room.

The Planning Commission discussed these two items together. Separate actions were taken.

Planner Whetstone reported that the applicant was proposing four amendments to the Stein Eriksen Lodge conditional use permit, which included a 3,000 square foot addition for guest ski lockers, 35,000 square feet of a guest entertainment area, a 918 square foot guest video viewing room, and a new exterior pool. She noted that the existing pool would remain and a new pool would be added with hot tubs and additional deck areas.

Planner Whetstone noted that the scope of the project had been reduced by approximately 40% from the Staff report the Planning Commission received on September 28th. At that time the Planning Commission conducted a public hearing and continued these items to the October 26th meeting. The applicants had submitted new plans that evening showing the reduction and the Commissioners wanted the opportunity to review those drawings. There were also concerns about setbacks and the Commissioners wanted to determine how far the building was set back from the property line and existing adjacent buildings. The Planning Commission had discussed conditions that would be placed on the video viewing room to make sure it continued as a residential accessory use as opposed to support meeting space or support commercial. Planner Whetstone pointed out that the Stein Eriksen Lodge was nearly maxed out in terms of the support meeting and commercial space allowed.

Planner Whetstone stated that all of the proposed uses fall under residential accessory uses. They do not require UEs and they are not part of the support commercial. Conditions of Approval 11 of the conditional use permit was drafted to indicate that these new spaces would not allow support commercial activity and would be exclusively for guest use.

Planner Whetstone noted that the Amendment to the Stein Eriksen Lodge Common Area Supplemental Plat was also continued to this meeting. She explained that the amendment memorializes the proposed CUP changes to the condominium common area. Because they are structures, under the Condominium Act they need to be shown on the condominium plat.

Staff recommended the Planning Commission conduct a public hearing and consider approving the Conditional Use Permit, and forwarding a positive recommendation to the City Council on the condominium plat.

Ron Jones with WPA Architecture, Dan Flick, the Chief Operating Officer for Stein Eriksen Lodge, and Dan Bullard with Stein Eriksen Management were present this evening to answer questions.

Ron Jones, the project architect, reviewed plans to show where they were building on the east side of the property. He noted that the required side setback was 12' from the property line. To address the setback questions at the last meeting, Mr. Jones pointed out that the building is actually set back 70 feet, and the edge of the pool deck is approximately 13' from the property line, which exceeds the setback requirement.

Planner Whetstone reviewed a drawing showing that the addition was 60' to the property line and 108' to Mont Cervin, which is the closest building. She indicated the edge of the entertainment center and the edge of the new pool deck. Planner Whetstone stated that on the far south side of the building the addition meets the 12' setback minimum at one point and then it extends significantly beyond the 12' requirement.

Mr. Jones pointed to a grove of trees that were initially going to be removed to accommodate a larger outdoor patio and retaining wall along the edge of the pool deck. However, the owners preferred to keep the trees and decided on a smaller patio. Mr. Jones indicated the new pool that was being added to the existing deck, as well as the additional pool deck. He showed the location of the entertainment center, and where they were proposing to put additional ski lockers. Mr. Jones presented floor plans showing the lower level of the ski lockers, the entertainment center, the upper level ski lockers. He also showed a rendering of how it would look from the pool looking over towards the entertainment center/locker room addition with the existing condos in the background.

Mr. Jones pointed out that the guest viewing room would be on the other side of the Lodge property, and it was being built within an infill space between buildings. He emphasized that the viewing room would be where the guests of the Lodge could participate in activities such as Children's Night at the Movies, special viewings of sporting events, a presentation on the history of Park City, or similar types of events. It will not be used as part of the conference center. The space will not be rented and the activities will be at no cost to the guests of the Lodge. The space would also be used for employee training.

Chair Strachan opened the public hearing.

Dave Novak, the property manager for Mont Cervin, stated that he spoke at the

September 28th meeting, at which time he commented on the amount of noise coming from the current swimming pool area. He was representing the members of the HOA who were concerned that the noise level would increase with the expansion of the pool. Instead of 100' from Mont Cervin the pool would now be 40' away. Ms. Novak hoped that after the last meeting the Stein Eriksen management would have tried to enforce the closing of the pool at 9:00 p.m. Since then he has monitored the noise and on October 7th, October 21st and October 22nd, there was a pool party crowd. On October 22nd, it lasted until 2:00 a.m. He found that to be unacceptable 100 feet from people's bedrooms. If they extend the pool closer to Mont Cervin it would be beyond unbearable. Mr. Novak noticed a fire pit on the drawings, which is another point of gathering at night. He could not understand why the Stein Eriksen management would not or could not enforce their pool closing hours.

Chair Strachan closed the public hearing.

Commissioner Campbell was frustrated over the number of times when conditions are placed on items without any remedy to follow-up. He asked if the Planning Commission had the right to tell the applicant that the CUP would only be approved if the pool hours are truly enforced. If they have that ability, he questioned how that would be monitored and whether it would come back to the Planning Commission.

Assistant City Attorney McLean remarked that Code Enforcement would be responsible for enforcement based on complaints. She noted that this was the expansion of a condo plat and not solely linked to hours of operation. Ms. McLean thought the noise ordinance was the only recourse, and if the noise ordinance is violated, the Code Enforcement could enforce it.

Commissioner Campbell clarified that the Planning Commission would not have the ability to add a condition of approval regarding the pool hours. Planner Whetstone stated that they could with the conditional use permit. A Finding already states that there are pool closure hours. She suggested that they could add a condition stating that for any outdoor use, the noise ordinance shall not be exceeded. Planner Whetstone understood that the Lodge does enforce closure of the pool.

Mr. Jones stated that Russ Olsen, the CEO, who attend the last meeting, told him after the meeting if there was noise at the pool after hours, the guest of Stein Eriksen would be affected, and they would not want that to happen.

Dan Flick stated that if those guests are affected, and they get three reports in a 24-hour period from the security department and the management team that there have been complaints, those come to his desk. Mr. Flick has been at the Lodge for 17 years and he could recall less than half a dozen complaints that were verbalized or communicated to Stein Eriksen Lodge by someone either staying at the Lodge or in the neighborhood.

Commissioner Campbell stated that this was one of his frustrations in general; aside from any particular project. They put a lot of conditions on things without any mechanism to know if they are followed up. He suggested that the Planning Commission discuss the issue during a work session to remedy the problem. In his opinion, the applicant was asking for something different than what was there when the adjacent buildings were built, and part of the approval process is to determine unmitigated effects on the neighbors. Commissioner Campbell was unsure if it was possible to mitigate those effects in this case. They could ask the applicant to try to mitigate the impact, but there is no way to find out if they really do. Chair Strachan agreed.

Commissioner Suesser asked if there was a way to make Finding of Fact #35 a condition of approval. Assistant City Attorney McLean stated that because it was also a conditional use permit, the Planning Commission had more latitude in terms of impacts.

Commissioner Campbell noted that if they do nothing now they will not have another chance to do it. However, there was no point in doing it if they could not give it some teeth. He believed the neighbors have a valid right not to expect noise at certain hours.

Assistant City Attorney McLean remarked that enforcement of the conditions is challenging. She suggested that the Planning Commission could require a review after one year to see if there have been complaints. Chair Strachan noted that the Planning Commission has required a one-year review on other projects in the past.

Commissioner Joyce did not believe that requirement fit in this case. They have talked about traffic and parking coming back a year later, but he was unsure how they could address pool hours. One person gave public comment saying that it was an issue and provided three specific dates. However, the applicant was saying they had not heard any complaints. Commissioner Joyce stated that if issues are going on, they need to be resolved at the time they occur. If Mr. Novak and other residents of the HOA are experiencing noise impacts, they need to explicitly inform the management of Stein Eriksen Lodge. At the same time, if Mr. Novak and the HOA are reporting it, the applicant needs to work with them to be good neighbors. Commissioner Joyce pointed out that key carding the pool keeps away outsiders, but it does not restrict the guests of the Lodge who are on vacation from having pool parties and making noise. He was concerned that they were increasing the deck size and giving people more reasons to be out there at night. Commissioner Joyce stated that if there are issues that have not been resolved, the Planning Commission would be exacerbating them with an approval.

Planner Whetstone stated that she had thought about placing conditions on the pool, but she believed it was a management issue. She noted that the current pool hours are 7:00 a.m. to 9:00 p.m., and the Planning Commission can specify those hours in a condition of approval. They could let Code Enforcement know that it is a condition of approval in the event that they do get complaints.

Commissioner Suesser thought they should either convert Finding of Fact #35 to a condition of approval, or draft similar language as a condition stating that, “The expansion of the pool may create additional noise that shall be mitigated by the management of pool hours and common courtesy and etiquette, and exterior doors shall require room keys to access." Commissioner Suesser suggested that they discuss specific pool hours. Chair Strachan recommended striking "mitigated by common courtesy and etiquette."

Commissioner Phillips favored adding the condition of approval, and suggested using whatever the existing hours were for the pool.

Commissioner Thimm concurred with the other Commissioners. One additional point was the mention of the fire pit. He asked if the fire pit would be conditioned with the same hours, or whether it currently has the same hours as the pool. Mr. Jones remarked that there were no specific hours for using the fire pit but they could make it consistent with the pools hours. Commissioner Thimm suggested that they include the fire pit in the condition of approval.

Mr. Novak asked if the fire pit was secure. Commissioner Phillips assumed they could turn off the gas to it. He agreed with Commissioner Thimm that the fire pit needed to be included in the condition; or possibly the use of the entire area in terms of hours.

Director Erickson suggested that they add Condition of Approval #14 to say, "Uses on the deck shall be terminated at 10:00 p.m.", which would include the fire pit and the swimming pools. "The noise ordinance would be complied with". Chair Strachan noted that the current closing hour for the pool was 9:00 p.m.

Chair Strachan suggested that the applicant come back in one year for an update to see if complaints were made in large numbers. The condition of approval should require the applicant to provide evidence of complaints from their own guests in the rooms above the pool. Commissioner Thimm asked if it would be a year from approval or a year from completion. Chair Strachan replied that it would be one year from issuance of the Certification of Occupancy.

Planner Whetstone drafted Condition #15 stating that the applicant shall return to the Planning Commission with an update on complaints from both adjacent property owner and guests of Stein Eriksen Lodge.

Mr. Novak asked the Planning Commission to reconsider the pool expansion from the existing pool. Chair Strachan explained that under the CUP Criteria in the LMC, if an applicant comes forward and shows that they have mitigated the impacts, which they have in this case through the conditions of approval, they are entitled to an approval.

Commissioner Campbell asked if it was possible to say in the condition of approval that if there are significant complaints in that one-year time, the applicant would agree to close the pool at an earlier hour. Assistant City Attorney McLean stated that the Planning Commission could amend the condition in one year if they find that the impacts were not mitigated. At that time, they could amend the condition to match the specific impacts shown through evidence.

Mr. Novak asked to make further comments. Chair Strachan informed him that the public hearing was closed, but he would allow it this time. Mr. Novak asked if it was possible to turn off the key cards to the pool at 9:00 p.m. Chair Strachan stated that the applicant would be given every incentive to close their pool at 9:00 p.m., and if they fail to do so they will have to face the consequences when they come back in a year.

Director Erickson stated that Condition #15 would be that the applicant will return within one year from the issuance of the Certificate of Occupancy, with evidence with respect to noise complaints from on and off site. If the Planning Commission finds that the noise is not adequately mitigated in accordance with the criteria for review, additional conditions may be applied.

Commissioner Thimm suggested changing the word “noise” to “disturbance”.

Director Erickson suggested that the CUP specific 7:00 a.m. to 10:00 p.m., and the applicant could choose to shorten their hours. Commissioner Suesser thought 10:00 p.m. was appropriate. Commissioners Thimm and Phillips agreed.

MOTION: Commissioner Joyce moved to APPROVE the 7700 Stein Way Conditional Use Permit for an addition to the Stein Eriksen Lodge for ski lockers and guest recreational amenities, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation for 7700 Stein Way, Amendment to the Stein Eriksen Lodge Common Area Supplemental Plat, based on the Findings of Fact, Conclusions of Law and Conditions of Approval.

VOTE: The motion passed unanimously.

<u>Findings of Fact – 7700 Stein Way – CUP</u>

1. The property is located at 7700 Steins Way, a private road accessed off of Royal Street East.

2. The zoning is Residential Development within the Deer Valley Master Planned Development (RD-MPD).

3. The original Stein Eriksen Lodge was constructed in 1981 based on a Conditional Use Permit (CUP) approved in 1980. Expansion to the Lodge occurred in 1996, 1999, 2009 (spa expansion), and 2012 (conference center expansion).

4. The property is currently subject to 11th Amended Deer Valley Master Planned

Development (MPD) that identifies a permitted density of 66.75 Unit Equivalents (UE) or 65 units on the 10.86 acre site.

5. The developed density is 65 “Deer Valley” units (197,858 sf of residential), not 66.75 UE per the LMC formula. The Deer Valley MPD permits this choice for the parcel.

6. No Commercial Unit Equivalents are assigned to the Stein Eriksen Lodge by the Deer Valley MPD.

7. Based on the original approvals it was determined that the total floor area of the Lodge is 345,007 square feet, excluding parking. Using the 5% formula, a total of 17,250 square feet of support commercial was allowed, based on the language in the DV MPD in effect at the time.

8. In 2009, with the spa expansion, the Lodge had a total of 17,095 square feet of support commercial, including the spa, restaurant, bar and lounge, and retail space within the Lodge. These areas are considered Support Commercial as defined by the Deer Valley MPD and consist of 4.96% of the total floor area.

9. In 2012, with expansion of the conference center, it was determined that 5% of the total residential floor area was allowed for support meeting space, based on the amended DV MPD in effect at that time. With the completed conference center the total support meeting space is 9,927 sf (5% of the residential floor area).

10.On May 17, 2016, the Planning Department received an application for modifications to the Stein Eriksen Lodge Conditional Use Permit (CUP) requesting approval for an addition to the Stein Eriksen Lodge.

11.The addition, per revised plans submitted on September 27th and revised again on October 10th, consists of approximately 3,000 sf of guest ski locker room space, 3,500 sf for guest amenities (recreation and entertainment center, game room, snack bar, restrooms) and 918 sf for an owner/ guest and employee video viewing room, as well as improvements to existing ski lockers, restrooms, and exterior pool and deck area. The new exterior pool and deck area have been reduced from the initial submittal from 7,266 sf to 3,850 sf. The guest entertainment area has been reduced from 4,050 sf originally proposed to the 3,500 and the outdoor patio area has been significantly reduced to minimize disruption of the existing wooded slope on the east side of the Lodge.

12.The proposed amendments are considered residential accessory uses for the exclusive use of owners, guests and employees per Section 5-6-8 (F) of the Land Management Code.

13.The proposed additions do not increase the total support commercial area which remains at 4.96% of the total floor area.

14. The proposed additions do not increase the total meeting support area which remains at 5% of the residential floor area.

15. The Deer Valley MPD requires a minimum of 60% open space on this parcel.

16. The previous plat amendment for expansion of the Conference Center in October 15, 2012, included a finding that open space following the addition was 61.90% of the total lot area. This finding was erroneous and based on a re-review of the entire site it has been determined that the open space prior to this current addition is 62.84%.

17. This proposed amendment, as revised, maintains a minimum of sixty percent (60%) open space at 62.64%.

18. Maximum Building Height per the Deer Valley MPD is 35' for this parcel. The addition complies with the maximum height allowance and has a proposed height of between 19' and 25' above existing grade.

19. The east side of the property has a minimum required side yard setback of 12 feet. The addition has a minimum setback of 12' at the furthest southern point, well over a 100' south of the southernmost corner of the Mount Cervin building. The setback to the face of the entertainment addition area is greater than 80' to the property line shared by the Mount Cervin building. The minimum setback from the property line to the retaining wall and pool deck is 13'5".

20. There are no changes to the front or rear yard setbacks with the proposed addition.

21. Parking requirements are based on the size and number of residential units. No changes are proposed to any of the residential area with this permit.

22. A final utility plan will be provided with the building permit plans for final approval by the City Engineer, SBWRD, and the Fire District. Upgrades to the internal sewer service, including grease traps, are a requirement of the SBWRD.

23. The two access drives to the project provide emergency access from Royal Street. Enhanced fire protection and emergency access for the east side of the property were coordinated with the adjacent property and will be reflected on the final utility and fire protection plans submitted with the building permit plans.

24. Parking is based on the number and size of residential units and no changes are proposed to those units. No additional parking is proposed.

25. Enhanced pedestrian pathways along the eastern property line are proposed, as well as pedestrian pathways and outdoor plazas between the spa pool area and the recreation area and ski locker rooms.

26.Existing landscaping (lawns and some trees) will be removed for the expansion; however, the revised plan preserves much of the sloped wooded area between Steins and Mt. Cervin that includes both natural and planted vegetation on the eastern portion of the site. Trees are primarily aspens and evergreens, with and an assortment of understory shrubs. Several existing trees are in obvious poor health. There are dead and downed vegetation that will be cleared to meet defensible space requirements for fire prevention and to clean up the area.

27.Additional new landscaping of trees and shrubs is proposed along the perimeter of the site to provide separation and buffering from adjoining uses (behind the Mount Cervin condominiums building) and to mitigate removal of existing significant vegetation.

28.The expansion will maintain the same orientation, architectural character, and use of materials as the existing building.

29.The area of construction is directly west of the existing Mt. Cervin Condominiums, a three story residential building with a 12’ setback to the shared property line.

30.Four existing buildings to the east, access off of Sterling Court (Goldener Hirsch, Royal Plaza, The Inn, and Mt Cervin) generally have a north-south orientation and are similar in height and scale to the existing Stein Eriksen Lodge.

31.The addition is setback a minimum of 12’ from the east property line, with the new retaining wall and outdoor pool deck setback a minimum of 13’5”. Required setbacks along this property line are 12’. Proposed building height of the addition is 19’ to 25’ from existing grade, which is less than the 28’ to 35’ allowed by the MPD.

32.All exterior lights and signs must comply with the applicable Park City ordinances and code. Exterior lights must be identified on the building permit plans and shall be down-directed and shielded. No additional signs are proposed with this permit. Approval of a sign permit is required prior to installation of any new regulated signs.

33.The style of the existing building is maintained with the addition using the same materials and architectural detailing. A landscaped roof over the guest recreation addition reduces the overall massing. The addition is completely below the lowest floor of the residential condominium units and on the east elevation, and not highly visible from the public ROW of Royal Street East.

34.Additional trees and shrubs are proposed to enhance the landscape buffer between the proposed addition and adjacent Mt. Cervin property. A meandering pathway within the setback area will provide circulation between the Stein Lodge and Silver Lake Village.

35.Expansion of the pool may create additional noise that will be mitigated by management of pool hours and common courtesy and etiquette. Exterior doors require room keys to access.

36.Service and delivery routes will remain as they currently exist.

37.The addition and improvements are on common area owned by the Owner's Association.

38.An amended Condominium Plat application, to identify these improvements in the common area, was submitted for concurrent review with the Conditional Use Permit application.

39.The Deer Valley MPD is not subject to the requirements of the Sensitive Lands Overlay.

40.The site is sloping to the east towards the Silver Lake Village (Mont Cervin, Goldener Hirsch, Inn at Silver Lake, etc). The eastern portion of the construction area is a mix of native aspen and evergreen trees and understory brush in various states of health and existence.

41.The site is within the area subject to the urban wildland interface (defensible space) ordinance area.

42.Prior to building permit issuance a final landscape plan and a tree preservation and mitigation plan shall be submitted with a report from a certified arborist describing the type, size, and health of all trees to be removed or relocated and how removed trees will be mitigated. Dead and downed trees and undergrowth should be cleared to comply with the defensible space requirements.

43.On August 10, 2016, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on August 10, 2016 in the Park Record and on the Utah Public Notice Website for the August 24, 2016 meeting.

44.On August 24, 2016, the hearing was opened and continued to September 28, 2016. There was no public input provided at the hearing.

45.Notice was re-published on September 9, 2016 and the property was reposted on September 14 2016.

46.At the September 28, 2016 meeting the public hearing was opened and continued to October 26, 2016.

47.The applicant stipulates to the conditions of approval.

<u>Conclusions of Law – 7700 Stein Way – CUP</u>

1. The CUP modification is consistent with the Deer Valley Master Planned Development, as amended and the Park City Land Management Code.
2. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

<u>Conditions of Approval – 7700 Stein Way – CUP</u>

1. The application and plans submitted for a Building Permit must be in substantial compliance with the plans reviewed by the Planning Commission on September 28, 2016.

2. Prior to building permit issuance for the addition the condominium plat shall be approved and recorded at Summit County.

3. Prior to building permit issuance for the addition, a final landscape plan and a tree preservation and mitigation plan shall be reviewed and approved by Planning and Building Departments. A report from a certified arborist describing the type, size, and health of all trees to be removed or relocated, and how removed trees will be mitigated, shall also be submitted for review.

4. The final landscape plan shall comply with the City's adopted urban wildland interface fire prevention defensible space ordinance and regulations.

5. The ski lockers and recreation amenity areas are for the exclusive use by owners, guests, and employees of the Lodge.

6. All conditions of approval of the Deer Valley Master Planned Development, as amended, and the Stein Eriksen Lodge CUP, as amended, shall continue to apply.

7. All exterior lights and signs must comply with applicable Park City ordinances and codes. Exterior lights must be identified on the building permit plans and shall be down-directed and shielded.

8. Approval of a sign permit is required prior to installation of any new regulated signs.

9. A final utility plan shall be provided with the building permit plans for final approval by the City Engineer, SBWRD, and the Fire District. Upgrades to the internal sewer service, including grease traps, are a requirement of the SBWRD.

10.A final fire protection plan must be submitted to and approved by the Chief Building Official prior to Certificate of Occupancy.

11.The proposed video viewing room is considered residential accessory space intended as a guest amenity for exclusive use by owners, guests and employees of the Stein Eriksen Lodge. This room is not considered part of the allowable Support Meeting space for the hotel and therefore it shall not be included in, or leased as part of, any conference or meeting bookings as a separate meeting room or break out room for conferences.

12.No further expansion of support commercial exceeding 17,250 square feet and no further expansion of support meeting space exceeding 9,893 square feet will be permitted based on the additional floor area of this expansion.

13.Standard conditions of approval apply.

14. Pool and deck hours are limited to 7AM to 10PM and compliance with the Park City noise ordinance is required.

15. Applicant to submit a report and evidence of noise, disturbance, and activity complaints on and off-site, including the resolution of any complaint matters, to the Planning Commission one year from issuance of Certificate of Occupancy. Staff will provide an update to the Planning Commission. The Commission may add additional Conditions of Approval to meet the Conditional Use Permit requirements for mitigation of noise, based on the report and evidence of complaints.

<u>Finding of Fact – 7700 Stein Way – Plat Amendment</u>

1. The property is located at 7700 Stein Way.

2. The Stein Eriksen Lodge is located in the RD-MPD zoning district.

3. The property is subject to the Deer Valley Master Planned Development, as amended (11th Amended MPD).

4. The Deer Valley Master Planned Development (11th Amended) allocates 66.75 units of density to the Stein Eriksen Lodge multi-family parcel. There are currently 65 residential units of varying sizes totally 197,858.26 square feet due to the use of Deer Valley units when developing this parcel.

5. On August 27, 2009, the City Council approved a First Supplemental Sheet for all Phases of the Stein Eriksen Lodge Common Area reflecting improvements and addition to the spa building, as support commercial space, within the existing platted common area. The First Supplemental Sheet was recorded on June 23, 2010.

6. On October 11, 2012, the City Council approved a Second Supplemental Sheet for all Phases of the Stein Eriksen Lodge Common Area reflecting improvements to the support meeting rooms. The Second Supplemental Sheet was recorded on June 28, 2013.

7. On December 5, 2015, members of the Stein Eriksen Lodge Owner’s Association,

Inc. voted to expand residential accessory uses within the common area for improvements to the outdoor pool area and for additions to the existing owner and guest ski locker room and owner and guest recreation and entertainment facilities.

8. On May 17, 2015, the Stein Eriksen Lodge Owner's Association submitted an application for a Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge condominium plat to reflect proposed improvements to the existing platted common area for approximately 3,000 sf of additional guest ski lockers, 3,500 sf for guest recreational amenities (game room) and 918 sf for an owner/ guest and employee video viewing room, as well as improvements to the outdoor pool and deck area. These uses are all considered residential accessory uses.

9. At 19' to 25', the height of the addition complies with the allowed height of 35' from existing natural grade.

10. Exterior materials and architecture are proposed to match the existing buildings in character, style, details, and type.

11. The application was deemed complete on August 16, 2016.

12. This plat amendment does not increase the square footage of either support meeting
space, support commercial space, or change any residential units or private areas.

13. The proposed Third Supplemental Sheet is consistent with the 11th amended Deer Valley Master Planned Development.

14. No changes are proposed to the support commercial areas, support meeting space, or to any residential or private area within the building or site.

15. The previous plat amendment for expansion of the Conference Center in October 15, 2012, included a finding that open space following the addition was 61.90% of the total lot area. This finding was erroneous and based on a re-review of the entire site it has been determined that the open space prior to this current addition is 62.84%.

16. This proposed amendment, as revised, maintains a minimum of sixty percent (60%) open space at 62.64%.

17. There is good cause for the proposed amendment to the condominium plat in that the amendment reflects proposed physical changes to the common area for exclusive use by owners, guests, and employees.

<u>Conclusions of Law – 7700 Stein Way – Plat Amendment</u>

1. There is good cause for this Third Supplemental Sheet for All Phases of the Stein

Eriksen Lodge Common Area condominium plat.
2. The proposed plat is consistent with the Park City Land Management Code, the 11th Amended Deer Valley MPD, and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed plat.
4. Approval of this Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge Common Area condominiums plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

<u>Conditions of Approval – 7700 Stein Way – Plat Amendment</u>

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

2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. A conditional use permit shall be approved prior to plat recordation.

4. The plat shall be recorded prior to issuance of a certificate of occupancy for the addition.

5. All conditions of approval of the Deer Valley Master Planned Development (11th Amendment) continue to apply.

6. All conditions of the Stein Eriksen Lodge Condominium plat and supplemental sheets, as amended, continue to apply.

7. As common area the addition for residential accessory uses may not be separately sold or deeded.

8. No further expansion of support commercial exceeding 17,250 square feet and no further expansion of support meeting space exceeding 9,893 square feet will be permitted based on the additional floor area of this expansion.

9. All required disturbance and impact fees will be calculated based on the building permit application and are required to be paid prior to issuance of a building permit.

10.The proposed video viewing room is considered residential accessory space intended as a guest amenity for exclusive use by owners, guests and employees of the Stein Eriksen Lodge. This room is not considered part of the allowable Support Meeting space for the hotel and therefore it shall not be included in, or leased as part of, any conference or meeting bookings as a separate meeting room or break out room for conferences.

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

Staff recommends that the City Council open and continue public hearings for (1) the Appeal of an Conditional Use Permit (CUP) approved by the Planning Commission for retaining walls greater than six feet (6') in height, (2) the Alice Claim Subdivision and Plat Amendment, and (3) the Ridge Avenue Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue, and Sampson Avenue. The applicant and appellants all stipulated to the continuation and request that these items to be continued to a future date, which will be specified at the meeting.

The property owner is currently working on securing access easements with an adjacent property owner that would ultimately amend their applications. Staff finds it appropriate to allow the applicant additional time to work out access easements.

**Respectfully:**

Francisco Astorga, Senior Planner

PARK CITY 1884
PLANNING DEPARTMENT

# City Council
# Staff Report

| | |
|---|---|
| **Subject:** | **Appeal of approved CUP for Retaining Walls greater than six feet (6') / PL-15-02669**<br>**Alice Claim Subdivision & Plat Amendment / PL-08-00371**<br>**Ridge Avenue Plat Amendment / PL-16-03069** |
| **Author:** | **Francisco Astorga, AICP, Senior Planner** |
| **Date:** | **17 November 2016** |
| **Types of Item:** | **Legislative – Subdivision & Plat Amendment**<br>**Administrative – Appeal of Approved Conditional Use Permit** |

## Summary Recommendations

Staff recommends that the City Council open and continue public hearings for (1) the Appeal of an Conditional Use Permit (CUP) approved by the Planning Commission for retaining walls greater than six feet (6') in height, (2) the Alice Claim Subdivision and Plat Amendment, and (3) the Ridge Avenue Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue, and Sampson Avenue. The applicant and appellants all stipulated to the continuation and request that these items to be continued to a future date, which will be specified at the meeting.

## Topic

| | |
|---|---|
| Applicant: | King Development Group LLC & 123-129 Ridge LLC represented by Brad Cahoon, Marc Diemer, Gregg Brown, and Jerry Fiat |
| CUP Appellants: | CUP Appeal group #1: Brooke Hontz, Tom Gadek, Charlie and Mary Wintzer, Carol Sletta, Clay Perfall, Kathryn Deckert, Holger Vogel, and Jim Doilney (Hontz, et al.)<br>CUP Appeal group #2: Shari Levitin and Lee Gerstein represented by Mark Gaylord with Ballard Spahr (Levitin & Gerstein) |
| Location: | Alice Claim south of intersection of King Road, Ridge Avenue and Sampson Avenue |
| Zoning: | Historic Residential (HR-1) and Estate (E) Districts |
| Adjacent Land Uses: | Open Space and Residential (developed and undeveloped) |
| Reason for Review: | Subdivisions/Plat Amendments require Planning Commission review and recommendation to City Council. Appeals of Conditional Use Permits approved by the Planning Commission require City Council review. |

## Executive Summary

The property owner is currently working on securing access easements with an adjacent property owner that would ultimately amend their applications. Staff finds it appropriate to allow the applicant additional time to work out access easements.

DATE: November 17, 2016

**TO HONORABLE MAYOR AND COUNCIL**

Staff recommends that the City Council open and continue public hearings for (1) the Appeal of an Conditional Use Permit (CUP) approved by the Planning Commission for retaining walls greater than six feet (6') in height, (2) the Alice Claim Subdivision and Plat Amendment, and (3) the Ridge Avenue Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue, and Sampson Avenue. The applicant and appellants all stipulated to the continuation and request that these items to be continued to a future date, which will be specified at the meeting.

The property owner is currently working on securing access easements with an adjacent property owner that would ultimately amend their applications. Staff finds it appropriate to allow the applicant additional time to work out access easements.

**Respectfully:**

Francisco Astorga, Senior Planner

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

Staff recommends that the City Council open and continue public hearings for (1) the Appeal of an Conditional Use Permit (CUP) approved by the Planning Commission for retaining walls greater than six feet (6') in height, (2) the Alice Claim Subdivision and Plat Amendment, and (3) the Ridge Avenue Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue, and Sampson Avenue. The applicant and appellants all stipulated to the continuation and request that these items to be continued to a future date, which will be specified at the meeting.

The property owner is currently working on securing access easements with an adjacent property owner that would ultimately amend their applications. Staff finds it appropriate to allow the applicant additional time to work out access easements.

**Respectfully:**

Francisco Astorga, Senior Planner

**DATE: November 17, 2016**

**TO HONORABLE MAYOR AND COUNCIL**

Attached for your approval, please find the minutes for the June 4, 2016, and October 29, 2015, Housing Authority Meetings (last item). Thank you for your consideration.

**Respectfully:**

Michelle Kellogg, City Recorder

**PARK CITY COUNCIL MEETING MINUTES**
**SUMMIT COUNTY, UTAH**
**June 4, 2015**

**CLOSED SESSION**

To discuss Property, Personnel and Litigation

**STUDY SESSION**

**Community Engagement Update**

Due to the length of the discussion and presentation Robinson will present this item during the June 11, 2015 meeting.

**General Housing Update**

Rhoda Stauffer and Phyllis Robinson spoke to the new pricing for affordable housing, stating applications will be taken starting June 18th. Council member Simpson asks how they choose applicants. Stauffer says most likely they won't need to use a lottery system. IHC employees will be given priority for some of the units, as will those who have lived in school boundaries the longest. Beerman asks if the affordables are part of their own HOA. Stauffer states there's a master HOA and several sub HOAs within the affordables.

On the regulatory side, Stauffer states they have an RFP out to determine the best way to do updates to the housing resolution and land management code. Focused on redevelopments, stating master plan developments and annexations are not allowed in certain parts of town, so they are looking at trigger mechanisms to bring back some options for Council. Council member Simpson asks if everything being built can have an affordable housing option. Stauffer states yes that can be part of the consideration. Council member Peek suggests establishing a square footage threshold. Council member Henney suggests accessory apartments could be involved in the conversation regarding trigger mechanisms. Council member wondered if accessory apartments should be put to a larger vote. Kayla Sintz, planning director, states accessory apartments and how to handle them are becoming hot topics in lots of communities across the country.

Robinson reports on the status of Lower Park Avenue, stating Staff will be presenting a set of development alternatives to Council on July 16th following the Design Studio, which will take place June 13th – 16th.

Staff has put out an RFP for 1450 1460 Park Avenue architectural services for seven single family units. Staff will return to Council on June 25 for architect award, and will have a site plan for review in August. Council member Simpson asks Council to affirm how they will move forward regarding these two properties so that they are sure to "walk the walk." She suggests Staff get a good feel from legal before they give direction to the chosen architect on moving forward with these properties. Council member Matsumoto asked if stand-alone condos can be an option so that possibly more units can be built. Robinson states the least complex solution is for single family, fee simple units.

Regarding city-owned property, 664 Woodside, Staff is asking for direction on whether to rehabilitate for city housing or dispose of it. Council member Beerman prefers to sell it as it would require a great deal of work to restore. Council member Simpson would like to know the cost to restore first before disposing of it. Council member Matsumoto says she's interested in knowing if it can be made into two units, a lower a[illegible] apartment, for affording housing.  Council suggests Staff pull the old report from three years ago to get a feel for how much it will require to restore, as well as looking into the possibility of having two units.

Robinson asks Council if they want Staff to look at doing preliminary evaluations on city owned parking lots – Mawhinney, Flagpole, China Bridge & Sandridge lots.  Council member Simpson sates she would like to see a manager's report on each lot to see if housing is a feasible option.  Council member Beerman is curious to know the potential number of units for each location and options for them.  Mayor Thomas feels we should hold a public hearing to consider affordable housing on the North 40.  Council member Beerman states he would like to see the two Habitat for Humanity lots, currently under the ownership of Talisker, cleared from Talisker's obligation to clear the way for the city to make more units there.

Robinson also asks for direction from Council on creating a Blue Ribbon Housing Commission.  Council asks Staff to proceed on creating one.

**Council Questions and Comments and Manager's Report**

Ann Ober states on June 15 at the Santy Auditorium there will be a Growth Forum.  The second part of the forum will be June 23 and 27th, which is more of a neighborhood discussion with two Council members per meeting at different locations.  Council member Henney suggests Staff use social media to invite the public to these events.  Ads will start running on Saturday and Staff asks the council member who will be on the radio tomorrow to mention them.  Council member Simpson asked to be assigned to the Old Town location.

Robinson reminded Council of the Ribbon Cutting Ceremony for the new library on June 13th.  The Book brigade will begin at 11:30 followed by the ribbon cutting at noon.  Other events will be going from 1:00 - 6:00 pm.

Council member Henney mentioned yesterday he woke at 5:45 am due to a rooster crowing in the Lower Snow Park parking lot.  Animal control showed up but did not relocate the rooster but he is gone now so someone removed him.

Council member Simpson thanked Staff for organizing the city/county council and school district meeting Monday regarding the school district's master plan.  Attended a Wildfire Police Meeting at the DNR.  They discussed the trigger point for when the state would assume payment of a wildland fire.  Changed to way they're talking about it to say "financial authority" rather than "delegation of authority."  Attended a Board of Health meeting where the Park City Eats Program for school children was discussed, and she got some environmental health updates and Rich Bola, head of the Health Department, passing along his thanks to Michelle DeHaan and water staff for their quick response to the Oakley water issue.  Attended a Fire Board meeting where she updated them on Mountain Accord.  Had a meeting with Anita Lewis, assistant county manager, their emergency manager and Hugh Daniels to get them up to speed on the Wildland Fire legislation.

Council member Matsumoto attended the Historical Society meeting this morning and reports the museum is seeing more and more school kids each year.  This year they had 1,800 kids visit to learn about our mining heritage; and this year was the first North Summit kids were able to attend this year due to RAP tax grant funds for busing.

Council member Beerman states he has attended five Mountain Accord meetings and looks forward to when they reach an accord.  Got to spend the day in a NEPA meeting where they discussed how issues would be approached from a NEPA aspect.  Saw a great movie at the Park City Film Series, "Merchants of Doubt," that he encourages all to see.  Says Matt Abbot and Tyler Poulson were on the panel and did an outstanding job. Attended a Lodging Association meeting this week and gave them a Mountain Accord update.  Brian

Richards from Mountain Town Stages was there; he has created a website called parkcitylivemusic.com from the RAP tax grant that allows you to search what bands are playing in Park City venues
Attended the school board master planning meeting last night where there was a good conversation held on affordable housing. Reports the 50th anniversary celebration of the Treasure Mountain Inn will be held June 13th.

Council member Peek also attended the joint school board/county meeting where the following issues were discussed: school master plan, transportation plan, school sustainability update, anti-idling ordinance and talk of the county facilitating a South Summit/Park City school district meeting to discuss development on the east side of Highway 40.
Park City Sailing held a Sail-a-Palooza two-day event this last weeken where a lot of families showed up for a barbeque and sail training.

Mayor Jack Thomas attended a meeting with Nicholas Scow from Utah Rivers Council where Scow presented the Rain Harvest concept, a presentation on how you can harvest and use rain water. Asked if Council would be interested in having them come and give a presentation. Council said yes. Council member Beerman suggested reaching out to local student Mike Wong, who has done work on storage tanks.

**Manager's Reports: Daly-West Update and Historic Preservation Update**
No questions or comments were heard.

**City Manager's Recommended Budget Discussion: Fee Schedule, Comprehensive Emergency Management Plan and Budget Policies**
Korey Kersavage and Nate Rockwood spoke to the fee schedule changes by the following departments: water, finance, recreation, cemetery, ice, special events, library and parks & fields. Kersavage reports a pumping surcharge will be enacted in place of an across-the-board rate increase. A liquor licensing section was added to the fee schedule as it was not included previously. Council member Matsumoto states she is not comfortable with enacting a special meeting fee. Rockwood explains the legal department advised that fee be included for late applicants. Council member Simpson feels it is the applicant's fault for their inability to properly plan on time and they should be charged the fee. Mark Harrington explains Council asked for this to be addressed and this is what was implemented to help cover extra costs for Staff time. Council Beerman asked if Council could make decisions for extra fees on a case-by-case basis. Harrington advised against doing that. Beerman asks if the special meeting fee would come in to play at any other time than at Sundance. Harrington says it's 95% for Sundance. Council member Peek is in favor of the special fee. Council member Matsumoto asked if the costs are shared for liquor licenses when requested by multiple applicants and asked for clarification on how the fee is broken down per applicant. Rockwood said they will come back with clarification on that for the final budget. Council member Simpson is in favor of the fee and suggests we see how it goes next year.

Kersavage reports Recreation is asking to charge a fee for reserving volleyball courts in city park. Council member Simpson asks why it's cheaper to reserve two courts versus one, to which Rockwood states they will have Ken Fischer clarify.

Jenny Diersen spoke to the fees for spaces in Miner's Hospital and the new library. After comparing similar spaces, they've categorized the fee schedule based on the nature of the activities. Diersen explained the four different fee groups and how the costs break down based on the nature of their activities. Council member Beerman asks if the fees involve cleaning. Diersen says cleaning fees are built in but that they are able to charge extra for messes after the event. Council member Peek asks why Miner's Hospital fees are less than the new library fees. Diersen explains the costs they arrived at are based on comparable spaces.

Kersavage spoke to the ice fee increases involving curling equipment, room ball equipment and skate mounting. New fees have been created for birthday parties, locker rentals, season passes for f[illegible] skate sharpening punch passes, skate oven, hockey equipment rental and hockey goalie punch cards.

Council member Matsumoto asked about the $300 building demolition permit and states she feels the charge should be higher and more restrictive. Council member Beerman agrees, pointing out the fact that an historic home was accidentally demolished this year might precipitate having more supervision and therefore higher fees. Council member Simpson suggests Council put this topic on the agenda to discuss at a later time.

Kersavage spoke to the special events/police fee schedule, stating fees have been raised to account for officers' holiday pay. The Council compensation ordinance includes a two percent increase and will be adopted on June 18th, according to Council direction; also Kersavage asked for direction from Council on how to distribute the $200 given to each employee due to the health care plan deductible increase. Council asks for checks.

Hugh Daniels spoke to the Comprehensive Emergency Management Plan which will be adopted next week. Daniels explained some of the bigger changes to this year's plan include hazardous vulnerability reviews on risks to the community in that they were able to cut some down and combine others. Risk factors were also updated.

Rockwood spoke to the policies that are being changed. Budget policy changes reflect the budgeting for outcomes process they now follow. Economic Grant policy is being changed to define funding sources and putting guidelines on when applications are due. Another change is to the operating contingency account for emergencies guidelines on how the money can be accessed. Lastly, they have clarified the language for contract and purchasing policy.

**Mountain Accord Interlocal Agreement**

Ann Ober spoke to the amended Mountain Accord blueprint. Ober states the Cottonwood Canyon and Park City connection will not being included in the Environmental Impact Study (EIS) and clarified the NEPA study is the overarching process and the EIS is the actual on-the-ground document for the two canyons. Ober states the Council will need to weigh in on additional funding, the Interlocal Agreement and their stance on the blueprint; voting will take place June 18th.

Ober mentioned benefits of the latest blueprint draft, which include: creation of an environmental assessment/scorecard. Executive team will be putting $250,000 towards this; Salt Lake County is

willing to put extra money towards this and are willing to house it; Guardsman Pass Road to remain closed in the winter; and a study and potential funding for enhanced bus service and up Parley's.

Other discussion points: development of legitimate and immediate study of rapid bus connection between Salt Lake and Park City via Parley's and Kimball Junction and where this falls with other transportation priorities. Laney Jones with Mountain Accord states Salt Lake is anxious to partner with Park City to get people from Salt Lake County to Park City via the I-80 corridor. States rail up I-80 is extremely expensive and an EIS on rail at this time would be a stretch. The focus would be on better bus service at Kimball Junction and along Highway 224. Ober continues, stating Guardsman Pass will stay closed in the winter from Bonanza Flats to Big Cottonwood Canyon. Jones states the Mountain Accord Board supports this closure but is remaining silent on the pass between Bonanza Flats & Deer Valley.

Ober outlined the land preservation discussion regarding the 600 acres of federal land on the Summit County side of the ridge. This land would not be considered wilderness due to its proximity to the Wasatch Crest Trail but will be included in addition protection by the Public Lands Group of Mountain Accord. Based on past conversations, staff recommends Council choose to take no action or send a recommendation to the county following the June 18th Council meeting. Council member Simpson states Council wants to tell the county they support whatever language they decide on. Diane Foster recommends Council discuss where they're at on these issues for the public's benefit.

Council discussed the following issues: Does Council support removing the link from the EIS at this time? Council says yes. Council member Simpson asked about the economic study they discussed that's not part of Mountain Accord. Ober states it is a non-binding study that's included as an option for Council which would look at various transportation modes would impact our community's economy. Does Council support continuing to study the link in a nonbinding process, or does Council want to eliminate further study of this connection? Jones clarifies any type of connection between Big Cottonwood and Park City would have to be approved by Salt Lake City, Salt Lake County, Park City and possibly Summit County. Council member Henney states he is confused as to why we're bringing up a connection between Cottonwood and PC as it was not supposed to be a part of Mountain Accord. Council member Peek states he is against any type of study regarding tunnels or a rail system. Council member Beerman suggests a NEPA study would be beneficial as the best solutions would come from that process, and that we have a lot of opinions but no good information as a baseline. Council member Simpson agrees with Beerman in that we need answers especially after all the angst we have gone through as a community. Council member Henney states he is in favor of the language if an actionable item will not come from it. Council member Matsumoto says she is not interested in rail on I-80 as it will increase traffic and make Park City more of a bedroom community for Salt Lake, but does feel information gathering from the study would be a good thing. Jones explained we're breaking the mold with this study. She researched similar studies to get a feel on how to proceed but couldn't find any. Mayor Thomas asks who would we be doing the economic study for: us or the Wasatch Front? States it's too early for a study because factors may change.

Foster clarifies we have unanimous Council support for removal of any connection between Big Cottonwood Canyon Park City. Council member Peek reiterates he is against any type of train or tunnel because we are not equipped to handle the amount of numbers that mode of transportation would bring. Council member Beerman explained the study's purpose is simply to provide information. Council's consensus is no for a NEPA or economic study. Council will take public comments on this subject at June 11th's meeting; will take public comment then ask for Council's recommendation on the ILA and all these decisions on June 18th.

Mayor Thomas opened the public hearing.

Rebecca Gerber stated she feels a study would be beneficial and is a good way for us to know what could potentially happen. She asks Council to go forward with the NEPA study and feels taking anything off the table at this point would be premature.

Rich Wyman states he is cautiously optimistic and wishes to congratulate Council and all those included in the Mountain Accord process since it is very unique and difficult. He disagrees with Gerber and agrees with Council member Peek in that if we don't want something we shouldn't study it. He's happy to see us take a big step forward in moving the Cottonwood connection out of the way so we can move forward.

Neal Krasnick states he agrees with Gerber. Growth is inevitable and things will change and we need to face those facts without being too narrow minded.

Carolyn Frankenberg agrees with Council member Peek in that if we're not interested in a Cottonwood/Guardsman connection we shouldn't waste time studying it. She states it's clear to her that the public is not interested in that right now. Regarding the 600 acres of public land, she has heard there is pressure from Vail not to preserve it. Asked for clarification from Council on whether that is a prerogative for them as she thought she heard Simpson say it wasn't. Simpson clarified that the land lies in Summit County and that she meant we should follow their lead. Frankenberg says we don't need to intrude on this land because she feels our ski resorts are big enough already.

Sarah Langridge says she is pro connection between the ski resorts. She feels it's ridiculous all the money we spend on advertising to get people here, but then when they get here they have to face traffic jams and inadequate parking. She advises Council to look to future generations and what is in their best interests, not Council's own private interest.

Alex Butwinski feels the study is warranted because it gives future councils a feel for what our think
and why we decided not to go forward.

Bob Wheaton, Deer Valley Resort, states what we are discussing today is not inconsequential and that decisions being made now are ones we will live with for a long time. He feels a tunnel idea is ludicrous. States a study would not affect action and asks Council to consider making an informed decision by going forward with the study in order to quantify their position.

Andrew McLean, board of directors for Wasatch Back Alliance, reiterates the fear of studies is that they can be bought, and that should be a big concern of doing the study. Regarding the 600 acres of public land, there would be a lot of opposition in the back country community in giving that land up.

Bill Rock, COO Park City Resorts, states our focus is on Park City and Summit County and that they feel Mountain Accord is an insufficient vehicle for this discussion.

Mayor Thomas closed the public hearing.

**2015 Legislative Transportation Update-moved to the June 11, 2015 meeting**

**REGULAR MEETING**

**I. ROLL CALL -** Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 4, 2015. Members in attendance were Jack Thomas, Andy Beerman, Dick Peek, Liza Simpson, Tim Henney and Cindy Matsumoto. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney; Marci Heil, City Recorder; Karen Anderson, Deputy City Recorder; Ann Ober, Senior Policy Advisor; Nate Rockwood, Budget Director; Jed Briggs, Budget; Korey Kersavage Budget; Jason Glidden, Special Events Director; Heinrich Dieters, Sustainability; John Boehm, Planning; Rhoda Stauffer, Sustainability.

**II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

Council member Henney recused himself from item number 4.

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

Bruce Erikson spoke to the Lower Park Avenue redevelopment act. He wishes to bring attention to the issue on behalf of Park City seniors. All the things accomplished in the town in the 70s and 80s are due to them and their efforts. He asks Council to give senior concerns a high priority and that a senior living center be constructed next to the Senior Center and that not too much change be imposed on how they want to live.

## II. CONSIDERATION OF MINUTES

1. Minutes for April 23 and May 7, 2015

**Council member Peek moved to approve the minutes pending addition of a record of those in attendance from April 23 and May 7, 2015**
**Council member Beerman seconded**
**Approved unanimously**

**III. CONSENT AGENDA**

1. Consideration of a Change Order in a Form Approved by the City Attorney's Office with WaterSmart Software to Extend the WaterSmart Program for Three Years in an Amount Not to Exceed $128,450

**Council member Simpson moved to approve a change order in a form approved by the city attorney's office with WaterSmart Software to extend the WaterSmart program for three years in an amount**

**not to exceed $128,450**
**Council member Matsumoto seconded**
**Approved unanimously**

## IV. APPOINTMENTS AND RESIGNATIONS

1. Consideration of the Library Board for the Appointment of Jane Osterhaus and Jess Griffiths, and Reappointment of Jerry Brewer to Serve on the Library Board for Three-Year Terms Beginning July 2015.

**Council member Matsumoto moved to approve the appointments of Jane Osterhaus and Jess Griffiths, and reappointment of Jerry Brewer to Serve on the Library Board for three-year terms beginning July 2015**
**Council member Simpson seconded**
**Approved unanimously**

## V. NEW BUSINESS

1. Public Comment Elevation Based Surcharge

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

2. Consideration of a Resolution Forming an Advisory Committee to Special Events Being Held in Park City in a Form Approved by the City Attorney.

Jason Glidden spoke to the resolution forming a Special Events Advisory Committee stating that staff has provided clarity regarding the fact that applicants must live in City limits, have a cross section from varying neighborhoods and staggering terms. Council member Simpson inquired about the term limit; Glidden thanked her for a great catch as staff had not considered term limits. Council agreed on two three-year terms.

**Council member Beerman moved to approve a resolution forming an advisory committee to special events being held in Park City in a form approved by the city attorney with amended term limits**
**Council member Simpson seconded**
**Approved unanimously**

3. Consideration of a Resolution of the City Council Park City, UT Authorizing the Summit County Community Development and Renewal Agency to Include Park City Within the Boundaries of the BE WISE, ENERGIZE COMMUNITY DEVELOPMENT AREA

Matt Abbott and Lisa Yoder, County Council, stated that this would allow people in the County to apply for loans to make energy efficient choices in their homes. Yoder states the program will be launched October 1, 2015. Council member Beerman thanks Yoder for leading this initiative and asks if communities don't wish to participate can they be carved out? Yoder says yes.

**Council member Henney moved to approve a resolution of the City Council Park City, UT authorizing the Summit County Community Development and Renewal Agency to include Park City within the boundaries of the BE WISE, ENERGIZE COMMUNITY DEVELOPMENT AREA**
**Council member Peek seconded**
**Approved unanimously**

4. Consideration of an Easement on City-Owned Property to the Christian Center of Park City to Accommodate a Turn-Around for Donations.

Heinrich Dieters and Jim Boehm state the Christian Center is going through an expansion process that could require an easement on city property. Dieters asked Council to approve the easement to allow them to proceed with their planning process as they need to show the Planning Commission that the city is willing to grant the easement. Council member Simpson asks if there is any stipulation to take the easement back if the Christian Center becomes a different business entity. Harrington explains Council can add a current use language amendment to the easement. Harrington states he will add the new language.

**Council member Beerman moved to approve an easement on city-owned property to the Christian Center of Park City to accommodate a turn-around for donations with amended language**
**Council member Simpson seconds.**
**Approved 5 - 1 (Henney recused)**

5. Consideration of an Ordinance for the 1021 Park Avenue Subdivision, Located at 1021 Park Avenue, Park City, Utah, Pursuant to Findings of Fact, Conclusions of Law and Conditions of Approval in a Form Approved by the City Attorney.

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

   **Council member Simpson moved to continue consideration of an ordinance for the 1021 Park Avenue subdivision, located at 1021 Park Avenue, Park City, Utah, pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the city attorney to June 18, 2015**
   **Council member Henney seconded**
   **Approved unanimously**

6. Consideration of an Ordinance for the Cardinal Park Subdivision, 550-560 Park Avenue & 545 Main Street – Plat Amendment to Create Three (3) Lots of Record from Five (5) Lots Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney

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

**Council member Matsumoto moved to continue consideration of an ordinance for the Cardinal Park Subdivision, 550-560 Park Avenue & 545 Main Street – plat amendment to create three lots of record from five lots pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the city attorney to June 18, 2015**
**Council member Beerman seconded**
**Approved unanimously**

7. Consideration of an Ordinance for the -259, 261, 263 Norfolk Ave-Consideration of the First Amended Upper Norfolk Subdivision Plat-Amending Conditions of Approval on Ordinance No. 06-55 Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney

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

**Council member Peek moved to continue consideration of an ordinance for the -259, 261, 263 Norfolk Ave-consideration of the first amended Upper Norfolk Subdivision p[lat] amending conditions of approval on ordinance No. 06-55 pursuant to findings of fact,**

**conclusions of law,
and conditions of approval in a form approved by
the city attorney to June 18, 2015
Council member Simpson seconded
Approved unanimously**

8. Consideration of the 327 Woodside Amended Subdivision Pursuant to Findings of Fact, Conclusions of Law and Conditions of Approval in a Form Approved by the City Attorney.

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

**Council member Simpson moved to continue consideration of the 327 Woodside amended subdivision pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the city attorney
Council member Henney seconded
Approved unanimously**

## VI. ADJOURNMENT INTO HOUSING AUTHORITY MEETING

**Council member Simpson moved to adjourn
Council member Henney seconded
Approved unanimously**

## VII. HOUSING AUTHORITY MEETING

1. Roll Call - Mayor Jack Thomas called the meeting of the Housing Authority to order at approximately 6:57 p.m. at the Marsac Municipal Building on Thursday, June 4, 2015. Members in attendance were Jack Thomas, Andy Beerman, Dick Peek, Liza Simpson, Tim Henney and Cindy Matsumoto. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney; Marci Heil, City Recorder; Karen Anderson; Rhoda Stauffer, Sustainability
2. Consideration of the IHC Housing Plan

Rhoda Stauffer, Sustainability; Morgan Bush, IHC; Doug Clyde, Peace House; and Cy Hut, Park City Medical Center, joined Council to discuss the IHC Housing plan policy decisions to include: term of land lease, density considerations and shelter and transitional housing fulfillments to meet the housing obligation.

The land lease for Peace House is for 40 years at $1 per year with 5 year extensions. Stauffer outlined that there was a change to findings of fact number 8 to read “totaling to 9,600 square feet or more.” Council member Matsumoto asked, when the lease is up, does the hospital still fulfill the housing requirement. Morgan states yes, it's an ongoing requirement. Council member Simpson asked why have two 5-year leases instead of one 10-year lease. Bush explains this is a standard IHC lease agreement but the option lies with Peace House, not IHC.

Regarding the density calculation, Stauffer explains Staff recommends that if future density is granted to the hospital for future development, we deduct the Summit County units from that density calculation.

Lastly, if Council approves the plat of approval, Staff recommends changes Item 8 to "the owner proposes to lease land to the Peace House for a campus that includes a minimum of 12 transitional housing units totaling to 9,600 square feet or more, 7200 square feet or more of shelter space and one employee apartment of a minimum of 800 square feet" to allow Peace House more flexibility with the size of their units. Council member Beerman asks if Summit County is on board with the transaction, to which Stauffer explains they have already worked everything out on their end.

Mayor Thomas opened for public hearing. No comments made. Mayor Thomas closed the public hearing.

**Board member Peek moved to approve the IHC Housing Plan with amended language**
**Board member Beerman seconded**
**Approved unanimously**

3. Adjournment

**Board member Simpson moved to adjourn**
**Board member Beerman seconded**
**Approved unanimously**

**CLOSED SESSION MEMORANDUM**

The City Council met in a closed session at approximately 1:00 p.m. Members in attendance were Mayor Jack Thomas, Andy Beerman, Dick Peek, Cindy Matsumoto and Tim Henney. Staff members present were; Diane Foster, City Manager; Mark Harrington, City Attorney; Matt Dias, Assistant City Manager. **Council member Henney moved to close the meeting to discuss Property, Litigation and Personnel. Council member Simpson seconded. Motion carried.**

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

Prepared by Karen Anderson, Deputy City Recorder

# PARK CITY COUNCIL MEETING MINUTES
## SUMMIT COUNTY, UTAH
## October 29, 2015

**CLOSED SESSION**
To discuss Property, Personnel and Litigation

**WORK SESSION**
**Council Questions and Comments:**
Council Member Matsumoto attended the Chamber Board meeting yesterday where they looked at their decimetrics, which look good, but there is concern about the winter and holiday numbers being down. Says a recent article about Aspen reported their Christmas would be a bust and they blame Park City. The Board also discussed their new ad campaign, which they hope will have a positive impact. This morning Matsumoto attended a Special Events Advisory Committee where there was a good discussion on what makes a good event for the city. The matrix they use is hard to quantitate everything, so they are taking another look at that, and they will have a subcommittee working on that to discuss at their next meeting in February.

Council Member Beerman attended two Mountain Accord meetings. The first reviewed proposals for a new program facilitator, whom they will choose within the next two weeks. The second meeting approved the environmental scorecard that evaluates the health of the ecosystems around the Wasatch. This is a big deal and something people have been asking for, for a long time. This scorecard will create a baseline of environmental health that can be measured every year that will guide decision making. He thanks Ann for her work on this particular issue. Council Member Beerman asked Heinrich Dieters, Sustainability, if the bike racks on Main would stay through the winter. Dieters stated they will be pulled out Nov 8th. Council Member Beerman asked if Council could review the new locations before the bike racks are put back in the spring, to which Dieters responded in the affirmative. Council Member Beerman also asked what the timeline was for Park Avenue. Dieters indicated the contractor provided a substantial completion date of November 13th.

Council Member Henney related a transit story. Since bus drivers are frequently our guests' first interaction, it’s desirable that they are great ambassadors for the City. Henney says he was on the bus last week when a group of adorable preschoolers got on the bus. The bus driver invited the kids to sing "The Wheels on the Bus," which they sang all the way to the Transit Center. Henney sang along too! He wishes Mayor Thomas a happy birthday.

Council Member Simpson attended Planning Commission last night and made it through half of their first agenda item; reports they had a heated discussion about parking on the alley by April Inn. Attended the Prospector Square Property Owners meeting, where they are excited they'll have a City Council liaison, who will be Council Member Henney. Simpson says the county bus shelters have a QR code that can be scanned to let them know if the shelters are dirty or need attention. She asked Blake Fonnesbeck if the City had that type of technology, to which Fonnesbeck stated they are looking into it. Simpson feels it would be nice if the City had that technology too, since we're all one system.

Mayor Thomas attended a meeting of a group that is addressing the issue of poverty in the community. Says they have some short-term goals on creating more computer and English classes; intermediate goals of a network guide ramp; and a long-range goal of creating a community center for that segment of the population. Today he attended a meeting at the Capitol with staff members for the State Historic Preservation Office (SHPO), and reports the SHPO voted unanimously to put the new library on the state listing and recommend it for the national listing. They were very complimentary of our work to recapture the original facade. Thomas thanks Jonathan Weidenhamer, Economic Development Manager, for his hard work on this project, as it has been accepted with open arms as an overwhelming success.

Anya Grahn, Planning, addressed questions about 923 Park Avenue. She reported the Building Department is working with the applicant to bring a crane out next week to lift the house out of the foundation it fell in to. Says she will let Council know when that happens so they can go watch. Bruce Erickson, Planning Director, will bring in a manager's report next week to summarize the events. Council Member Peek asked if the house was on the cribbing when it fell. Grahn states it was on the curbing, which gave way, resulting in the fall. Matsumoto asked about the type of cribbing that was used and if it was inferior. Mayor Thomas says bringing in a special engineer who's responsible for shoring would be helpful. Grahn says another house will be lifted and they added conditions of approval for a structural engineer to evaluate the stabilization of the house.

**Transportation 2015 Monthly Update:**

Alfred Knotts, Transportation Planning Manager, spoke to the monthly transportation update, along with Caroline Ferris, regional transportation director for Summit County, and Blake Fonnesbeck, Public Works Director.Knotts reported on winter traffic management, saying they've met with private and public stakeholders to address the issue. They held a focus meeting on October 8th where they reviewed what has been implemented to address what happened with the December 29th traffic nightmare last year. They laid out a Communications Plan which they hope to roll into the Transportation Management Association as a standing agenda topic. Knotts explained this association is a public-private partnership that will work collaboratively on transportation issues, co-chaired by himself and Ferris, and meeting monthly throughout the winter. They will come back before Council to address the topic of a Council liaison. Diane Foster congratulated Knotts for pulling this together, stating those at the meeting were decision makers who are committed to being there and it's very impressive.

Next, Knotts spoke to the 248 corridor plan done in 2009, which he recalibrated the counts and growth patterns on and submitted to UDOT. The good news is the projections are not hitting like they thought they would in 2009. The recommendation that came from the re-evaluation was regarding the four lanes within the existing right-of-way footprint having two dedicated HOV lanes. UDOT will review the modeling and making sure it's up to standard.

Council Member Simpson inquired how much it would cost to activate the traffic signal at Richardson Flat before it's warranted by UDOT. Knotts and Brooks Robinson, Transportation, states it would be $250,000. Council Member Beerman asks if roundabouts have been considered at Richardson Flat. Knotts states they have not at Richardson Flat, but are looking at one at Bonanza Drive. Robinson states traffic patterns do not necessarily warrant a traffic signal there. Mayor Thomas suggests they should keep a discussion open regarding traffic circles, as once a signal has been put in, it's very difficult to reverse direction and go to a round-about. Regarding SR-224, Knotts says they are keeping this intersection on their radar to see if there are other improvements that can be made. Regarding the Transportation and Traffic master plan, Knotts says the annual report card will be coming to Council in November to give them a baseline on how we're performing overall.

Fonnesbeck reported on the short-range transit development plan. They've recommended changes on the draft memo and are waiting for that to come back next week. Reports that last week they held three open houses and a Technical Advisory Committee made up of people from businesses, resorts and lodging where they discussed bus schedules. Public open houses generated a good response where the theme was demand for extended hours and new routes. Fonnesbeck says the Main Street parking study has collected all the data they need and have an open house November 11th at Treasure Mountain Inn from 4:00-6:00 p.m.

Ferris says the city and county have worked hard and have some measurable goals with their new marketing program. She thanked the Mayor and Council for co-sponsoring the Citizens Advisory Committee on remote parking and says the County Council will sign this resolution November 4th. County Manager Fischer will appoint six members from the city and six from the county for this committee. Reports the County is working on the design for the new Transit center, trying to get to the point where they're comfortable with the drawings that have come back, which are 90% complete. Lastly, Ferris reports they are expecting a nearly final report on November 6th regarding the Canyons Spa Transportation Master plan.

Knotts spoke to the Transportation Demand Management Study Existing Conditions, introducing Preston Stinger, Robert Eckols and Richard Brockmyer from Fehr & Peers. Stinger summarized the key findings from the study by discussing traffic data for SR-224 collected in January and again in July. He discussed traffic patterns and what they mean. Stinger also discussed weekday vs. weekend traffic for January and July. Comparing SR-248 with SR-224, SR-248 has lower volume and commuter patterns; SR-248 has higher percentage of heavy trucks. SR-228 has higher commercial vehicle traffic. Brockmyer next discussed data they collected regarding origins and destinations travel patterns. He further clarified the various methods of how the data is collected in response to Council's questions.

**<u>Housing 2015 Monthly Update - 1450/1460 Project Planning:</u>**
Phyllis Robinson and Rhoda Stauffer, Sustainability, along with Hans Cerny and Matthew Schexnyder with Caddis Architectural; Joe Crilly with CTS Engineering; Steve Brown, development consultant; and Anya Grahn, planning, discussed 1450-1460 Park Avenue, stating they're seeking from Council a choice of a site plan and preservation options. Stauffer thanked Grahn for helping her understand the process for this project.

Cerny discussed three schemes they've developed for this site with a focus on more shared communal areas as a focus rather than things like parking. All options include a mix of one- and two-bedroom single-family units. Cerny also discussed site elevations by saying they're not trying to match the historic homes but rather accentuate them by creating something on the contemporary side.

Council Members Matsumoto and Beerman say they don't agree with having one-bedroom residences but feel two-bedroom homes fit their target audience better. Council Member Simpson says she likes the one-bedroom homes. Council gave feedback on the site plans. There was concern voiced about parking, driveways, home placement in regards to setbacks, and home sizes being too small.

Foster clarified there is no requirement for parking to be provided for the historic homes, but all of the plans require a minimum of 12 parking spaces, with two for each new housing unit. Council prefers one dedicated space per unit, with two floater spaces. Council also discussed their preferences on parking solutions. Council Member Simpson says she doesn't remember this being a family friendly project but is OK with adding two-bedroom units and is in support of moving the historic houses forward to fit in to the community better. Council Member Beerman asked if it would be possible to do some units that are mobility friendly for seniors. Cerny reports the historic units are already that way.

Council agreed to move the historic buildings forward, to take a deeper look at the parking design, and agreed on the cottage design and having single-family units.

Stauffer spoke to the treatment of the historic structures and says staff feels the safest way to deal with these units is with panelization. Peek discussed historic structures he's familiar with and says he thinks there are other options for these historic structures other than panelization, such as augmenting a sub-structure within the original structure. Foster says we have time on next week's agenda for a study session to have a more robust discussion on this topic. In response to Peek's opinion, Crilly says there's no successful way to "simply pick these homes up," as they will crumble in upon themselves.

Council Member Simpson asks for the architects to come back in a study session next week with dollar amounts on panelization vs. non-panelization. Robinson says the study session will need to take place on November 19th as several Staff members are not available next week.

**Avatech - Economic Development Grant:**

Jason Glidden, Special Events Manager, along with Thomas Lasko and Brint Markle from Avatech, presented the application for an economic development grant. Lasko began by discussing the background and history of Avatech, an outdoor technology company that relocated to Park City in 2014. They relocated to the Prospector Square area from Jeremy Ranch. The founders are from MIT and the company has 50+ years of engineering experience. They have grown from 5 to 15 employees in the last year and anticipate growing to 30 employees in the next three years. Lasko highlighted recent global awards they've won.

Markle thanks Council for welcoming them to Park City, saying they're very excited to be here. Last year they launched a snow pack instrument that downloads information to phones. Their products allow users to share real-time conditions in mountain communities in order to better plan their own outdoor experiences. He went on to detail the three platform technologies they will be rolling out next month, including terrain visualization, route planning and route tracking and an entire suite of GIS services available via mobile phone.

Mayor Thomas and Council thanked Avatech for coming to Park City and helping to grow our economy. Glidden says there will be future opportunities for the City to partner with Avatech on various projects.

**Proposed Changes to Title 4 of PC Muni Code, Chapter 8 – Event Licensing**

**Mountain Accord Interlocal Agreement - Phase II:**

Ober says there was concern from several communities about UTA continuing to house the Mountain Accord process. Therefore, it will now be housed under Wasatch Front Regional Council. This change makes Andrew Gruber, who is the head of Wasatch Front Regional Council, a member of the management team, and signs us up for Phase II.

**Carbon Reduction & Energy Conservation 2015 Monthly Update:**
Ann Ober, Senior Policy Advisor, and Matt Abbott, Sustainability, say they are looking for feedback from Council in order to come back in December with programming goals. Ober outlined their energy resiliency timeline and says in December they will come back with a roadmap for the next six months.

Abbott defined net-zero energy as fuels like gas and diesel, as well as electricity and natural gas. Next, he explained the three paths they have outlined for Council to choose from. Path One includes an internal energy goal of city services reaching net-zero by 2040. Path Two incorporates a 40% reduction of carbon-based energy both internally and community wide by 2040. Ober states the 40% goal is part of the Georgetown Energy Prize Path specific to residential requirements, which staff has expanded to commercial. Path Three is reaching 100% reduction of carbon-based energy by 2050, both internally and community wide.

Council Member Simpson would like to strive for Path Two with an eye to Path Three, and states Path Three will only happen with incredible partnerships with business owners. Ober reminds Council this is a substantial goal and that no other community has gotten this far with such a goal. Council Member Beerman is in favor of Path Three, but would like to adjust the target date to be 2020 internally and 2030 for the community, as this is supposed to be a critical priority. He stated there will be technological and cultural shifts that will help us as we go along. He agrees with Simpson in that we have to have the community with us and get their buy-in to reach these goals. Council Member Matsumoto agrees with a more aggressive plan for Path Two, like maybe shooting for 2025; and Path Three by 2040. Council Member Peek likes Path Two. He touched on what changes in our community behavior will bring us to net-zero, such as purchasing more open space, and asked if that is accounted for in reaching this goal. Abbott says open space in regards to this priority is called ecosystem services and our current status on that is around 60%. Peek states other actions, such as heated driveways or accounting techniques on how net-zero is calculated, should not be weighted the same as actual actions. Ober states reducing our footprint before replacing it with other alternative sources will always be our first focus.

Council Member Henney indicated he is leaning more towards Path Three but with an adjusted target date of 2040. Mayor Thomas prefers Path Two, not because he doesn't agree with lofty goals, but feels there will be tough decisions to be made and wonders if we will have the courage to make those decisions. Council Member Matsumoto says we could set a goal of banning gas-powered cars by 2050. Council Member Beerman reiterates we need to aim higher with our goals and be serious about it. Simpson says she can't agree with Path Three yet and prefers Path Two.

Public Hearing
Mayor Thomas opened the public hearing.

Katie Wright talked about a community group facilitated by Diane Foster in 2010 where they came up with a top priority of creating our own clean energy with an $8 million price tag, so she believes people will support a net-zero goal.

Jackie Carey says we are a gutsy community and believes we can meet Path Three goals by 2030.

Brynn Carey says he thinks about climate change every day and that Aspen, CO, just became 100% renewable. He stated other cities and countries have set similar aggressive goals and gave statistics for our state if we get to net-zero energy. He gave an analogy of how cell phone ownership exploded because the cost became affordable and likened that to energy being cheaper in the years to come, making these goals reachable.

Connor Quinn, founder Alpine Collective, states his group sent a letter to Council, signed by all 20 of their members, saying they support Path Three. Says they are leaders in helping cities reach their environmental goals and feels we should move the timeline up from 2050.

Matt Omenhamer [sic] says he endorses Path Three, we have a huge opportunity here to make a difference and hopes we will seize upon it.

Michael Dalling, local business owner, asks Council to lead on this issue and that companies, jobs and wealth will follow as we work towards this goal.

Ed Lewis, says if we continue at the rate we're going, there will be no snow by 2050. Says we need to aim high and not worry about not achieving our goals. We have a young, passionate community who will make this work.

Tina Smith is proud the community is coming together to reach this goal. Doesn't feel we should tell people how big they can build their houses, but just make them pay the costs for their own energy consumption. She urges Council to be aggressive on their timeline goals as technology progresses very quickly.

Becca Gerber is in favor of Path Three as it is a huge opportunity for us to be leaders in climate change and bring our community together.

Caroline Glick, professional skier representing a non-profit group called Protect Our Winters, says we have a powerful opportunity to establish a precedent that we can be proud of. In traveling to other states, she gets tired of defending her decision to live in Utah, as we have a bad reputation for our dirty air. A more aggressive plan shows we're brave and we're glad to be Utahns.

James O'Reilly, agrees with Path Three, but feels 2050 just seems so far out. We're at 7% non-zero right now and our conversation should be focused on how soon we can get to a more achievable goal, such as 20%.

Glen Wright also agrees with Path Three, and feels we need to look at the bigger picture as there will be parts of the earth that will be underwater if we don't make changes now.

Lauren Lockey with Sage Mountain, a farm animal advocate, is in favor of Path Three and urges Council to focus on our footprint as well, stating methane traps heat much more so than carbon and have a huge effect on greenhouse gas emissions. She believes that if we can push people to drive electric cars, we can push people to eat less meat.

Mike Deady supports Path Three, and feels it's not ambitious at all since he grew up in a California communtiy similar to Park City where he sees people have already made substantial changes to renewable lifestyles. He also believes we need more measurable, realistic goals on our way to 2050.

Adam Cole says we're all creatures of habit and we can change our habits. Feels others will follow our example if we set the trend.

Mayor Thomas closed the public hearing. Council Member Matsumoto says she's in favor of Path Three with a condensed timeline with goals in between. Council Member Peek is in favor of Path Three. Council Members Beerman and Henney favor Path Three with more aggressive timelines. Council Member Simpson says Council raised affordable housing to a critical priority a year ago, but has yet to build one unit. Says there's no way we will meet these goals unless the public ensures it gets done. Mayor Thomas says he's been involved in the energy discussion since the 70s. People were behind the movement but it didn't take off. He feels that after 30 years, he sees a critical mass of people who can make it take off.

Ober asks Council their preference on what to call this – energy, energy resiliency, or environment. Abbott says the focus is currently on energy resiliency. Council majority was for calling it Energy.



**REGULAR MEETING**

**I. ROLL CALL** – Mayor Jack Thomas called the regular meeting of the City Council of Park City to order at 6:00 p.m. at the Marsac Municipal Building on Thursday, October 29, 2015. Council Members in attendance were Andy Beerman, Liza Simpson, Cindy Matsumoto, Dick Peek and Tim Henney. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Rhoda Stauffer, Sustainability; Jenny Diersen, Special Events; and Karen Anderson, Deputy City Recorder.

## II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

### 1. Manager's Report – Recent Increase in Film Permit Activity:

MaryAnne Sorvino, business owner, says the filming situation in town has gotten out of control. She asked the City to be discretionary in granting permits and make day-to-day activities easier so lives are not disrupted. As far as Utahns in the industry, Sorvino says they are paid much below the industry standard.

Joe Thornhill, general manager Riverhorse, says filming has been disruptive but that they are in full support of filming and expansion of filming as it provides jobs, and most of the people in the Utah film industry are from Utah. Feels filming has many positive impacts and enhances Park City in general.

Council Member Beerman, speaking as a business owner, has seen positive impacts from film crews, but says they need to be managed better, follow our own rules and not alienate the community.

### 2. Manager's Report – Park City Cemetery Plot Availability Update:

### 3. Manager's Report – Halloween Traffic and Circulation Plan:

Council Member Simpson asked about manning all exits and entrances at China Bridge for the load in and load out. Jenny Diersen, Special Events, says they have signage and volunteers, and the police planned to be on site. Can't promise every single outlet will be manned but they have amped it up.

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

## IV. CONSIDERATION OF MINUTES

1. Consideration of a Request to Approve the City Council Meeting Minutes from October 8, 2015.

2. Consideration of a Request to Approve the City Council Meeting Minutes from September 24, 2015.

Council Members Henney and Beerman requested minor edits.

**Council Member Simpson moved to approve the above listed minutes with said changes. Council Member Henney seconded the motion.**

**Voting Aye: Council Members Simpson, Matsumoto, Beerman, and Henney. Council Member Peek recused himself. Minutes were approved as amended.**

## V. CONSENT AGENDA

**1. Consideration of a Request to Establish a Blue Ribbon Citizen's Advisory Committee on Remote Parking Jointly with Summit County:**

**2. Consideration of a Resolution Authorizing the City Manager to Enter into a two-year Cooperative Agreement, in a Form Approved by the City Attorney, with Summit County, Utah, in an Amount Not to Exceed a Total of $301,615 to Create an Alternative Transportation Trip Marketing Program; the City Would be Responsible for 50% of the $301,615, or not more than $150,807.50:**

**3. Consideration of a Request to Remand the Alice Claim Subdivision and Plat Amendment back to the Planning Commission:**

**Council Member Simpson moved to approve the Consent Agenda. Council Member Beerman seconded the motion.**

**Voting Aye: Council Members Simpson, Matsumoto, Beerman, Peek and Henney.**

## VI. NEW BUSINESS

**1. Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with CH2M Hill Engineers, Inc., for Quinn's Junction Water Treatment Plant Process, Capacity, and Energy Management Upgrades Engineering Services in an Amount of $499,500:**
Roger McClain, Michelle DeHaan, Kyle MacArthur and Chad Busch, Water Department, along with Bina Skordis, and Brock Emersons with CH2 spoke to the Quinns Junction WTP to improve reliability and energy efficiency.

McClain reports Quinn's Junction recognizes 30% of the city's drinking water. They've been looking at impacts on their treatment reliability at that plant since it handles such a high volume of water.

DeHaan spoke to the challenges they had this year at Quinn's. She says they're very proud of this facility. She discussed Weber River water quality and how it impacts the Quinn's plant. They need to improve the reliability of this facility to be able to run on a 24/7 basis and provide water during high demand periods. DeHaan says there was untreatable river water from the spring runoff this past year that contained manganese and organics, and states pre-treatment may be necessary. Council Member Matsumoto asked why there was manganese in the water. DeHaan states she doesn't know as it has never been tracked in the Weber River before. Council Member Beerman wonders if the runoff from fires in the Rockport area was responsible.

DeHaan continued by discussing frazzle ice, which shut down the plant on New Year's Day 2015, resulting in the City being unable to help two ski resorts make snow. Says their solid handling facilities are substandard and we may potentially need to add future treatment facilities that were identified during the original design.

McClain continued by speaking to the RFQ the Water Department is seeking for engineering services for the water treatment plant upgrades. He states the main focus is water quality in relation to energy usage.

Public Hearing
Mayor Thomas opened the public hearing. No public comment. Mayor Thomas closed the public hearing.

**Council Member Simpson moved to approve the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with CH2M Hill Engineers, Inc., for Quinn's Junction Water Treatment Plant Process, Capacity, and Energy Management Upgrades Engineering Services in an amount of $499,500. Council Member Beerman seconded the motion.**

**Voting Aye: Council Members Simpson, Matsumoto, Beerman, Peek and Henney.**

**VII. ADJOURNMENT INTO HOUSING AUTHORITY MEETING**
**Council Member Beerman moved to adjourn from the regular City Council Meeting. Council Member Simpson seconded the motion.**

**Voting Aye: Council Members Simpson, Matsumoto, Beerman, Peek and Henney.**

**VIII. HOUSING AUTHORITY MEETING**

**Roll Call –** Mayor Jack Thomas called the regular meeting of the Housing Authority to order at 7:00 p.m. at the Marsac Municipal Building on Thursday, October 29, 2015. Board members in attendance were Andy Beerman, Liza Simpson, Cindy Matsumoto, Dick Peek and Tim Henney. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Rhoda Stauffer, Sustainability; and Karen Anderson, Deputy City Recorder.

**1. Consideration of the Housing Mitigation Plan for Central Park Condominiums:**
Rhoda Stauffer, Sustainability, along with Hank Lewis, representing the applicant, states they are seeking approval of the housing mitigation plan for the Central Park City

condominiums. Stauffer says this was a 10-unit building that became an 11-unit building to accommodate an additional unit on-site. One of the market units is being converted into a deed-restricted unit, with the additional unit being a studio. Lewis says he agrees with staff's report.

Public Hearing

Mayor Thomas opened the public hearing. There were no comments. Mayor Thomas closed the public hearing.

**Council Member Beerman moved to approve the Housing Mitigation Plan for Central Park Condominiums. Council Member Matsumoto seconded the motion.**

**Voting Aye: Council Members Simpson, Matsumoto, Beerman, Peek and Henney.**

With no further business, the meeting was adjourned.

**CLOSED SESSION MEMORANDUM**

The City Council met in a closed session at approximately 1:30 pm. Council Members in attendance were Mayor Jack Thomas, Andy Beerman, Dick Peek, Cindy Matsumoto, Liza Simpson and Tim Henney. Staff members present were Diane Foster, City Manager; Mark Harrington, City Attorney; Jason Glidden, Special Events Manager; Bob Kollar; Phyllis Robinson, Communications & Public Affairs Manager; Polly Samuels McLean, Legal; Heinrich Dieters, Sustainability; and Jonathan Weidenhammer, Economic Development Manager.

**Council Member Beerman moved to close the meeting to discuss Property and Litigation. Council Member Simpson seconded the motion. Motion carried.**

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

Prepared by Karen Anderson, Deputy City Recorder

DATE: November 17, 2016

**TO HONORABLE MAYOR AND COUNCIL**

On August 4, 2016, City Council established a housing goal of 800 units by 2026 with an interim goal of 220 units by the year 2020. A resolution to memorialize this goal is attached. A "unit" in this context will mean a complete house, condo, or apartment and not in accordance with size, square footage or AUE measure. A "unit" can be any approved final product from a 400 SF studio to a 1,400 SF three-bedroom single family home or condominium.

**Respectfully:**

Rhoda Stauffer, Housing Specialist

# Housing Authority
# Staff Report

| | |
|---|---|
| **Subject:** | Affordable Housing Goals Resolution |
| **Author:** | Rhoda Stauffer, Housing Program Manager |
| **Department:** | Community Development |
| **Date:** | November 17, 2016 |
| **Type of Item:** | Legislative |

## Summary Recommendation

Staff recommends that City Council approve a proposed Resolution HA 01-2016 to memorialize their goal to produce 800 units by 2026 and an interim goal of 220 units by 2020. A "unit" in this context will mean a complete house, condo, or apartment and not in accordance with size, square footage or AUE measure. A "unit" can be any approved final product from a 200 SF studio to a 1,400 SF three-bedroom single family home or condominium.

## Executive Summary

Council has established Housing as one of three Critical Priorities. A Critical Priority is one where if the current trajectory must be positively changed to maintain the four core community values that help us to Keep Park City Park City: Sense of Community, Small Town, Historic Character and Natural Setting. In particular, achieving the goals that Council has established for affordable housing is of the utmost importance to maintain Park City's Sense of Community.

The quote "What gets measured gets done" is attributed to many people including physicist Lord Kelvin and management guru Peter Drucker. No matter who said it, City Council is well aware that setting specific metrics to measure the progress towards goals can be both a great motivator and practically useful for staff and the community.

On August 4, 2016, City Council further detailed its housing goal, setting a numeric goal of 800 units by 2026 with an interim goal of 220 units by the year 2020. A resolution to memorialize this goal is attached. A "unit" in this context will mean a complete house, condo, or apartment and not in accordance with size, square footage or AUE measure. A "unit" can be any approved final product from a 200 SF studio to a 1,400 SF three-bedroom single family home or condominium.

## Acronyms

- AMI – Area Median Income
- AUE – Affordable Unit Equivalent (900 SF)
- BHAG – Big Hairy Audacious Goal
- PCMC – Park City Municipal Corporation
- SF – square foot/feet

## The Problem

As an international resort community with world class recreational, hotel and leisure service amenities, Park City's job market is dominated by the hospitality and leisure sector. More than 40 percent of all jobs within the city limits are in this sector. In 2014, the average annual income earned in all employment sectors was $44,052. Wages earned in the leisure and hospitality sector averaged $27,456 – 38 percent below all jobs.

According to Realtor.com, the median listing price for a home in Park City is currently $1.52 million, and with the lowest price single family home within the Park City limits is currently in Prospector home priced at $719,000 (needing extensive repairs/remodel). For Midway and Heber City, the median listing price is $345,000 and $360,000 respectively. For homes in Park City to be affordable to the majority of those employed within City limits, prices would need to range between $200,000 and $500,000 (this range covers both affordable and attainable). Today, approximately 80% of Park City's workforce lives outside the city limits. High home prices in Park City not only result in the need to import a high percentage of our community's workforce, it causes problems that range from increased traffic to the risk that Park City could lose vibrancy because of lack of full time residents.

## Background

In early 2015, Council established "Affordable, Attainable and Middle Income Housing" as one of their critical priorities. At the February 2015 Council retreat, a four- pronged, five year work plan was adopted which included Regulatory Tools as one of the program categories. In July 2015, Council approved a contract with EPS to complete a number of reviews and analysis, including: a thorough regulatory review to identify potential barriers to affordable housing development; comparative analysis of the best approach to mitigating the impact of both new construction as well as redevelopment on affordable housing needs within the community; assessment of the true employee generation formulas for Park City's primary employers; examination of the most effective formula for in-lieu fee calculation; most balanced and equitable trigger mechanism for housing obligations; and assessment of the connection between the impacts generated by development and the housing mitigation required.

EPS worked from September 2015 to March 2016. They included several interactions and work sessions with the Blue Ribbon Housing Commission to guide the final draft report which was presented to a joint session of City Council and Planning Commission on April 28. In a subsequent joint Study Session, City Council and Planning Commission members on June 30, the discussion focused on establishing a BHAG – Big Hairy Audacious Goal for production of affordable housing units.

In a follow-up meeting on August 4, City Council set that goal as 800 units by 2026 with an interim goal of 220 units by the year 2020.

## How this work furthers the goals of the General Plan

Goal seven of the General Plan states "Create a diversity of primary housing opportunities to address the changing needs of residents" and goal eight states: "increase affordable housing opportunities and associated services for the workforce of Park City" (Link here to pages 70-77 of the Sense of Community section of the General Plan) All efforts and issues identified here are to increase the number of units affordable to members of Park City's workforce. General Plan objectives that are addressed by this work include:

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

## Department Review

The report has been reviewed by the offices of Community Development, City Attorney and Executive.

## Funding Source

Although $70 Million to $187 Million will be needed to fulfill this goal (see page 13 of the August 4 Council packet linked here), no funding beyond $40 Million has been committed to Affordable Housing programs.

## Attachments

Exhibit A – Resolution HA 01-2016

## Exhibit A

Resolution HA 01-2016

A RESOLUTION ESTABLISHING AN AFFORDABLE HOUSING PRODUCTION GOAL FOR THE PARK CITY HOUSING AUTHORITY

WHEREAS, in order to promote a range of affordable, quality housing opportunities within Park City for persons of all economic levels; and

WHEREAS, Park City is a world-class community and our quality of life and ability to live in this beautiful mountain community is dependent upon the availability of a variety of housing options to meet the socio-economic needs of people who live and work here; and

WHEREAS, Park City is committed to maintaining a community that contains a broad diversity of owner-occupied and rental housing types; and

WHEREAS, Park City is committed to promoting new housing development that is energy efficient, environmentally sensitive and that blends with the City's natural environment; and

WHEREAS, since 2008 sale prices for all homes has escalated exponentially and the job market has similarly increased resulting in high numbers of commuters and few workforce residents;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council do hereby proclaim an affordable housing goal of 800 units by 2026 with an interim goal of 220 units by 2020. A "unit" in this context shall mean a complete house, condo, or apartment and is not measured by size, square footage or AUE measure. A "unit" can be any approved final product from a 200 SF studio to a 1,400 SF three-bedroom single family home or condominium.

PASSED AND ADOPTED this 17th day of November, 2016.

PARK CITY HOUSING AUTHORITY

________________________________

Mayor Jack Thomas

Attest:

____________________________

Michelle Kellogg, City Recorder

Approved as to Form

_____________________________

Mark D. Harrington, City Attorney